

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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SUMMARY RECORD OF A MEETING BETWEEN THE CONCILIATION
COMMISSION AND HIS EXCELLENCY MR. DAVID BEN GURION,
PRIME MINISTER OF ISRAEL,

held at Hakiryā, Tel Aviv, on 7 April 1949,
at 11.00 a.m.

Present: Mr. Yalcin (Turkey) - Chairman
Mr. de Boisanger (France)
Mr. Ethridge (U.S.A.)
Mr. Azcarate - Principal Secretary
Mr. Ben Gurion - Prime Minister of Israel
Mr. Eytan - Director-General, Ministry for
Foreign Affairs of Israel.

The CHAIRMAN drew attention to Mr. Sharett's statement that Israel wished peace through direct conversations with the Arabs. He went on to say that the Arabs had agreed to meet the Israelis in a neutral place to discuss all outstanding matters, although they were not yet prepared for direct talks without the medium of the Conciliation Commission. The Chairman thought, however, that through the offices of the Commission, such discussions could become the final step leading to peace. He asked the Prime Minister for his views as to the time and place of such discussions and whether or not Israel would agree to participate in them.

The PRIME MINISTER said that he was happy to learn that the Commission had made progress, but he thought the Chairman had contradicted himself in saying first that the Arabs were ready to meet the Israelis and then that they were not ready to meet the Israelis directly. The Prime Minister stated that Israel was ready to meet the Arabs in any neutral place to discuss peace and that the name of the conference was immaterial as long as peace was discussed,

/The CHAIRMAN

The CHAIRMAN replied that there had been a misunderstanding on the Prime Minister's part. The Arabs, he said, were ready to discuss peace with the Government of Israel in some neutral town, through the medium of the Conciliation Commission, although they were not yet prepared to talk openly and directly around the same table with the Israeli delegation. The Chairman observed that this was a long step forward, considering the Arab attitude at first. The Arabs, the Chairman continued, were making no preliminary conditions and were ready to discuss through the Conciliation Commission all outstanding questions with regard to a peace settlement.

The PRIME MINISTER said that while such conversations could not be said to constitute direct negotiations, they would, in his opinion, represent considerable progress. He thought that his Government would agree to participate, and he said that he himself would support such a proposal. He said that he would give the Commission the official answer of his Government on Tuesday morning.

With regard to the question of the time and place of the meetings, the CHAIRMAN stated that the Commission had first considered Rhodes but that conditions there were unsatisfactory and the Arabs had not seemed to favour the idea. The Commission was now considering Switzerland, or Evian in France, as possibilities.

Mr. de BOISANGER observed that no decision had as yet been taken as the Commission wished to hear the opinions of both sides, to whom the meeting place must be mutually acceptable. The Arabs, who had neither wanted nor rejected Rhodes, had indicated a preference for Italy, Switzerland, Brussels or Evian, and favoured the end of April as a suitable time for the meetings.

The PRIME MINISTER had no objection in principle to the places mentioned by Mr. de Boisanger but thought that there would be practical difficulties. The delegates would have to be able to communicate easily with their Governments. Furthermore, he felt that the country chosen for the meeting place should be neutral not only in the Palestine conflict but also in a wider sense. The Prime Minister said that he could not give an answer now on this question but that he would consult his Government.

/Mr. BYTAN

Mr. EYTAN wondered whether the Commission could not suggest a place and the Government of Israel could then give an answer either in the affirmative or in the negative.

Mr. ETHRIDGE said that the Commission would meet the following day for a final decision on the meeting place. The date of 26 April was tentatively in mind.

With regard to the character of the delegations to the conference, Mr. de BOISANGER remarked that they must be able to take serious decisions and not have to refer repeatedly to their Governments.

The PRIME MINISTER replied that Israel would send responsible people but that they would not be able to take final decisions. He expressed the hope that the country chosen would be able to provide adequate communications facilities.

The CHAIRMAN assured the Prime Minister that all such questions would be determined in advance.

The Chairman then said he wanted to come to the main part of the discussion. The Commission, he said, was charged by the resolution of the General Assembly to bring the parties to a peaceful settlement - its main function was conciliation. The resolution consisted on the one hand of certain principles and decisions of the General Assembly and on the other of certain specific instructions to the Conciliation Commission. Territorial questions, boundaries, economic problems and other questions essential to the establishment of peace were left to the discretion of the Commission.

Two questions, the Chairman continued, were outside the discretion of the Conciliation Commission - the questions of the refugees and of the internationalization of Jerusalem. With regard to the refugee problem, the Arabs had wanted to make its solution a preliminary condition of any peace discussions. The Government of Israel had been asked, but had not agreed, to make a conciliatory gesture in this regard. Although the Arabs had now withdrawn their condition, a solution of the refugee problem remained as a categorical order

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of the General Assembly to the Conciliation Commission. The Chairman asked the Prime Minister what the Government of Israel intended to do and whether it was prepared to accept this provision of the resolution.

The PRIME MINISTER replied that he realized that it was not within the competence of the State of Israel to change or discuss the instructions given to the Conciliation Commission by the Assembly. That was a matter between the Conciliation Commission and the United Nations. The whole question would be brought before the General Assembly and discussed at such time as Israel was on an equal footing with its opponents. The Prime Minister observed that the Arabs had evidenced no desire to live at peace with their neighbours. It was they who had made war on Israel and not Israel on them. The Prime Minister thought that there must be first of all clear proof of the peaceful intentions of the Arabs. Israel, he said, was certainly willing to consider a solution of the problem, even aside from the resolution, in its own interests and those of justice; it would do all in its power to solve the question when peaceful conditions prevailed.

With regard to the question of Jerusalem, the Prime Minister said that the reasons which had prompted the resolution of the General Assembly of 29 November 1947 were no longer valid. The United Nations had failed to protect Jerusalem and it had been nearly destroyed by those States which had rejected the resolution of 29 November, which the Jews, on their part, had accepted. The people of Israel, he said, were even more closely bound to Jerusalem than peoples of other countries to their capitals. If Israeli forces had not protected the City, 100,000 Jews would have been annihilated. This was a point which Israel intended to raise before the General Assembly. There was nothing to be gained by discussing it with the Conciliation Commission, which was bound by the resolution of the General Assembly. In the Prime Minister's opinion, the Assembly's formulation of proposals for an international regime for Jerusalem was a long way off. His Government would

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agree without reservations to a special regime for the Holy Places, Jewish, Christian and Moslem. Such a regime, however, should not be extended to include the inhabitants of Jerusalem. The Government of Israel recognized and understood the concern and special interests of the international community in Jerusalem but the State of Israel could not be deprived of its sovereign rights over the City. The Prime Minister repeated that he would agree to special provisions for the Holy Places but said he very deeply and respectfully disagreed with the decision of the United Nations on Jerusalem and intended to argue the case before the United Nations.

The CHAIRMAN thought that there had been some misunderstanding with regard to the refugee question. It was not, he said, a question of the Arab States and Israel, nor of victor or vanquished; it was a question of human rights. If the Arab States were indeed the aggressors they should be punished; but individuals could not be punished for the actions of states. Up until now Israel had enjoyed the sympathy and support of the world because its people had been persecuted. If, on the other hand, Israel were now to deny the rights of man and expel Arabs from the lands of their ancestors, it would lose the sympathy of public opinion. The Chairman stressed again the necessity for differentiating between states and individuals.

The PRIME MINISTER replied that the State of Israel was not accustomed to consider itself a victor or to use the language of victors. He said that his Government accepted the moral and ethical approach to the question of refugees and did not deny that Israel had received moral support from world opinion, even though the Jews had built their country themselves. They were grateful for the aid which had been received. But even if they had not received the moral support of world opinion, they would now be faithful to the moral principle involved in the refugee problem. The Prime Minister said that the Government of Israel wanted to make a contribution to the settlement of the refugee question. He said the nature of this contribution would depend on a number of conditions, including international help and the attitude of the

Arab States; but the Government of Israel would do its share.

The Prime Minister said he must emphatically deny that the Israelis had expelled Arabs from Palestine. This was not so. The exodus of the Arabs was an organized plan, either of Arab leaders or of British agents, to facilitate their designs against the Jews. The decision had been taken even before the State of Israel had been established or before the war had begun. The State of Israel had not asked the Arabs to go and had not expelled them. It had expelled no one and would never do so. It was not just to charge Israel with a responsibility which properly rested with the Arab leaders and the Arab States, who had attacked the State of Israel and forced it to fight. He said the State of Israel loathed war and did not want to fight; but if attacked again it would fight again. It was the Arabs who had made war on the Jews. Israel would take no responsibility for the war.

The Prime Minister said he recognized the humanitarian aspect of the problem and was sorry for the refugees. He was also sorry for the Egyptian soldiers who had been sent to Palestine to die without knowing why. But the facts could not be disregarded. He said he did not accept the estimate of the Mandatory Power that there were 800,000 refugees. The Arab population of Israeli territory was only 500,000. The multiplication of this number was part of a campaign against Israel. He said he felt very strongly about the campaign of slander against Israel by people who had instigated the war.

All this was in the past, however. As for the present, he reiterated the willingness of Israel to make its contribution. Certainly a large part of the refugees would be able to settle in better conditions in the Arab States than in Israel. It would be more humanitarian to deal with the matter in this way. It was difficult to distinguish between the humanitarian and political aspects of the problem, however. Israel would never forget the humanitarian side of the question and would try to help the United Nations in the solution of the problem. How far it might go, and by what means, the Prime Minister could not say now. The whole question would be discussed at

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the meeting. But Israel would approach the matter in a spirit of helpfulness.

The CHAIRMAN said he was glad to hear that Israel was ready to recognize the humanitarian aspect of the problem. He said he had not accused Israel of responsibility for expulsion of the Arabs. In the eyes of the Commission the responsibility of Israel started not with the expulsion of the Arabs but with the non-acceptance of their return. The Commission was concerned with how the problem could be dealt with now. The Chairman said he gathered from the Prime Minister's statements that Israel was ready to do something. In the interest of peace this something should be generous and the Commission would like to know what Israel would do. He said he saw no basis in the Prime Minister's statement for Israel's refusal to permit those refugees who wished to return to do so.

Mr. ETHRIDGE said that the Prime Minister's position on Jerusalem was perfectly clear and understandable, and entirely within Israel's rights. He said the Commission would make a report to the General Assembly and the Israeli Government could then fight the matter out there.

On the question of refugees, Mr. Ethridge said the situation was quite different. During its tour of Arab States, the Commission had been informed that the Arabs had made a settlement of the refugee question a condition sine qua non of peace negotiations. Mr. Ethridge had told them that this position was unrealistic. The Commission had just spent two and a half weeks trying to persuade the Arabs that the refugee question could only be solved in the framework of a general peace settlement. The Arabs had now accepted this position and the Commission felt that they had made a very great concession. Mr. Ethridge said that the key to peace was the refugee question and the Jews held the key. Israel had made no conciliatory gesture with respect to the refugee problem and it was all the more important to make one now in view of the Arab concessions. Such a gesture would be appreciated not only by the Arabs but by world public opinion, which was deeply interested in the question. Mr. Ethridge said that if in the next two weeks Israel found it possible to

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express to the world its interest in the refugee problem and make certain preliminary concessions, he thought the Jews would have brought about peace in this part of the world. He said he hoped very much that Israel would find it possible to take such measures, and he mentioned several steps which might be taken by Israel immediately. There was the possibility of bringing Arabs back to the orange groves, which were deteriorating; there was also the question of frozen Arab bank accounts in Israel. These problems were indicative of certain steps which Israel might take to mitigate the refugee problem. He said he thought the Commission and Mr. Griffis' organization could reduce the number of refugees and that settlement of territorial questions would further reduce the number. At the same time, however, he urged the Prime Minister to make a beginning and said that this would produce beneficial results in any negotiations that might be held.

The PRIME MINISTER said that he had listened very seriously to the remarks of Mr. Ethridge. He said he realized that Israel could not be indifferent to public opinion in the world. It would be a serious matter for Israel if there should be a conflict between it and world opinion. Israel was a newly independent state, and many people were not yet reconciled to its existence as a state. Historically speaking, it was a new idea in many places that the Jews were the same kind of human beings as other people, and there were a great many prejudices against them.

For Israel, however, there was a supreme problem - that of self-preservation. The key to peace was not the solution of the refugee problem - the key to the refugee problem was peace. The United Nations' decision did not provide merely that those refugees wishing to do so should be permitted to return to their homes. The words "and live at peace with their neighbours" were significant. They meant that return of the refugees must be coupled with the desire to live in peace. Until there was peace, he did not see how the refugees could be returned to Israel.

/The Prime

The Prime Minister said he appreciated the progress made by the Commission and regarded it as a considerable advance. Yet the Arabs still refused to sit at the peace table with the Jews and had not said that they wanted peace. If Israel should permit the return of the refugees, and there should be war again, they would have not only foreign armies but an internal army arrayed against them. This was not the intention of the General Assembly. It had attached to the return of the refugees a condition of peace.

The Prime Minister said that he understood that the Commission would like to have a full or partial solution of the refugee problem before the meeting. He said he honestly did not believe this would be possible, as peace was a necessary condition for settlement of the question. He said he was fully aware of the seriousness of the problem and of the moral and ethical values involved, but without peace he could do nothing. Israel would act on the refugee question as part of the peace settlement but could not do it in advance.

Mr. de BOISANGER said that many refugees had told the Commission that they wished to return and live in peace with their neighbours. He said that this phrase applied to the willingness of individuals and not to the attitude of Arab States. A distinction had to be made between peace with the Arab States and the peaceful intentions of the refugees.

As to the question of frontiers, Mr. de Boisanger said the Commission had made it clear to the Arabs that the refugee question was closely bound up with peace: many refugees would be able to return to their homes if conditions of peace prevailed.

The CHAIRMAN remarked that the Commission had not expressed a wish to solve the refugee question before other questions. The Commission had taken the opposite view. Now the Prime Minister had said that peace would have to come first. The Commission did not suggest a solution now but merely an acceptance of a principle. Otherwise there was a vicious circle, with the Arabs insisting that the refugees should come first and peace second, and the Jews insisting that peace should come first and refugees second. It was

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necessary for the parties to accept the principle and then go on from there.

The PRIME MINISTER, replying to the point made by Mr. de Boisanger, said that he agreed that the condition of peace in the resolution applied to individuals and not to the Arab States, but peace was not a subjective matter. If the Jews and the Arabs should go to war again, Arabs who might have declared peaceful intentions individually, could not be expected to adhere to them. It would be impossible for them not to make war.

The Prime Minister said that knowing the Arabs he believed there were many political, humanitarian, economic and historical reasons for settling a considerable number of the refugees in the Arab countries. By this he did not mean to exclude the possibility that some could be settled in Israel, but he would discuss this proposition during the forthcoming negotiations. Israel could not accept the Arab contention that this latter question should be solved in advance of other questions. He said he did not wish to postpone the question of refugees until peace was established but merely wished to maintain that the solution of the refugee problem was to be found in the general peace settlement.

The CHAIRMAN said he thought the discussion had proceeded far enough for the present. In conclusion he wished to ask the Prime Minister for clarification of several points, as the Commission was trying to send reports to the General Assembly following the Beirut meetings and its talk in Tel Aviv. He felt it was necessary to have a clear understanding on the points to be included in this report. First, as regards Jerusalem, the Commission would report that it had encountered a negative attitude on the part of Israel and that Israel preferred to discuss the matter with the General Assembly. Second, as regards the refugees, the Commission had asked Israel for acceptance of the principles stated in the resolution. Should the Commission say that Israel accepted the principle and that it would undertake to implement it later, or that Israel did not accept the principle, although in view of the humanitarian aspect of the problem it would be prepared to help a little in its solution?

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Regarding Jerusalem, the PRIME MINISTER said that the Israeli Government accepted without reservation the international regime for the Holy Places, but maintained that Jerusalem outside of the Holy Places should be a part of the State of Israel. There was a question between Israel and the world and a question between Israel and the Arabs. Israel wanted to settle the latter question with the Arabs. The question between the world and Israel could be settled by international control over the Holy Places. The State of Israel would take its case on the Jerusalem question to the General Assembly. With respect to refugees, Israel insisted that the solution of the problem must be part of the peace settlement. There was a question of what was preferable and possible. It was reasonable, in the mutual interest of Jews and Arabs and their friendship, that a great part of the refugees be settled in the Arab States. Israel was willing to make its contribution to the solution of the refugee problem as part of the general peace settlement.
