

GENERAL COMMITTEE

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SUMMARY RECORD OF A MEETING
BETWEEN THE GENERAL COMMITTEE
AND THE DELEGATION OF ISRAEL

held in Lausanne, on Wednesday,
6 July 1949, at 11 a.m.

Present:	Mr. de la Tour du Pin (France)	- Chairman
	Mr. Eralp (Turkey)	
	Mr. Wilkins (United States of America)	
	Mr. Milner	- Committee Secretary
	Mr. Hirsch	- Representative of Israel

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The CHAIRMAN wished to convey to the representative of Israel the observations made the previous day by the Arab delegations on the Israeli reply to the nine-point memorandum (document Com. Gen./7).

First of all, he stressed the fact that the Arab delegations were most anxious to receive further information from the Technical Committee, the Israeli delegation and the General Committee itself on the present state of the orange groves which were a vital source of Arab national wealth.

With regard to point 2, he stated that an Arab representative had requested information as to whether it were true that a 30 pounds monthly limit had been put on withdrawals from accounts held by Arabs resident in Israel, and, if so, since when that restriction had been raised, since the Israeli reply asserted that bank accounts were at the unrestricted disposal of their owners.

He informed Mr. Hirsch that the Arab delegations had noted an apparent contradiction between the statements made in the Israeli reply on points 1 and 3 since they considered that the authorities acting as custodians of absentee property should have prevented the neglect which led to the dereliction of the orange groves.

On the question of reciprocity dealt with under point 2, the Arab delegations had referred the matter to their respective Government for further study. With regard to point 5, the Arab delegations had emphasized the differences between the Western concept of family life and that held by the Oriental peoples of whom the Jews were one. That patriarchal concept took the family to include aged relatives dependent on the breadwinner as well as married sons and their families. Married daughters did not remain with their original family but formed part of their husband's family.

Referring to point 6, he told Mr. Hirsch that certain Arab representatives had received information that some mosques were being used as hostels and factories. The Committee had asked those delegations to supply further details which they had agreed to do. He would be glad to have any information on the subject from the Israeli delegation. It had been noted that the Church of the Dormition was not yet available for purposes of worship. He hoped that the example of the chapel of Notre-Dame de France which had been in the front line of hostilities and which had already been reopened to the faithful, would very shortly be followed with regard to the Church of the Dormition.

He considered that point 8 could most usefully be referred for further study to the Committee on Jerusalem and to the Commission's legal adviser. The Committee would appreciate any information the Israeli delegation could give on the administration of Wakf property under the British mandate.

Mr. ERALP raised the point that the Arab delegations had requested clarification as to whether accounts transferred to Arabs resident in Israel would be at the unrestricted disposal of the beneficiaries so designated.

Mr. HIRSCH thanked the Committee for conveying to his delegation the views expressed by the Arab States. He would be glad to know what measure of satisfaction the Israeli reply had given and the general spirit in which that reply had been received.

Commenting on the Arab reaction to point 1 of the Israeli reply, he wished formally to express the very considerable distress felt by his Government at the loss and damage suffered by Arab property and particularly by the orange groves
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which constituted the most important single export item for both Jews and Arabs in Israel. Although there could of course be no actual numerical comparison, he pointed out that the number of Jewish-owned groves lost through the war was indeed fairly substantial.

He thought in connection with the state of extreme deterioration of the orange groves that a useful purpose had been served by the private letter which Dr. Eytan had sent to the heads of the delegations giving a true, if cruel, picture of the condition of the groves at the present time. He thought that the position with regard to refugee property was really more serious than the refugees seemed to believe, since, quite apart from the fact that the owners had not been able to make satisfactory arrangements for matters such as the irrigation of their groves before their departure, a large number of the orange groves had been in areas where actual fighting had taken place. It was of course in the Israeli Government's interests to do what it could to restore the groves to their former state since they were one of the country's major economic assets. Unfortunately, a large number of them were beyond recovery. However, the situation was being looked into by the Technical Committee which was being given the fullest possible cooperation by the Israeli Government.

With regard to point 2, he said that he had no knowledge of any regulation or practice limiting the amounts drawn on their accounts by Israeli citizens, whether Jews or Arabs. There was no reason for such a restrictive measure since any money withdrawn would be spent in Israel and the amount of money taken out of the country was governed by the existing currency regulations. He asked the Committee therefore to assure the Arab representative that he had been misinformed.

Referring to point 3, he thought that the apparent contradiction which the Arab delegations saw between that point and the first lay in their theoretical approach to the question. The area containing the majority of the orange groves had been greatly ravaged by the war. Owing to the state of disorder which existed in the country following the end of hostilities, the custodian exercised no practical control in an organised form until some four or five months after the war, except in places such as Haifa where the municipalities had taken charge of absentee property at an earlier date. It was inevitable that in the intervening period

some irreparable damage had already been done.

On the question of point 5, he pointed out that his delegation had submitted its definition of the family in the absence of any other definition. He could however quite understand the sentiments behind the Arab concept of the family and suggested that the Committee might prepare a memorandum setting out the Arab views in that connection which would be favourably considered on its merits by his Government. He pointed out that since a formal announcement would be made very shortly by the Israeli Government on the reunion of separated families, it would be preferable for his Government to receive the Arab views on the matter as soon as possible. The categories of compassionate cases had not as yet however been very clearly delineated.

Replying to the Arab allegations concerning point 6 of the memorandum, he said that it was quite true that, in a number of places and especially where there were no longer any Arab inhabitants, some mosques had, in a very few cases, been used as restrooms for wounded soldiers or for similar purposes. There was however no question of any damage having been done to the mosques and under no circumstances were the mosques ever used for purposes which had any connection with commerce, war or politics.

Hardly any churches were still under Israeli occupation and his Government formally undertook that all would be returned to their normal occupants as soon as reasons of security permitted. It might be some little time before the Church of the Dormition was made available for worship but that was rather a particular case since from a strategic point of view, it was in a disputed area. The basic obligation remained however and should any damage occur during the occupation by the Israeli authorities, compensation would duly be paid.

He did not feel qualified to discuss the intricate problem of Wakf property but Dr. Eytan would consult his Government on the subject and supply the Committee with further information.

In reply to the point raised by Mr. Eralp, he gave a positive answer saying that no restrictions were placed on the accounts transferred to Arabs resident in Israel.

He was glad to hear that the Arab delegations were studying the principle of reciprocity. Once that had been accepted, it would be possible to discuss detail as to whether unfreezing

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would take place for the assets in toto or as to what ratio it would be possible to release.

The CHAIRMAN added, for the information of the Israeli delegation, that the Arab delegations had put forward the suggestion that, in order to facilitate the investigations being made, owners of the orange groves or their representatives should be allowed to accompany the Technical Committee.

He assured Mr. Hirsch that the communication concerning the Arab delegations' conception of the family would be transmitted to the Israeli delegation without delay.

Mr. WILKINS thanked Mr. Hirsch for his clear and helpful remarks. He wished to raise the point that Dr. Eytan had agreed, on the suggestion of the United States delegation, to prepare a draft which would convey to the Arab delegations the views expressed in his letter of 25 May in a slightly different form. That draft had not however been sent to the Committee.

Mr. HIRSCH thought there had been some misunderstanding since his delegation had always held the view that such information would be more helpful if used by the Commission in its conversations with members of the Arab delegations rather than in the form of an official memorandum. He thought moreover that it would be undesirable to publish such a document at a time when the Technical Committee was investigating the position and would be sending its own report on the matter. He pointed out that the Committee was being given every facility to investigate the matter of all refugee property and not only the orange groves.

He wished, after that consideration of the nine-point memorandum, to inform the Committee officially that Dr. Eytan and Mr. Sasson were leaving for Israel that evening for consultation with the Israeli Government.

With regard to the statement made to the Knesset by Mr. Sharett on 15 June, he reiterated his assurance that an official translation would be made available to the Commission as soon as possible but, for the time being, he had received information from Israel that certain editing changes still remained to be made.

He distributed to the Committee copies of the resolutions adopted by the Israeli Parliament on 29 June, and assured the Committee that there had been no change in his Government's policy with regard to Jerusalem and that they still considered that the future status of Jerusalem should be determined by international consent.

He recalled that, at the last meeting held between the General Committee and the Israeli delegation, he had been asked to obtain further information which he had since received on the alleged expulsion of Arabs from the village of Baqa el Gharbiya. The Hashemite Jordan Kingdom had lodged a complaint with regard to that incident with the Security Council, with the Conciliation Commission in Lausanne and with the Mixed Armistice Commission. It was the Israeli view that the procedure to be followed should be an appeal to the Armistice Commission and that that Commission should pass judgment on the case before the matter was brought before either the Conciliation Commission or the Security Council. That discussion took place at a meeting of the Mixed Armistice Commission on 1 July under the chairmanship of General Riley, and it was there decided that a sub-committee consisting of an officer of the Arab legion, an officer of the Israeli army and an agreed United Nations observer should be appointed to investigate the details of the incident. He thought that no useful purpose could be served by discussing the matter with the General Committee since it was under active consideration by the Mixed Armistice Commission.

Mr. WILKINS, in connection with the resolutions voted by the Israeli Parliament, wished it to be clearly understood that the principle of the United Nations control of Jerusalem had been accepted in the General Assembly's resolution of 11 December 1948, and that all that remained to be discussed were the details for implementing that resolution.
