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SUMMARY RECORD OF A MEETING BETWEEN THE CONCILIATION

COMMISSION AND THE ARAB DELEGATIONS

Held at the Palais des Nations, Geneva,
on Thursday, 9 March 1950, at 4.30 p.m.

Present:

Mr. de Boisanger	(France)	Chairman
Mr. Yalcin	(Turkey)	
Mr. Palmer	(United States)	
Mr. de Azcarate		Principal Secretary
Mr. Abdel Monem Mostafa,	Representative of Egypt	
Mr. Hafez Abdulhadi,	Representative of the Hashemite Kingdom of Jordan	
Mr. Jamil Mikaoui,	Representative of Lebanon	
Mr. Ahmed Shukairy,	Representative of Syria	

The CHAIRMAN, after welcoming the delegates of the Arab States, pointed out that the Commission had thought it advisable to supplement the many conversations which its members had had with the Arab delegations by giving the latter an opportunity to submit more officially certain explanations or information which would be of assistance to the Commission in its future work.

Mr. MIKAOUI (Lebanon) then read out the note which is reproduced in full hereunder, in reply to the statement made on 30 January 1950 by the Chairman of the Commission (document SR/GM/1) and to the note read by Mr. Rafael, Israeli representative, on the same date (document SR/GM/2, pp.4-7):

"Before commenting on the statement made by Mr. Palmer on 30 January 1950 on behalf of the Commission I consider it my duty to reaffirm once again not only that my Government's attitude to your honourable Commission has not changed, but that its faith in the success of your mission grows daily greater in view of the tenacity, disinterestedness and spirit of justice with which it is imbued.

Mr. Palmer's statement is complete. In my view he dealt with the Palestine question in its most varied aspects. He referred to refugees, the territorial question, mediation, direct contacts, collective and separate agreements and to the timely suggestions which the Arab representatives might submit to the Commission. In doing so, Sir, you displayed that tact and skill which are characteristic of you and to which we can not but pay tribute.

However, these very delicate problems deserve to be taken up once more and commented on separately. It is true that we have already had the honour of explaining our point of view to you in private and unofficial conversations. We nevertheless consider it essential to give the Commission an official reply which might throw light on certain points which seem to us very important.

I shall leave aside the question of Jerusalem since the statement to which I have just referred recalled that it was now before the Trusteeship Council.

With regard to refugees the Commission has been good enough to mention the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which was set up pursuant to the General Assembly Resolution of 8 December 1949 with the aim of laying down a specific programme which, through local works projects, would provide a considerable number of refugees with a means of livelihood that would ensure their independence from direct relief. That is

of course a vital task calculated to relieve the wretchedness of some of those who would be disinclined to return to the land of their ancestors. The Government and delegation of Lebanon are keenly interested in the said programme and ready to co-operate with the United Nations organs in their relief work. Moreover, the welcome given by my Government and by all the Arab States to the Economic Survey Mission for the Middle East and the effective assistance which they afforded it clearly demonstrated their intentions and their desires.

We know that the Governments of Syria and Jordania have signified their readiness to accept the settlement in their territory of refugees who do not wish to be repatriated. Their offer therefore concerns only an insignificant minority, namely those who refuse to live in areas controlled by the Jews. And may I point out in passing that this offer is not the result of the work of the Commission or of the United Nations, but the outcome of a generous act which bears witness to the firm intention which the two countries mentioned share with all the other States in the Arab world of solving the refugee problem. While, for reasons it would be pointless to develop here, Lebanon cannot follow their example, it is certain that the Governments of the Hashemite Kingdom of Jordan and Syria have made this offer because the Arab peoples and their Palestine brothers are bound together by indissoluble bonds of fraternity.

Mr. Palmer next mentioned the statement of the Jewish delegation at Lausanne, to the effect that the Tel Aviv authorities were ready to accept within their territory an Arab population of 250,000 persons. I shall not dwell on the point since my colleagues have already expressed their views on the question at Lausanne. If I remember rightly your Commission itself regarded that offer as so trivial that it did not think it necessary to communicate it officially to the Arab representatives. With your permission I shall refer to it once more in commenting on the speech by the Jewish representative.

I shall be obliged, Mr. Chairman, to speak at some length and, believe me, that is not one of my habits. But the questions raised, whether in the Commission's statement or in the Jewish reply, compel me to go into the

matter minutely. I shall therefore request you and the members of the Commission to display some of that patient attention which you have so frequently shown in the past.

The Commission found that it was still seized with the problem of the return of the refugees to their homes and the problem of compensation according to the terms of paragraph 11 of the Resolution of 11 December 1948, reaffirmed by the Resolution of 8 December 1949, adding that it had had the latter question under study for some time and that it hoped, at subsequent meetings, to find some means of overcoming the difficulties and finally arriving at an equitable solution.

But what is the position, Mr. Chairman, with regard to the return of refugees? You have neglected to inform us what you intend to do in this matter which, nevertheless, remains the cardinal problem.

Relief for refugees, the settlement of a negligible proportion of them - i.e. those who do not desire to return to the territories under the control of the Tel Aviv authorities - and compensation are purely subsidiary and do not solve the refugee problem. The problem is solved, finally solved, and has been solved for a long time past by the very Resolution of 11 December 1948 under which the Commission was set up and which should be reviewed from time to time. Paragraph 11, to which the Commission thought fit to refer in its Chairman's statement, stipulates clearly that the General Assembly "resolves that the refugees wishing to return to their homes should be permitted to do so at the earliest practicable date...."

In the said Resolution the General Assembly clearly expressed its appreciation of the progress achieved by the United Nations Mediator, extended its thanks to the Acting Mediator, established a Conciliation Commission, requested the Security Council to take further steps to ensure the demilitarization of Jerusalem, and gave instructions to the Conciliation Commission. But it also resolved upon the return of the refugees, of all refugees.

May I respectfully ask the Commission what steps it has taken to implement this decision?

I am grieved to have to state that nothing has so far been done in this sphere, and why? Because one single party, namely the Jews, is opposed to a step which nevertheless represents the desire of the overwhelming majority - not to say all - refugees. You may perhaps reply that several dispersed families have been repatriated. I shall then request the Commission to refer to the letter which was officially communicated to us on 2 February 1950 and which stated that only 790 refugees had been able to return home since the Conciliation Commission was set up. What is this number compared with a million poor wretches who live in tents, under-nourished, ill-clad - there is no question of heating - among whom tuberculosis and other diseases are causing frightful ravages? What is this number in relation to the General Assembly's decision ordering that refugees should be permitted to return to their homes, without restriction?

No, Mr. Chairman, neither compensation nor the return of a few refugees constitutes an implementation of the Resolution of 11 December 1948, not only in the opinion of the Arab Governments but as was made clear in an observation by Abdel Halim Mahfous bey, Commissioner-General for Relief to Refugees ("Al Masri" of 9 February 1950) after a tour of the refugee camps: "The surprising thing is that all the refugees I came across on my tour said 'we do not want food, we do not want blankets or clothing or houses, because none of these things is a solution to our tragedy. All we want is to be given the opportunity to return to our country, and if you give us that opportunity we promise to ask you for nothing more'".

I will not labour the point. But may I once again, not only on behalf of the Lebanese Government which I have the honour to represent here, but on behalf of these hundreds of thousands of unfortunates - and I shall even say on behalf of every human being who is concerned with the dignity of the human person - may I ask the Commission what its intentions are with regard to the United Nations decision concerning the return of the refugees?

With reference to the territorial question the Commission considered that the positions adopted by the Arabs and the Jews in their notes of 29 and 31 August 1949 respectively were too far apart to provide a basis for effective conciliation and it therefore requested the two parties to reconsider their positions.

It is true that the two points of view are too far apart. But may I ask you in relation to what criterion you examined them? Perhaps you thought they should be considered in relation to each other. If that is the case the conclusion you have reached is quite accurate, namely, that the gap between them is too wide. But, for our part, we do not feel that this is the right way to judge them.

Your Commission was set up by the will of the United Nations. Accordingly it is bound by all the decisions of that international organization and must strictly conform to them. In examining the Jewish position with regard to the territorial question did the Commission do so in relation to the 1949 partition decision? After all that decision still exists!

And when it endeavoured to define the attitude adopted by the Arab representatives as a whole, did it take as a criterion the Protocol of 12 May which was signed and approved by both parties and endorsed by the Commission? Certainly not, for if it had done the Commission would have concluded, in complete objectivity, that the Arab position was entirely in accordance with the decisions of the United Nations and that not only can it provide a basis for conciliation but is, in the present case, the only possible basis.

In that connection also we should be deeply grateful if the Commission's statement could be reviewed and responsibility assigned to the party which refuses conciliation and is not prepared to bow to the will of the United Nations.

Before concluding his statement Mr. Palmer was good enough to recall, on behalf of the Commission, the desire expressed by the Arab delegations in New York that the Commission would undertake the functions of mediator. It would appear that it has not yet chosen the best way of exercising these functions - functions which incidentally have been laid down by the General Assembly. The aim of the Arabs in making such a suggestion is to assist the progress of the Commission. Moreover, as you are certainly aware, some decisions of the United Nations which were adopted more than two years ago, have not yet been implemented.

With regard to the assistance which the Commission is ready to give the parties in order to enable them to reach either collective or separate agreements, both as to the main problems and on questions of a more local character, allow me to inform you, Mr. Chairman, that the Palestine problem is of the same concern to all the Arab Governments. Therefore, in thanking the Commission, my delegation feels bound to recall that, even at Lausanne, it had expressed a desire to be heard at the same time as the other Arab delegations which, moreover, had been unanimous in their desire to be regarded as a single party. And we continue to believe that this procedure must also be followed at Geneva.

In his peroration, Mr. Palmer was good enough to inform us that the Commission was ready to consider our suggestions. We thank you, Gentlemen, and shall gladly avail ourselves of this offer. Hence, after commenting on the statement by the Jewish representative, I shall venture to reply to the question concerning direct negotiations which was referred to in the Commission's statement and to submit to you certain proposals which we consider timely and necessary.

Your Commission has for the first time communicated to us the summary record of its meeting with the Jewish representative on 30 January 1950. The latter's observations call for a reply from us since they reveal the new attitude of the Zionists towards the refugee problem, the Protocol of 12 May and the procedure which the Commission should, in their view, adopt in future.

According to the record, the Jewish representative merely read a prepared note. I must confess, gentlemen, that when I saw it my first impression was that the author was "looking in the wrong box", and that instead of a statement which had been carefully drafted with a view to discussion with the Conciliation Commission, he had brought a paper with which to harangue the crowd at Tel Aviv. Not only had its substance nothing conciliatory about it, but even its wording was arrogant. Its tone reminded me of the speeches, all too well known, that Hitler used to make to cover up his unjust and murderous aggressions with talk about law and peace.

In speaking of the "fourth round of the fight", the speaker doubtless had in mind the war which, according to him, the Jews "did not start" and "did not lose". No, gentlemen, we can no longer ignore propaganda as paltry and mendacious as this.

Who wanted the war in Palestine? Was it the thousands of Arab refugees who fled before brutal force, the reality of which was preceded by its reputation, and which compelled peaceful peasants living in open and undefendable villages, who had been attached to their land for centuries, to depart and leave behind them their houses, lands, property and memories? Or was it the Arab States, who rushed to their help in an endeavour to check an aggression unique in the annals of history, and who, alas! were held back by order of the Security Council?

It was neither; it was these foreigners from the four quarters of the globe, who had been trained for years in camps specially set up to drill aggressors of that kind. It was the Zionists who unleashed the attack, fully premeditated, in order to seize by main force and against the will of its inhabitants a country which from time immemorial has been in the hands of the Arabs of Palestine.

The Zionists have assured you that they have not lost the war. They certainly have short memories. They have forgotten their urgent approaches to the foreign offices of the whole world imploring them to intervene and induce the Security Council to order the cease-fire just when the Arab armies were within twelve kilometres of Tel Aviv. They may not have lost the war, but they have certainly not won it. It is true that at the present time they are occupying territory situated beyond the frontiers laid down in the partition decision of 1947; but they established themselves there after the Palestine armistice ordered by the United Nations.

The Jewish representative has assured you that his predecessors tried with all good will to induce the Arab Governments to adopt an attitude in accordance with the Security Council's resolution of 16 November 1948 and the General Assembly's resolution of 11 December 1948 inviting the interested parties to enter into peace negotiations - direct peace negotiations.

What is the purpose of a statement such as that? To mislead you, gentlemen. Nevertheless, the documents I have referred to are clear and concise, and the Commission had already given its answer to that old story, which the Zionists have repeated incessantly for a long time past, in its letter of 10 November 1949 (page 5):

"The General Assembly's resolution of 11 December 1948 called upon the Governments and authorities concerned to seek agreement by negotiations conducted either directly or with the Conciliation Commission."

Thus, not only is there no room in that resolution for any misunderstanding, but the Commission in its letter gave it an absolutely accurate interpretation. However, the Jews seem to know nothing about either the resolution or its interpretation. There is some sense in the proverb: "There's none so deaf as those who won't hear."

Which of the two parties, gentlemen, refuses to abide by the General Assembly's resolutions? Is it the Arabs, who have accepted the internationalization of the Holy Places and are still defending it before the Trusteeship Council? Or is it the Jews, who are opposing it? Who is opposing the implementation of paragraph 11 of the resolution of 11 December 1948? Is it the Arabs, who have never ceased to press for the restoration of the refugees to their homes? Or is it the Jews, who have done everything they could to prevent that decision from being put into practice, sometimes by agreeing to receive a trivial number of refugees and sometimes by withdrawing their offer outright, as at the last official meeting? Who are now refusing the partition decision of 1947, and who are repudiating their signature placed on the Protocol of 12 May in the presence of the Commission? Is it the Arabs, who have always declared that they stood by their attitude to that Protocol? Or is it the Jews, who have regarded it, in the words of their representative, as merely "a procedural device which ... provided a basis for discussion which after over eight months has failed to result in any kind of progress"?

Why had those discussions remained at the same stage for eight months? The reply is simple: because, in spite of the decisions of the United Nations and of their signature, the Jews opposed and still oppose the return of the

refugees and the internationalization of the Holy Places, and wish by adopting the policy of the accomplished fact, to keep all the territory which they are occupying unlawfully.

Their refusal to accept the decisions of the United Nations, their prevention of the return of the refugees, their choice of Jerusalem as their capital and the transfer there of their government offices in contempt of the resolution on internationalization - all those things they call in their language "defending the basic principles of the Charter".

Their spokesman has also told you that, having offered to raise the Arab population of Jewish-controlled territory to 250,000, the Tel Aviv authorities consider that that question should be re-examined because the ethnic pattern of the population has radically changed.

Here again a clear understanding is essential. If we are not mistaken, the Jews are now withdrawing even that very modest offer of theirs, which indeed was never accepted by the Arab States and which, furthermore, was very far from conforming with the resolution of 11 December. The Zionist representative, speaking on behalf of his people before the Conciliation Commission, declared that his Government had held out its hand but the other side had not taken it. He also asked how long one could do so without getting tired.

Gentlemen, we have already seen that hand held out several times. We have seen it carrying arms, slaughtering children, disembowelling women, killing old men, driving peaceful people out of their homes. We have seen it tearing up resolutions of the General Assembly. We have seen it more recently opposing the internationalization of the Holy Places.

Let the Jews understand that I have not come to Geneva as the Lebanese delegate, any more than my predecessors went to Lausanne or Beirut, to listen to threats. We have come before the Conciliation Commission to ask it to implement the decisions of the United Nations, to collaborate sincerely with it, and to help it in its serious and delicate task.

The Tel Aviv authorities now regard the Protocol of 12 May as a procedural device, a basis for fruitless discussions. We, on the other hand, gentlemen, as I have already had the honour to say and I now repeat, stand by our attitude to the Protocol of 12 May, for we are in the habit of honouring our signature.

The Zionists do not like mediators, and have shown it. That is why they are asking you today not to play that part, without troubling to find out whether under the General Assembly resolution you are entitled to do so or not. They claim that if the Commission undertook such a duty, it would run the risk of giving points "to the recalcitrant party without in any way forcing it to become more amenable to peaceful counsels."

Who is the recalcitrant party? The Jews certainly think it is the one which accepts all the decisions of the United Nations without reservation - that is to say, the Arabs. They now want one procedure and look to one outcome only: to oblige the Arabs to take part in direct peace negotiations. "If the Arabs refuse to give way, the Commission should clearly indicate their responsibility; that (they say) is how it would best serve the cause of peace." Thus there is to be no more conciliation, nor even mediation.

Mr. Chairman, gentlemen: speeches like the one on which I have just commented are instructive and significant, not only for the Arab delegations but also for the Commission.

Last year we went to Lausanne to study the most effective and rapid means of implementing the decision concerning the return of the refugees. The Jews opposed it and asked that the territorial question should be examined at the same time. I will not now refer to the part played by the Commission, to its good will and its efforts to persuade us to accept that point of view. It succeeded, and both parties signed the Protocol of 12 May. By their default the Jews paralyzed the procedure embodied in that document. They refused one of its essential principles, and one moreover that was already included in the United Nations resolution of 11 December 1948. Today they have gone farther and describe the Protocol of 12 May as a "procedural device". For us, gentlemen, it is much more than that: it is a diplomatic instrument which in our view

is not subject to any derogation. We are ready to continue negotiations and our collaboration with the Commission on the basis of that Protocol.

I now come to the suggestions which you have been good enough to ask us to make.

In our view, nothing can prevent the Conciliation Commission from continuing its work with the two parties provided they are ready to respect the will of the United Nations and their own signatures. If, however, one of them wishes to impose its own will, the Commission is not bound to follow it; it can and should in that case continue its collaboration with the other party on the basis of the Protocol of 12 May and conform to the decisions taken by the various organs of the United Nations. It may act as a mediator, as the instrument setting it up indeed empowers it to do. We consider that the time is ripe for it to continue the work for which it was created, for the longer the delay in implementing the decisions to which I have referred, the more value will every one of those decisions lose. Any further postponement will entail the risk not only of darkening the atmosphere, already a turbid one, that prevails in the Middle East, but of poisoning it still more.

Therefore, Mr. Chairman, I must say on behalf of my Government that we have not contemplated, and are not in a position to contemplate, direct negotiations with the Jews, for the reasons which I have set forth already at considerable length. We are therefore ready to work in harmony with the Commission on the basis I indicated earlier - the decisions of the United Nations and the Protocol of 12 May.

Moreover, may I respectfully repeat to the Commission that I think it essential to submit to the next meeting of the United Nations Assembly the result of your labours and to establish the responsibilities and attitude of each of the parties concerned in the Palestinian question? The authors of those resolutions ought to know whom to blame for the failure to carry them out. They should not be unaware who is respecting and who is flouting them.

The CHAIRMAN, replying to the passages in the above note dealing with refugees, pointed out emphatically that it was wrong to assume that the Commission was not anxious to see how the General Assembly's resolution could be applied in regard to the refugees. It clearly did not consider that it had complied with the General Assembly's instructions by collecting a few dispersed families, which it had endeavoured to do for humane reasons. The solution of the refugee problem might become easier when the United Nations Relief and Works Agency started operations.

He stated that the Commission would give careful thought to the note as a whole and re-examine the questions which it raised with the interested parties.

Mr. MOSTAFA (Egypt) assured the Commission of his desire to collaborate with it for the solution of the refugee problem and the other problems alike. He stressed the importance of the problem of the refugees. Their appearance and continuous increase in numbers were a result of the events that had taken place in Palestine since the end of 1947. The refugees had lost hope of remaking their homes; they were in danger of being led away into destructive anarchy and of embracing subversive doctrines. Their slow dispersal, resulting from their humiliating conditions of life, threatened the stability of the whole world and must for every reason be stopped as soon as possible.

The CHAIRMAN remarked that the Commission was fully aware of the ever-increasing gravity of the refugee problem. He thanked the Egyptian representative for the collaboration which he had promised the Commission.

Mr. MIKAOUI (Lebanon) thanked the Chairman for the words in which he had welcomed his address. He was glad to know that the Commission was keeping the serious problem of the refugees constantly in view.

He asked whether the Commission had, during the past six weeks, had time to study the problem of mediation.

The CHAIRMAN replied that the Commission had held several discussions on that problem, the gravity of which entitled it to most careful examination and postulated the assistance of the governments represented in the Commission. He thought that the Commission would shortly be able to inform delegations of the conclusions which it had reached in that matter.

Mr. SHUKAIRY (Syria) associated himself with the remarks of the Lebanese and Egyptian representatives and added that the Commission was well aware of his delegation's position. He hoped that the next few meetings would be devoted to the examination of means of implementing the General Assembly's resolutions.

The meeting rose at 5.30 p.m.