

GENERAL COMMITTEE

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5 July 1949
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SUMMARY RECORD OF A MEETING BETWEEN
THE GENERAL COMMITTEE AND THE
DELEGATIONS OF THE ARAB STATES

held in Lausanne on Tuesday,
5 July 1949, at 11 a.m.

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

Exchange of views with the Arab delegations concerning the reply of the Israeli delegation to the Arab Memorandum of 18 May (documents Com.Gen./7 and AR/8).

Mr. LABBANE (Egypt) considered that the Israeli reply, although it did contain promises and certain conditions for agreement on the basis of reciprocity, was far from reassuring since it was almost tantamount to a refusal on all nine points, motivated, in some cases, by de facto situations created by the Jews themselves, and, in others, by "recent developments in the country".

Commenting on point 1 of the Israeli reply, and in particular on the statement that prolong/neglect in the absence of their owners had brought the orange groves to a state of dereliction beyond any hope of recovery, he thought it evidence of lack of good faith on the part of the Jews. It had been in order to prevent precisely such deterioration of the groves that the Arab delegations had requested action for the return of the owners of the groves some time ago. That problem was now more urgent than

ever for no one was so well qualified as the owners themselves to take the necessary measures to prevent further deterioration. Referring to the last paragraph which said that unemployment existed to a certain extent within Israel, he cited that as a result of the disproportionately high immigration which had been allowed:

With regard to point 2 which suggested certain conditions for reciprocity, he said that the Arab delegations would ask technical advice on the subject from their respective Governments and he reserved the right to speak on the subject at a later date. He wished however to point out that the word "lawful" in the first sentence of the Israeli reply on point 2 was superfluous since every Arab had a right to return to his country.

He regarded points 3 and 4 as clear refusals of the Arab demands and requested clarification from the Committee as to whether "recent developments in the country" referred to the war or to events which had since taken place.

In connexion with point 5, he wished to make it quite clear that the Arab demand should not be viewed in the light of a favour but should be taken as a beginning of the implementation of the accepted principle of the return of the refugees. It could not therefore have a restricted meaning. He considered the Jewish offer, which accepted the repatriation only of wives and minor children, to be quite opposed to the patriarchal conception of the family which was a tradition of the Oriental way of life.

Points 6, 7 and 9 contained fine promises in whose fulfilment he placed little confidence, and point 8 was a refusal, taking as an excuse "conditions resulting from the war and present economic circumstances".

In his opinion, it was quite impossible to accept the Jewish replies as they stood. They could however be taken as a possible basis for future discussion.

The CHAIRMAN wished to stress the two positive aspects of the Israeli reply on the refugee question. In the first place, if the principle of reciprocity were accepted, much needed funds for refugee relief would be released, and secondly, from the humanitarian point of view, it was essential to secure the repatriation of as many members of separated families as possible, on whatever basis that could be found.

With regard to the problem of the orange groves, he emphasized the fact that the condition of the groves was still subject to further study and would be reported upon by the Technical Committee which was going into the matter in the field with the active co-operation of the Israeli Government.

He explained that the phrase "recent developments in the country" had been used in the Committee's Memorandum to avoid continual reference to the war, but that that had been the sense of the phrase. He made it clear that the Israeli delegation had not itself been responsible for that wording.

In his opinion, the promises contained in the latter part of the memorandum were a hopeful indication and, in any case, the Committee would retain the Israeli replies as a basis for discussion.

Mr. ROCH (Hashemite Jordan Kingdom) did not wish to make a general statement on the substance of the Jewish replies in the absence of the Syrian delegation, but requested clarification on some points of the reply.

With regard to the dereliction of the orange groves, he pointed out that adequate measures should have been taken for their care by the authorities who had set themselves up as custodians of Arab property. He had information that 9,000 dunums of Arab orange groves had been saved, and asked that the Technical Committee send details as to the area, and proportion to the total, of groves at present irrigated, the causes of the state of deterioration of the groves, and the area, and proportion, which had actually been destroyed by the war. He also wished to know under what circumstances the Jewish authorities envisaged the unfreezing of sterling assets.

The CHAIRMAN assured Mr. Roch that the Technical Committee had received instructions to supply the Commission with the fullest possible information on the present state of the orange groves. He pointed out that the suggestion with regard to a possible release of sterling funds had been made by a representative of the refugees and not by the Israeli delegation who had nevertheless agreed to study the proposal.

Mr. HAMADE (Lebanon) agreed with the views expressed by the representative of Egypt. He wished however to clarify further his delegation's stand.

Considering the urgency of the nine points raised by the Arab States, it was regrettable that the Jewish delegation had seen fit to make a reply which could be given so wide an interpretation. It would be possible however to take the positive points in the memorandum as a basis for further discussion.

With regard to point 1, he considered it essential for the interests of the Arab owners that responsibility for the dereliction of the orange groves should be established without delay. Even if it were impossible for the owners to return immediately, that responsibility should be established for the time when they eventually did return.

He wished to draw the Committee's attention to what he considered to be a most significant statement in the memorandum to the effect that prolonged neglect in the absence of their owners had brought the orange groves to a state of dereliction beyond any hope of recovery as he saw in that a clear admission that the custodian had not taken the necessary measures to protect the Arab property under his care. He wished in that respect to suggest to the Committee that either owners of orange groves or, preferably, representatives of the owners should be allowed to visit the groves, in conjunction with the Technical Committee, and verify the extent of the damage wrought. If the Jewish authorities were in good faith, they could not object to such a procedure.

On point 2, he remarked that the question of releasing sterling on an exchange basis had not been as yet sufficiently studied by the Arab delegations since it had not been made by them. He considered the proposal for a complete unfreezing of assets on the basis of reciprocity to be a positive one. It would be looked into further by the Governments of the Arab States and their views would be expressed at the next meeting with the Committee.

Referring to point 5, he stressed that the Oriental concept of family life was very different from the Western idea and he considered that the Jewish authorities should be pressed to extend their definition to include children, whether minor or not, and their families, with the possible exception of married daughters.

The CHAIRMAN assured Mr. Hamade that the Committee would study the suggestion to allow owners of orange groves to help the Technical Committee in their inspection of the state of the groves, although the technical procedure to enable such a visit would first of all have to be further considered within the Committee. The Committee

would also consider the details of a possible scheme for sterling exchange, taking into account any political repercussions such a plan might involve.

He informed the Arab delegations that their views on an extension of the Israeli definition of a family would be conveyed to the Israeli delegation.

In reply to a query from Mr. Roch who wished to know whether the limit of 30 pounds a month which he understood applied to withdrawals from accounts held by Arabs resident in Israel was still enforced, the Chairman said that the Committee had no information on the subject other than the statement in point 2 of the Israeli reply which said that the bank accounts of Arab residents in Israel were not frozen but at the unrestricted disposal of their owners. He would request further information from the Israeli delegation in that connexion.

Dr. HUSSEINI (Hasherite Jordan Kingdom) deplored the method of procrastination and the creation of faits accomplis which he thought the Jewish authorities used in order to prevent the Commission from obtaining any concrete results. He considered also that the Commission was perhaps unduly optimistic in the terminology it used in its reports on the results achieved. He thought it unfortunate that the Committee should appear to be persuading the Jews to contribute to a solution of the refugee problem instead of insisting upon direct implementation of the General Assembly's resolution in that connexion.

He wished to make it clear to the Committee that he had authoritative information that some of the orange groves could still be saved and urged the Committee to facilitate a visit by the owners of the groves. If events continued to follow their present course, it would soon be too late to save any of the groves. The Jewish custodian authorities were to blame for not having taken sufficient precautions to protect what represented the sum total of Arab wealth in Israel.

With regard to point 2, he requested clarification on the exact interpretations of the first two sentences of that paragraph and asked whether, if accounts were transferred to Arabs resident in Israel, those accounts were at the unrestricted disposal of the beneficiary so designated.

He disagreed with the Chairman that the "recent developments in the country" referred to in point 3 could be taken exclusively to mean the war as he thought that, in that instance, the consideration in question was the large number of immigrants and also, to some extent, the failure of the custodian to fulfil his responsibility adequately.

Commenting on point 6, he said that he had received information that many mosques, both inside and outside Jerusalem, were being used for purposes other than worship, for instance as factories or hostels. He suggested that the Technical Committee be requested to obtain a list of mosques and churches in Israel and to visit them in order to ensure that they were open for purposes of worship. He had reason to believe that some churches were not open to the faithful and that, in particular, the Church of the Dormition had not been open at Easter. He had heard also that the Convent of the Cross in Jerusalem was being used as a factory and requested that the Commission should try and obtain further information from its representatives in Jerusalem.

With regard to point 8, he considered that there could be no possible justification since the end of hostilities for Wakf property not to come under the control of the Supreme Moslem Council in the same way that the control of property held by the Franciscan Order had been entrusted to the Father Custos of the Holy Land. It was out of the question for Wakf property to remain under the control of the Ministry of Religion or of any Jewish institution and it should immediately be made available for the purposes for which it was established.

The CHAIRMAN said that the Arab questions on the problem of frozen assets would be sent to the Israeli delegation. In his opinion the first sentences of point 2 meant that each application was considered on its own merits and he thought it unlikely that the Israeli delegation would be willing to enunciate a general rule.

He asked Dr. Hussein to supply the Committee with further details as to the mosques which were being used for purposes other than worship but he thought it would be impossible to ask the Technical Committee to undertake such an extensive task in addition to all which it had already been asked to do.

The Committee would transmit the Arab views on the control of Wakf property to the Israeli delegation but he pointed out that it had always been part of Israeli policy to consider Wakf

property under the general head of Arab property.

Mr. HAMADE (Lebanon) asked whether it would not be possible to set up a sub-committee, under the Technical Committee, to study the question of the orange groves, as he thought that measures which were supposed to be urgent were not being taken with sufficient speed.

The CHAIRMAN thought that it would be advisable before considering such action, to wait for the report of the Technical Committee on its work.
