

RESTRICTED
Com. Gen./SR. 14
10 June 1949
Original: English

SUMMARY RECORD OF A MEETING BETWEEN
THE GENERAL COMMITTEE AND THE
DELEGATIONS OF THE ARAB STATES

held in Lausanne on Friday,
10 June 1949 at 11 a.m.

Present: Mr. Yenisey (Turkey) - Chairman
Mr. de la Tour du Pin (France)
Mr. Wilkins (U.S.A.)
Mr. Milner - Committee Secretary
Mr. Abdel Chafi El Labbane - Representative of
Egypt
Dr. Mussa Husseini - Representative of the
Hashemite Jordan
Kingdom
Mr. Mohamed Ali Hamade - Representative of
Lebanon
Mr. Farid Sad)
Mr. Ahmad Choukairi) - Representatives of
Syria

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Memorandum dated 21 May (paragraph 3) from the Arab Delegations
addressed to the Conciliation Commission

Mr. CHOUKAIRI (Syria) said that paragraph 3 of the Memorandum of 21 May had particular significance and urgency owing to the fact that it represented a step towards implementation of the Protocol of 12 May; it raised the question of areas which, on the map attached to the Protocol, were indicated as Arab territories and which were to be considered as of vital importance for the absorption of refugees.

The Arab delegations had consistently maintained that the refugee problem was indivisible, but for the sake of convenience they had been ready to discuss various aspects of it separately. Thus they had insisted firstly on conservatory measures and had issued the Nine Point Memorandum with the idea that such measures should be put immediately into effect. Secondly, they had asked for effective consideration of the question of territories lying to the East of the demarcation line in the map attached to the Protocol, urging that refugees returning to such areas should be protected by international guarantees.

He wished now to raise a point of particular importance: not only had the Committee received repeated statements of the Arab standpoint, but the Commission had been able to make itself fully familiar with the whole position at first hand, and knew that the

unanimous desire of the refugees was to return to their homes. The time had come when the Arab delegations were entitled to be told, either officially or informally, where they stood. The very nature of the conservatory measures requested was such as to call for immediate implementation, apart from any solution of the general problem; these requests had been supported by detailed information on the issues involved, and it was time for the Committee to explain the exact position reached in the matter. If there were any genuine obstacles in the way of acceptance of the conservatory measures, the Arab delegations were ready to discuss them either on or off the record. The deterioration of Arab property resulting from delay, made it essential to know if any progress had been made.

While the Arab delegations had been discussing practical problems such as the saving of the citrus groves, etc., in the conciliatory spirit necessary for successful negotiations, the conduct of the other party had been of a contrary nature. Conciliation demanded a maintenance of the status quo until conciliation had been achieved, yet the other side, taking advantage of the Armistice, was making veritable conquests. He drew the Committee's attention to an article on page 4 of the Palestine Post of 20 May 1949, which described what it called the peaceful penetration of Jews into the El Musrara quarter of Jerusalem. According to that article, a horde of Jews had poured into the quarter in question, left vacant by Arab evacuees, and it was enough for a Jew to place his card on the main gate of a house to establish ownership. Such was the Jewish reply to the request in the Nine Point Memorandum that confiscation of Arab property should cease.

It was his duty to inform the Committee that continuance of discussions was fruitless unless the Arab delegations were informed of how matters stood in regard to their requests. It was now the Committee's turn to speak and that of the Arabs to listen.

The CHAIRMAN said the Arab delegations must be aware of the Commission's deep concern for the refugee problem, which it kept in the foreground of its activity, especially in view of the categorical mandate of the General Assembly in the resolution of 11 December 1948.

The preliminary measures mentioned in the Memorandum of 18 May had been submitted to the Israeli delegation with a request from the Commission that they should be acted on as soon as possible. Discussions with the Israeli delegation were still proceeding: the Arab delegations would be informed of their outcome.

Referring to the incident which had occurred in the Government House area in Jerusalem, the Chairman informed the Arab representatives that the Commission had communicated the statement of the Head of the Hashemite Jordan Kingdom delegation to the Israeli delegation. Mr. Eytan had stated to the Commission that he had only heard of the incident after his arrival in Lausanne and had telegraphed to Tel Aviv for supplementary information. Mr. Eytan had maintained that the question fell within the competence of the Mixed Armistice Commission rather than of the Conciliation Commission, that there was at the present time no neutral zone in Jerusalem, and that the area now occupied by the Israelis had accrued to Israel by an agreement between Israel and the Jordan Kingdom.

Mr. CHOUKAIRI (Syria) stressed the fact that the fate of thousands of refugees depended upon the results of the present talks. The Mediator, a year previously, had indicated his belief that the problem was of first importance; it was now time that it should be settled definitely. Its solution was not related to nor dependent upon the solution of any other problem, nor had the General Assembly made it contingent upon the consent of Israel. The resolution was mandatory and left no choice to the parties. The Israeli memorandum of 4 June, however, stated that the refugee problem could be solved only through the annexation of the Gaza strip, and that there was no alternative possible. It was unthinkable that Israel should maintain, in the first place, that the matter was subject to its consent or refusal, and in the second place, that in the event it should give its consent, it should be compensated by receiving extra territory. Such an attitude was not evidence of a conciliatory spirit.

Mr. Choukairi thanked the Chairman for his expression of the Commission's interest in the refugees; he pointed out, however, that the refugees were less in need of sympathy than of bread, shelter and a homeland.

Mr. LABBANE (Egypt) said that as regards the new incidents in Jerusalem, the action of the Arab States was limited by their respect for the Commission and their desire to conform to the decisions of the United Nations. For that reason he considered that the Commission had a responsibility toward the Arab States in the matter, and a duty to intervene and take the necessary steps to remedy the wrongs committed; he insisted that such action lay within the competence of the Commission.

Mr. Labbane suggested that, since there was little to add to the discussion of the refugee question, the Committee at the

next meeting should make a statement regarding the progress that had been made on the question with the Israeli delegation.

Dr. HUSSEINI (Hashemite Jordan Kingdom) felt that as regards Jerusalem, as in other matters, Israel had continually followed a policy of procrastination. The previous year the Government had made repatriation of the refugees conditional upon the signing of armistice agreements; at present it was creating conditions which made repatriation more and more difficult. In this procrastination it had at times been aided by the Commission; he drew attention to the fact that the long-promised Technical Committee on Refugees had not as yet begun its work. He suggested that the Commission should insist upon receiving replies from the Israeli delegation within a fixed time-limit, and also that the measures of conservation should be applied immediately.

As regards the incident in the international area of Jerusalem, the Armistice Agreement had not in any way stated that no-man's land would belong to Israel; moreover, the area surrounding Government House was not no-man's land but an internationalized zone, and the responsibility for its protection belonged to the United Nations. He maintained that these new incidents would have a direct bearing upon the progress of the talks in Lausanne.

Mr. HAMADE (Lebanon) expressed his full support of the statements made by his colleagues.

The CHAIRMAN assured the Arab delegations that the Commission was giving the most serious attention to the matter of the incidents in Jerusalem, and that such steps as the situation demanded would be taken at the proper time.

The CHAIRMAN also informed the Arab delegations that the Technical Committee on Refugees had now been constituted and would proceed to Palestine early the following week.

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