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Stand taken by the Governments of the Arab States
and the Government of Israel with regard to the
task entrusted to the Conciliation Commission by
the General Assembly

(Working Paper prepared by the Secretariat)

Resolution of 11 December, 1948

I. General mission of conciliation (paras. 4, 5, 6 and 14
of the General Assembly Resolution of 11 December 1948).

A. ISRAEL

1. Was willing to meet the Arab States separately or collectively for the purpose of entering into general peace negotiations with a view to settling all problems outstanding between Israel and the Arab States. (The Government of Israel expressed a preference for separate direct negotiations with each of the Arab States party to the Palestine conflict, except Saudi Arabia and Yemen as no problem outstanding between Israel and these two States).
2. Was not prepared to negotiate on any point separately and outside the framework of a general settlement, except on the purely military plane for the purpose of arriving at armistice agreements.

B. ARAB STATES

1. General line adopted by the Arab States (except Transjordan) :

/(a) They were

(a) They were not prepared to enter into general peace negotiations with Israel until the solution of the refugee problem had been found, at least in principle - i.e. until Israel had recognized the right of the refugees (as laid down in paragraph 11 of the General Assembly Resolution) to return to their homes and regain their property for those who wished, and the right to receive indemnity for losses sustained for those who did not wish to return.

(b) They required some form of international guarantee that the Jews would respect their undertakings and abide by the peace treaties. (The guarantees were to be given by one or more Great Powers or by the United Nations and should be of a convincing nature).

2. Attitude adopted by individual Arab States:

(a) Transjordan declared that it considered the refugee question of primary importance but did not make the acceptance of their return, by Israel, a condition "sine qua non" for the undertaking of direct separate negotiations between Israel and Transjordan for the purpose of arriving at a settlement on all problems outstanding between them. Transjordan would consider collective negotiations of all the Arab States with Israel but preferred separate ones.

(b) Egypt considered the signing of an armistice agreement and the solution of the refugee problem,

/at least,

at least in principle, to be conditions not only for the signing of a peace treaty but even for the statement of its views on other aspects of the Palestine problem. It also required guarantees of Jewish good faith. (Egypt preferred separate talks with Israel?)

- (c) Saudi Arabia was in favour of a solution of the refugee problem in advance and stressed the need for international guarantees that the Jews would abide by their undertakings. The Jews should comply with U.N. decisions and there should be assurances that no party would profit by a violation of the future treaty. In such an event sanctions should be imposed on the violator.
- (d) Syria also considered that the refugee problem should be solved before peace negotiations could be undertaken. This would be required not only in order to calm tempers but as proof of Jewish good faith. The Resolutions of the United Nations would have to be executed.
- (f) Lebanon adopted the same stand as Syria and pointed out that the refugees were a great burden to the countries in which they settled. They also considered that Jewish acceptance of the principle of the right of the refugees to return would be the only proof of the good intentions of the Jews.

II. The refugee problem. (With regard to para 11 of the General Assembly Resolution and the proposed conference of the Arab States

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and the Commission to decide on the refugee question).

A. ISRAEL was not prepared to accept the principle of the right of individuals to return to their homes if they so wished. They were prepared to maintain their position in face of the decision contained in paragraph 11 of the General Assembly Resolution, and further to prove that it was inapplicable. They were prepared to accept the proprietary rights of the refugees and ready to indemnify them individually or collectively. They considered that the problem of the refugees could not be dealt with on an individual basis but should be dealt with on a collective basis. Israel was not prepared to make declarations of acceptance of the principle contained in para. 11 of the General Assembly Resolution. They might be prepared to accept a certain number of refugees but the number would depend on the character of the general peace settlement. They would consider the possibility of making a conciliatory statement to this effect, taking into consideration the danger of committing themselves and the danger of exacerbating the situation by too precise a definition of their position. They had no objection to a conference of Arab States being held for the purpose of trying to unify their policies on the refugee question but pointed out the danger of the Arab States adopting a position collectively from which they would find it difficult to withdraw individually.

B. ARAB STATES

1. General Arab line (accepted by all Arab Governments except the Government of Egypt, to which the question was not submitted) :

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The Arab Governments were prepared to meet in conference under the auspices of the Conciliation Commission (not made quite clear) in order to discuss the refugee problem and try to unify their policies about it. It was implied that other aspects of the Palestine problem might be discussed unofficially. The attitude generally expressed by the Arab Governments (except Transjordan) was that the refugees created a humanitarian and political problem of great gravity the solution of which was a condition to further peace talks. The danger of reprisals on the Jewish population resident in Arab States was repeatedly mentioned, either directly or by implication. Even an exchange of their population against the Arab Palestinian refugees was suggested.

2. Attitude adopted by individual Arab States:

(a) Transjordan, though also considering that Israel should accept the repatriation of those refugees who wished to return, did not make this a condition "sine qua non" either to peace talks or to a peace settlement. Transjordan was prepared to accept all Palestinian refugees and assist them in settling either in Transjordan or in Arab Palestine. To this end it had encouraged their entry into Transjordan and had promulgated a law entitling them to receive Transjordanian passports. The refugees would be given land at nominal prices. Israel, however, should pay indemnities for the losses sustained by the

/refugees

refugees to the Government of Transjordan, which would use it for resettlement on a scientific basis. Outside financial support would also be necessary. Transjordan was prepared to attend the inter-Arab conference on refugees, but if this should fail to come to an agreement, Transjordan would not consider itself bound and would proceed to direct peace negotiations with Israel by itself. The Government of Transjordan was certain that most of the refugees wished to remain in Transjordan and Arab Palestine and that only about 8 to 10 per cent wished to return to Israel. The other Arab Governments did not wish to retain the refugees and had no objections to their going to Transjordan.

- (b) Egypt's position on the refugee question was the one described in I.B.2 (b). They also did not seem to favour the absorption of the refugees by Transjordan and seemed to object to any attempt by Transjordan to assume the championship of Arab Palestinians. No provision was made in the armistice agreement between them and the Jews for the return of the refugees in the Gaza district to their homes. Egypt was not approached on the subject of the proposed inter-Arab conference on refugees. They mentioned the possibility of an exchange of Jews and Arabs.
- (c) Saudi Arabia adopted the general Arab line on refugees and was willing to intercede with the Arab States in favour of the inter-Arab refugee

conference. Saudi Arabia had no refugees in its territory.

(d) Iraq also adopted the general Arab line and was prepared to participate in a conference of Arab States. They mentioned the growing difficulty of protecting the Jewish population resident in Arab States. Iraq had no refugees.

(e) Syria followed the general Arab line and insisted on the implementation of para. 11 of the General Assembly Resolution.

(f) Lebanon followed the general Arab line and pointed out that the refugees were creating an insurmountable problem in the Lebanon and other Arab States where they had settled.

III. The internationalization of Jerusalem. (With reference to paragraph 8 of the General Assembly Resolution).

A. ISRAEL considered that the New City of Jerusalem was an organic part of the State of Israel and under no circumstances would cede it to the Arabs. It did not wish to see Jerusalem placed under a separate international regime which it considered unworkable. Israel, however, had no intention of violating the General Assembly Resolution and would make no declarations either that Jerusalem would become the capital of the Jewish State or that it would be annexed to Israel. (It was indirectly and unofficially implied that Israel might accept an international regime for the Jerusalem area whereby the whole area would be under United Nations suzerainty with two

mandates: a Jewish one for the New City and an Arab one for the Old, while the Holy Places themselves would be under direct United Nations control). Israel was prepared to co-operate with the Jerusalem Committee.

B. ARAB STATES

1. The line adopted by most Arab States with regard to Jerusalem was that it should be retained by the Arabs and act as the link binding the various States of the Arab world. The Moslems had had Jerusalem in their keeping for centuries and had administered it well and justly. This was a guarantee that they would continue to maintain peace and security in the Holy City. Internationalization was in any case inapplicable.

2. Attitude adopted by individual Arab States:

(a) Egypt followed the general line. They could see no reason why Jerusalem should be internationalized. Egypt would submit its opinion on the matter to the Jerusalem Committee when the time came to discuss the problem.

(b) Transjordan also wished that Jerusalem should be Arab, and considered internationalization unworkable without an international armed force, which they doubted would be forthcoming. Their minimum requirements were - if Jerusalem were to be partitioned - that they should also occupy Qatamon and the other Arab quarters of the New City of Jerusalem, as well as the Railway station

/They did

(They did not object to the plane of the double mandate?)

(c) Saudi Arabia followed the general line.

(d) Iraq followed the general line.

(e) Syria followed the general line.

(f) Lebanon followed the general line.

IV. Holy Places other than Jerusalem (with reference to paragraph 7 of the General Assembly Resolution).

All Governments concerned (i.e. Israel and Transjordan) were prepared to give guarantees that religious institutions, shrines, places of worship, etc. located in their territory would receive special status. Free access would also be assured when a final peace settlement was reached.

V. Territorial questions and adjustments.

A. ISRAEL was prepared to accept certain territorial adjustments in exchange for certain territory occupied by them over and above that ceded to them by the Partition Plan of 29 November 1947. Their attitude would depend on the character of the Arab part of Palestine. If this were to be absorbed by Transjordan and not remain a small, independent State, Israel would require a rectification of frontiers with a view to widening the coastal strip for security reasons. (They did not define what they would give in exchange, but it seemed likely that they intended a part of the Negev). They wished, however, to have access to the Gulf of Aqaba and to the Dead Sea. They also considered it imperative that they should retain the corridor

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linking Jerusalem to the main body of Israeli territory.

B. ARAB STATES

1. The general line adopted by the Arab States was that the creation of Israel was an injustice and that they would not even impart their views on the subject until the refugee problem had been settled. It was suggested that the Arabs of Palestine should, also, be given the possibility of stating their views about territorial questions.

2. Individual Arab States:

(a) Transjordan wished to incorporate in its territory the whole of Arab Palestine, including the Gaza district. They considered the acquisition of the port of Gaza, as well as access to it, as a condition sine qua non of a peace settlement, and were prepared to resume hostilities if they did not receive satisfaction on this point. They were already in occupation of the greater part of Arab Palestine and would be more solidly entrenched once the Iraqi army had withdrawn (see attitudes on Jerusalem). They were prepared to discuss the matter further with the Jews.

(b) Egypt followed the general Arab line.

(c) Saudi Arabia followed the general Arab line.

(d) Iraq followed the general Arab line.

(e) Syria followed the general Arab line.

(f) Lebanon followed the general Arab line.

VI. Economic questions were not discussed.

ATTITUDE ADOPTED BY THE CONCILIATION
COMMISSION ON THE ABOVE SIX POINTS

- I. The Commission considered that it was its duty to bring the parties together and to facilitate the solution of all outstanding differences between the parties to the conflict. This solution should be arrived at by the parties themselves. It was not up to the Conciliation Commission to make proposals. The Conciliation Commission did not consider it possible to separate any one problem from the rest of the peace negotiations or the peace settlement.
- II. The Conciliation Commission considered that it had a specific mandate with regard to the refugee problem. It was prepared to place it first on the agenda of peace negotiations and would press Israel to accept the principle laid down in paragraph 11 of the General Assembly Resolution. It had requested the services of an expert on repatriation, resettlement, rehabilitation and indemnities. It had suggested a conference of Arab States, under the auspices of the Conciliation Commission, for the purpose of trying to unify their policies on the refugee question. It was, however, understood that other subjects might be discussed at such a conference.

The Conciliation Commission heard from Mr. Griffis his opinion on the solution of the refugee problem, according to which their return to Israel was an impossibility. The only possible solution was that each Arab country and Israel should take a quota. According to Mr. Griffis, most of the

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refugees wished to return. Transjordan's declaration that they would take all the refugees was simple politics, since they were unable to keep them and care for them. In his opinion, the important thing was to achieve peace; once peace being established, the problem of refugees would be solved by itself.

III. The Conciliation Commission also considered that it had a specific mandate to submit a plan for the international regime of Jerusalem. To this end it had set up a Committee which was to study the problem and make recommendations. This Committee would be greatly assisted by the cooperation of the interested parties but would proceed on its own if it did not receive their help.

IV. The Conciliation Commission did not press the question of Holy Places, except with Israel and Transjordan, from whom it required that they should agree in principle to guarantee the special status of Holy Places within their territory.

V. With regard to territorial questions and adjustments, the Conciliation Commission had not decided what solution it considered desirable or feasible. There were certain general security considerations, and the Commission, as well as the Governments represented on it, were much concerned with establishing peace in the Middle East.

The Conciliation Commission was also concerned with the special status of Haifa and Lydda, as well as the possibilities of exchange in Western Galilee and the Negev. It had considered the matter of communications in Southern Palestine. It had received almost no information on these subjects from the Governments concerned.

VI. The economic aspects of the Palestine problem were discussed only superficially.