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SUMMARY RECORD OF THE NINETY-SEVENTH MEETING

held in Lausanne on Friday,
2 September 1949, at 10:30 a.m.

Present: Mr. de Boisanger (France) - Chairman
Mr. Yalcin (Turkey)
*Mr. Rockwell (U.S.A.)

Dr. Azcárate - Principal Secretary

* Alternate

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Draft terms of reference of the United Nations Representative in Jerusalem.

With the addition of a further paragraph requested by the Chairman, the Commission adopted the draft terms of reference for the United Nations representative in Jerusalem (see annex).

Report of the Jerusalem Committee

The CHAIRMAN suggested that the Commission should ascertain the exact time when the Secretary-General intended to publish the text of the Jerusalem Instrument and Declaration, and should then convene a press conference in Lausanne for the purpose of making its official commentary upon the text. The text should also be communicated to the Arab and Israeli delegations shortly before the press conference was held.

The Commission adopted the Chairman's suggestion.

Draft Terms of Reference for the Survey Mission

The CHAIRMAN objected to the sentence in paragraph 4 calling for the submission of a report on a fixed date. He did not think that the Commission could fix a date for such a report, and, moreover, he thought it probable that the Survey Mission would submit several reports.

Mr. ROCKWELL agreed to the deletion of the sentence.

The CHAIRMAN also requested the deletion of the phrase "and the probable sources of available funds from within and without the area", from paragraph 4 (h).

The Commission adopted the draft terms of reference as amended, and requested the Principal Secretary to communicate the text to the Secretary-General before the departure of Mr. Clapp

Visit of Mr. Clapp to Lausanne

With regard to the cable just received from the Secretary-General, announcing Mr. Clapp's arrival in Lausanne, the CHAIRMAN suggested that a cable should be despatched to the Secretary-General pointing out that the amount of time allowed for Mr. Clapp's visit in Lausanne was the minimum possible to permit the necessary contacts. The cable should also suggest that the Commission considered it important for Mr. Clapp to make contact with the Arab and Israeli delegations, while in Lausanne, and also with the United Nations Relief for Palestine Refugees.

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ANNEX to SR/97
1 September 1949

TERMS OF REFERENCE

UNITED NATIONS REPRESENTATIVE IN JERUSALEM

The Committee on Jerusalem has the honour to suggest to the Conciliation Commission that the following terms of reference be given to the United Nations Representative to be appointed in Jerusalem:

1. To keep the Conciliation Commission immediately informed of any fact of a nature to compromise the task entrusted to the Commission under paragraph 8 of the resolution of 11 December which provides that the Jerusalem area "should be accorded special and separate treatment from the rest of Palestine", and which instructs the Commission to draw up "a permanent international regime for the Jerusalem area";
2. To keep the Conciliation Commission informed of the conditions under which the Governments and authorities concerned collaborate with him and take, in accordance with paragraph 14 of the resolution, "all possible steps to assist in the implementation of the present resolution";
3. To assure, in conformity with paragraph 9 of the resolution of 11 December, "the freest possible access to Jerusalem... for all inhabitants of Palestine", making the necessary arrangements for this purpose with the competent authorities. The word "Jerusalem" obviously applies both to the part of the city occupied by Israeli troops by virtue of the Armistice of 3 April 1949 and to the part of the city occupied by Jordan troops by virtue of the same Armistice.
4. To coordinate, in accordance with the last sub-paragraph of paragraph 8 of the resolution of 11 December, which calls on the local authorities to collaborate with the Representative of the United Nations with respect to the interim administration of the Jerusalem area, the main common services of that area, in particular the distribution of water supplies and of electricity.
5. To ensure, pending the entry into office of the United Nations Commissioner for Jerusalem the protection of and free

access to the Holy Places, sites and religious edifices of the Jerusalem area, as defined in the resolution of 11 December 1948, and to ensure that the undertakings subscribed to by the political authorities concerned, with reference to the protection of and free access to the Holy Places, sites and religious edifices of Palestine located outside the Jerusalem area, are carried out.

The functions of the Representative of the United Nations in Jerusalem shall terminate on the date on which the United Nations Commissioner appointed under the terms of the Draft Instrument establishing a permanent international regime for the Jerusalem area assumes his functions, or at such other time as the General Assembly or the Conciliation Commission may decide.