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22 October 1949  
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SUMMARY RECORD OF A MEETING BETWEEN  
THE CONCILIATION COMMISSION AND THE  
DELEGATIONS OF THE ARAB STATES

Present: Mr. de Boisanger (France) - Chairman  
Mr. Yalcin (Turkey)  
Mr. Rockwell (U.S.A.)  
Dr. Azcarate - Principal Secretary  
H. E. Abdel Monem Mostafa Bey - Representative of Egypt  
H. E. Fawzi Pasha Mulki - Representative of the Hashemite  
Jordan Kingdom  
Mr. Edward Ghorra - Representative of Lebanon  
Mr. Ahmad Shoukairi - Representative of Syria

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The CHAIRMAN welcomed the representatives of the Arab States and expressed the Commission's desire to resume its work at the point where it had been suspended in Lausanne. There were two subjects which the Commission desired to discuss with the Arab delegations at the present meeting: first, the Commission's note of 12 September to the Arab delegations concerning the negotiations in general; and secondly, a letter dated 2 September regarding the protection of the Holy Places outside Jerusalem (document A/AC.25/2). With regard to the first subject, it had been foreseen that the Commission must await the report of the Economic Survey Mission before attempting to proceed further toward a solution of the refugee problem. It had also been stated that the Commission considered the Arab territorial proposals impractical as a basis of work and hoped that the Arab delegations would either modify those proposals or present new ones. The Chairman now asked whether the Arab delegations were prepared to reply on the latter point.

MOSTAFA BEY (Egypt) conveyed the greetings of his Government to the Commission and assured the latter of the importance attached to its work by the Egyptian Government, which would continue to give the Commission its loyal and sincere collaboration insofar as it was able. The Commission's note of 12 September had been carefully studied by his Government, and the necessary instructions had been issued to his delegation. Before reporting on those instructions, however, he wished to point out one question which was prejudicial to the work of the Commission. According to reports in a New York Jewish newspaper, Mr. Ben Gurion had declared, on 4 October, the annexation of the city

of Jaffa to the city of Tel Aviv, the two henceforth to be considered as one city. This move was a continuation of the Jewish policy of the "fait accompli", and its significance was obvious. Moreover, the same newspaper had announced that three more Israeli ministries would shortly be transferred to Jerusalem, and that the city would soon be proclaimed the official capital of the State of Israel. In his opinion the Commission could not afford to overlook such moves, which struck at the very foundation of its work. The Israeli delegation had signed the Protocol of 12 May, which formed the basis for the Commission's work; in the circumstances the Commission must take note of the present developments and take the appropriate measures to counteract them.

MULKI PASHA (Hashemite Jordan Kingdom), while commending the Commission for its ceaseless efforts toward a solution of the Palestine problem, associated himself with the statement of his Egyptian colleague concerning Jaffa and Jerusalem. He hoped that the Commission would spare no efforts to preserve the status quo until peace was assured in Palestine; the presentation of any further "faits accomplis" by the Israeli Government at the present time would definitely delay the achievement of a final settlement.

With regard to the Commission's letter of 12 September, it had been carefully examined by his Government, which nevertheless felt that the Arab delegations could not alter or improve upon the position stated in their memorandum of 29 August to the Commission. As regards the refugee question, the Arab delegations could add nothing to their previous statements until the recommendations of the Economic Survey Mission were known; it was hoped that those recommendations would take account of the reasonable attitude expressed to the Mission by the Arab delegations in Lausanne, according to which the Arab Governments requested the repatriation to their homes of all refugees who so desired, while Syria and the Hashemite Jordan Kingdom had agreed to assist in the resettlement in their own territory of such refugees as should not desire repatriation. The Arab delegations still adhered to the terms of the Protocol of 12 May and saw no reason to deviate therefrom. They did not consider their territorial demands excessive, since they had only requested territory attributed to the Arabs by the Partition Plan or as compensation in kind for refugees prevented from returning to their homes.

Concerning the future procedure of the Commission and its method of work, the Commission must consider the present stand of the Arab delegations as their final one, beyond which they could not go until the Commission itself presented suggestions or proposals. It was for the Commission now to take the initiative and state in what way it found the Arab territorial demands excessive.

Mr. SHOUKAIRI (Syria) associated himself strongly with the statements of the representatives of Egypt and the Hashemite Jordan Kingdom. The Jaffa incident was too significant to be ignored; it indicated a disregard and disrespect on the part of the Israeli Government for the authority of the Commission and the mandate it held from the General Assembly. In the interests of the preservation of its authority, the Commission must take action; no party could be allowed to wage such a campaign against the United Nations itself.

As regards the formulation of new proposals by the Arab delegations, the latter could not advance new proposals on isolated subjects, since all parts of the Palestine problem were closely related. The Arab memorandum of 29 August had been a general approach to the whole problem; such an approach, it seemed to him, was the only possible one. He did not see how the Arab territorial demands could be termed excessive, since they represented substantially less than the Arab States had demanded a year previously; moreover, in making those requests, the Arab delegations had been motivated not so much by territorial aspirations as by questions of legitimate compensation, for refugee property, etc.

The Arab delegations could, moreover, make certain suggestions to the Commission. While considering themselves bound, by their duty to their peoples, to collaborate faithfully with the Commission, the Arab delegations thought it necessary to face the fact that little of practical value had been accomplished in six months of exchanges of views. It was now time to end the exploratory stage of the Commission's work and enter upon a new phase, in which the Commission would no longer limit itself to the transmission and communication of views, but would have the authority to pass judgment according to the dictates of justice. Such a course of action was foreseen by the Commission's own terms of reference; he pointed out that article 2(a) of the resolution of 11 December 1948 gave the Commission the right to assume, insofar as it deemed necessary, the functions of the United Nations Mediator. The Arab delegations considered it imperative that the Commission should now assume those functions, and that the first "conciliation" stage of its work should be considered as closed. The Arab delegations were ready and eager to hear the proposals or suggestions of the Commission.

Mr. GHORRA (Lebanon) conveyed the greetings of his Government to the Commission, and stated that his delegation's views on the matter under consideration would be set forth at a later moment. He expressed his support, however, for the statements of his three colleagues, in particular concerning the Jaffa incident and the necessity for the Commission to assume the functions of mediation.

MOSTAFA BEY (Egypt) endorsed the views of Mr. Shoukairi and expressed the view that the Commission would have far greater chances of success in its work if it assumed the role of mediator in the present negotiations.

MULKI PASHA (Hashemite Jordan Kingdom) also expressed his whole-hearted support of the Syrian representative's position.

The CHAIRMAN thanked the Arab delegations for their clear statements of position, and recalled that in paragraph 33 of its Fourth Progress Report the Commission had reserved the right, at a future date, to have recourse to its assigned prerogative of assuming the functions of the Mediator. With regard to the Arab territorial demands, he pointed out that the Commission had not termed them excessive, but had merely stated that in view of the attitude maintained by the other party, they did not furnish a practical basis for future work. He assured the Arab delegations that their suggestions would be given careful study by the Commission.

MOSTAFA BEY (Egypt) observed that in view of the lateness of the hour, the instructions received from his Government in reply to the Commission's letter of 12 September would be made known to the Commission at a later meeting.

In reply to a question from the CHAIRMAN, the representatives of EGYPT, the HASHEMITE JORDAN KINGDOM and SYRIA said they would communicate their Government's replies to the memorandum concerning protection of the Holy Places at the next meeting.

It was agreed that the Commission would meet the Arab delegations again at 4 p.m. on Monday, 24 October.