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SUMMARY RECORD OF A MEETING BETWEEN
THE CONCILIATION COMMISSION AND THE
DELEGATION OF ISRAEL

held in Lausanne on Monday,
12 September 1949, at 11.45 a.m.

Present: Mr. de Boisanger (France) - Chairman
Mr. Yalcin (Turkey)
Mr. Rockwell* (U.S.A.)
Dr. Azcarate - Principal Secretary
Mr. Shiloah) - Representatives of
Mr. Sasson) Israel.

* Alternate.

The CHAIRMAN stated that the present meeting with the Israeli delegation, which would be the last before the Commission adjourned, had been convened not only to hear any remarks which the Israeli delegation might wish to make but to transmit to the Israeli delegation the reply, signed by the three members of the Commission, to the Israeli memorandum of 31 August.

The note covered both the question of refugees and that of a territorial settlement and indicated that it was the Commission's opinion that the Israeli proposals were not such as to make for the conclusion of a final settlement. The Commission therefore asked the Israeli delegation to request their Government to re-examine the question and to make certain modifications to their existing proposals or to submit new suggestions.

The General Assembly's resolution of 11 December 1948 instructed the Commission to facilitate negotiations and, in that connection, the Chairman wished to stress the fact that flexibility was an essential characteristic of negotiations and that for it to be disregarded by either side would amount to a violation of the resolution. He urged the Israeli delegation to draw their Government's attention to that factor and to press that new proposals be put forward in New York with that consideration in mind.

He pointed out that the note addressed to the Israeli delegation was very similar to that addressed to the Arab

/delegations,

delegations, a copy of which was attached.

In view of the fact that the present note was of such great importance, the members of the Commission had asked their respective Governments to press the matter through the normal diplomatic channels with the Israeli Government as well as with the Governments of the Arab States. The recess in the Commission's work would afford the necessary time for the Governments concerned to formulate their replies and would also enable the Commission to receive preliminary reports from the Economic Mission.

He expressed the hope that, with the cooperation of the parties, the Commission would be able, when it resumed in New York, to arrive at a satisfactory solution of the problem.

Mr. SHILOAH wished to make it clear that the fact that he was obviously unable to reply verbally to the Commission's note at the present meeting did not in any way mean that he accepted the Commission's conclusions as to the lack of flexibility shown by his delegation or its interpretation that such an attitude amounted to a violation of the General Assembly's resolution. The Israeli delegation had indeed been in disagreement with the Commission on points of procedure but he did not consider that its attitude had at any time justified the Chairman's implied rebuke.

The CHAIRMAN regretted that there had been a misunderstanding since he had not intended any implied rebuke either to the Israeli delegation or to the Arab delegations. His remarks on the need for flexibility had been intended to apply to the future stages of negotiation.

Mr. SHILOAH wished to make a practical suggestion with regard to the communique which, under normal procedure, the Commission would publish at the time of its adjournment. He would strongly urge the Commission, in drafting the communique, to avoid as far as possible touching upon the substance of the issues under discussion. The parties had agreed to cooperate with a body established by the Commission which was endeavouring to find a practical solution to the distressing problem of the refugees. Any statement at present made which might lead to public argument and discussion might jeopardise that work and would, in any case, make it a great deal more difficult. A short period of time when the Palestine issue was not being discussed would, in his opinion, do the common cause for which they were all working, a great service.

/The CHAIRMAN

The CHAIRMAN agreed with the representative of Israel that it would be highly desirable to avoid any polemics, but nevertheless he pointed out that the Commission was obliged to inform the Secretary-General of the United Nations of the stage it had reached in its work. It would however endeavour to do so in a form which would avert as far as possible the disadvantages emphasized by the Israeli representative.

He wished furthermore to call the Israeli representative's attention to the Draft Declaration concerning guarantees for the protection of and free access to Holy Places which had been handed to the Israeli delegation with a covering letter. The Commission requested that a reply should be sent at the earliest possible opportunity to the Principal Secretary either in Lausanne or subsequently in Jerusalem.

Finally he wished to thank the Israeli delegation for its cooperation and to express the hope that the Commission's work would progress considerably when it resumed conversations in New York.

Mr. SHILOAH also hoped that substantial progress would soon be achieved. He wished to express his sincere thanks to the Commission for its cooperation, even when difficult issues had been touched upon. Speaking in a personal capacity, as he did not think he himself would be representing his Government when the Commission reconvened in New York, he expressed his appreciation for the collaboration of all members of the Commission and of the Secretariat.
