

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

GENERAL COMMITTEE

RESTRICTED  
Com. Gen./SR.37  
25 August 1949  
ORIGINAL:ENGLISH

SUMMARY RECORD OF THE THIRTY-SEVENTH MEETING

held in Lausanne on Thursday,  
25 August 1949, at 10:15 a.m.

Present: Mr. Yenisey (Turkey) - Chairman  
Mr. de la Tour du Pin (France)  
Mr. Rockwell (U.S.A.)  
Dr. Azcárate - Principal Secretary

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Discussion of draft terms of reference for proposed mixed  
working group on orange groves

The PRINCIPAL SECRETARY explained that in a private conversation with members of the Israeli delegation the preceding day, he had broached the subject of the mixed working group on orange groves, and had remarked that the General Committee wished to discuss draft terms of reference with the Israeli delegation. The Israeli attitude had been negative; some doubt had been expressed as to the exact relation between such a group and the Economic Survey Mission, as well as concerning the possibility that Israel could accept the formation of such a committee. In any case, the Israeli representatives had not felt that they could take a position on the matter at the present time, and Mr. Sasson had requested an adjournment of the discussion until Monday, at which time Mr. Shiloah would have returned from his consultations in Tel Aviv and would be able to report his Government's views on the question.

The CHAIRMAN, in his conversations with the members of the delegation of Israel, had received the impression that that delegation would not favour the creation of such a working group, since it maintained that Israeli authorities were already doing all that could be done to preserve the groves. Nevertheless, even though Mr. Shiloah might well return with a negative reply from his Government, the Chairman felt that the General Committee should proceed to adopt the terms of reference and submit them formally to the Israeli delegation at a meeting the following week.

Mr. de LA TOUR DU PIN could not agree that there was any conflict or overlapping between the functions of the mixed working group and those of the Economic Survey Mission, since the competence of the proposed working group was restricted to the planning of measures of conservation and the evaluation of damage. As regards the drafting of the document, he agreed in principle with the Secretariat's desire to restate in a preamble the general principles and broad concepts involved, but he felt that in the present case a briefer and more restricted presentation would be more valuable.

After considerable discussion, the Committee adopted the following terms of reference for the proposed working group:

"CONSIDERING that an evaluation of the damage sustained by orange groves belonging to Arab refugees would be difficult to arrive at unless the extent of that damage were ascertained immediately and on the spot; and

"WHEREAS, in particular, the present condition of certain orange groves belonging to Arab refugees make it essential that special care be given them and that measures of conservation be taken in order to prevent their total loss;

"THE CONCILIATION COMMISSION, in full agreement with the delegations concerned, DECIDES the following:

"There is hereby established, under the authority of the Commission, and under the chairmanship of a neutral person designated by the Commission, a mixed working group composed of one Israeli member and one Arab member. This group, which will proceed into the field and will be authorised to avail itself of the services of experts, will have the following task:

- 1) to report to the Conciliation Commission on measures of a practical nature to be adopted immediately for the preservation of the orange groves;

- 2) to take all necessary steps to facilitate implementation of those measures as soon as they are approved by the Commission and communicated to the Government of Israel;

- 3) to proceed to an evaluation of the damage sustained by the orange groves, either as a result of the hostilities or for any other reason.

"The working group may eventually be instructed by the Commission, in full agreement with the delegations concerned, to undertake the study of other measures directed toward safeguarding the property, rights and interests of the refugees."

While concurring in the adoption of the text, Mr. de LA TOUR DU PIN drew the attention of the members of the Committee to the fact that the phrase "communicated to the Government of Israel", in sub-paragraph (2) of the mandate, was a fairly categorical statement which might be taken by the Israeli delegation as an indication that the Commission intended to impose administrative measures upon its Government.

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