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UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

Note on the problem of compensation

(Working paper drafted by the Secretariat of the Commission at Jerusalem)

Following the Commission's decision to make a special study of the question of compensation for Arab refugees not returning to their homes and to set up a subsidiary body to make a technical and legal study of the question in accordance with paragraphs 12 and 13 of the General Assembly resolution of 11 December 1948, it seemed that preliminary work should be begun immediately. The main task for the moment would be:

(1) to determine the existing sources of documentation from which it would be possible to obtain first hand information as to the amount of Arab property and assets left in Israel and what has become of them;

(2) to determine, if necessary, methods of valuing such property and assets; and

(3) to attempt, if possible, to estimate the total value of this property and assets.

For the purpose of this preliminary work, information should be sought:

(a) from the services of the Embassies and Legations of the nations represented on the Conciliation Commission for Palestine, these services having to some extent followed the question of Arab property in Israel on behalf of their own Governments (particularly the United Kingdom Legation, as the representative of the former Mandatory Power);

(b) on the Israeli side, the following sources may be suggested:

- various documents published by the Custodian of Absentees' Property and articles in the economic press

- text of laws and amendments, and laws voted concerning the property

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of certain absent foreigners (for instance, the German property law, voted by the Knesset on 16 November 1949 (Bulletin of Laws 56/266));

- official reports of the Custodian of German Property submitted to the Israeli Parliament and Government;
- debates in the Knesset on this subject. 1/

Once this documentation has been assembled, it will be possible to consider whether an official approach should then be made to the Israeli Government to obtain official data on the total value of Arab property in Israel and on what has become of it. In the meantime, it seems likely that a comprehensive study of the available sources of information, particularly those obtainable from administrations and services of Legations, would provide important preliminary estimates.

It would perhaps be useful also to assemble documentation on measures taken concerning German property in Israel, and on the way in which the Israeli Government has obtained reparations and compensation from the German Government for Jews who were the victims of persecution in the Reich.

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1/ In the course of the debates which took place in November 1949 on the prorogation of the law, Mr. Kaplan, Minister of Finance, stated that whatever may have been the Custodian's mistakes, he had nevertheless saved millions of pounds worth of property and that the total value of this property would be established in the course of international negotiations.