



Monday, 7 January 1952, at 10.30 a.m.

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Chairman: Mr. Selim SÄRPER (Turkey).

Palestine : (a) Report of the United Nations Conciliation Commission for Palestine (A/1985, A/AC.53/L.22) ; (b) Assistance to Palestine refugees : report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/1905, A/1905/Add.1).

[Item 24] *

At the invitation of the Chairman, Mr. Fawzi Mulki, representative of the Hashemite Kingdom of Jordan and Mr. Marchal, Chairman of the United Nations Conciliation Commission for Palestine, took seats at the Committee table.

1. The CHAIRMAN proposed that the two parts of the Palestine item should be discussed separately on the basis of the two reports relating to them. He asked the Chairman of the United Nations Conciliation Commission for Palestine to submit the Commission's report (A/1985).

2. Mr. MARCHAL (Chairman of the United Nations Conciliation Commission for Palestine) pointed out that the conclusion set forth in the Commission's report had been based on the most recent developments affecting the over-all problem in the area and the positions taken by the parties in that connexion.

3. The Commission was convinced that the principles underlying the proposals it had submitted to the parties at the recent Paris conference constituted a useful basis for a renewed attempt by the United Nations to establish peace and stability in Palestine. Nevertheless, however reasonable and disinterested those proposals might be, they would prove inadequate unless the parties

themselves made a fresh effort to settle their differences and were prepared to seek compromises based on equity and a realistic evaluation of the facts. After three years, the Commission was compelled to acknowledge that it had obtained no positive results owing to the failure of the parties to agree to negotiate on the basis of mutual concessions. The Paris conference had further emphasized the need for such agreement and had clarified the broad lines along which it might be worked out.

4. Once the parties were resolved to make a serious effort to reconcile their differences, they should be enabled to enlist the help of a competent United Nations body. Accordingly, such a body should be maintained to follow developments and to be made available at any time for active assistance. It should further be authorized to appoint one or more representatives to assist it in its work.

5. The grave situation in the Palestine area was a challenge to the ideals of the United Nations which could not be left unanswered indefinitely. Persistent efforts by the Organization to bring the opposing parties together was the only hope for progress toward a just and permanent peace in the region.

6. Mr. SAVUT (Turkey) recalled that the Conciliation Commission for Palestine had been established in order to make a United Nations organ available to assist the parties concerned to settle the differences outstanding between them and thus prepare for the restoration of stability and peace in the Near East. Only then could the States involved concentrate on their economic and social development. Unfortunately, unfavourable political circumstances had prevented the Commission for Palestine from carrying out its task. Nevertheless, the United Nations could not afford to discontinue its efforts to achieve an over-all settlement so long as any

* Indicates the item number on the General Assembly agenda.

hope remained. The Commission had concluded that United Nations assistance would be useful in the future and that it was clear that the most appropriate body to furnish that assistance and to follow developments was the Commission, which should be maintained with its terms of reference unchanged. The Turkish delegation had therefore joined the delegations of France, the United Kingdom and the United States in submitting a draft resolution (A/AC.53/L.22) to that end. The main change in the joint draft resolution was the transfer of the Conciliation Commission's headquarters to New York and the maintenance of a representative in Jerusalem to ensure liaison with the area. The Commission was further authorized under the draft resolution to appoint a representative or representatives to work directly with the parties on specific issues. In all other respects, the joint draft resolution merely reaffirmed the principles already accepted by the General Assembly with a view to assisting the parties to reach agreement. Mr. Savut hoped that the Committee would adopt the draft.

7. Mr. JESSUP (United States of America) reaffirmed his Government's desire for a peaceful solution of the problems which had arisen out of the Palestine conflict, in accordance with the Assembly's resolutions and the principles of the United Nations. The parties concerned bore the responsibility for settling their differences on that basis in the interest of security in the entire Middle East. At the same time the United Nations should at all times be prepared to assist them. It had already contributed through the Armistice Agreements and the Truce Supervision Organization, the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the Conciliation Commission, to keep the way open for a permanent stabilization.

8. It would be unjustifiable to conclude from the three years' work of the Conciliation Commission that all avenues to a final settlement of the Palestine problems were blocked. The United Nations could not afford to renounce its part in encouraging a peaceful solution and a restoration of the normal friendly relations desired by all the States concerned. It must be emphasized that each of those States had expressed to the Conciliation Commission its desire to continue to co-operate with the United Nations to that end.

9. The United States had supported the proposals submitted to the parties at the Paris conference because it considered them fair and realistic and because they contained constructive elements which could be used to bring a just settlement nearer. The Conciliation Commission deserved the appreciation of all Member States for its efforts. It should be maintained and made available to assist the parties at all times in reaching final agreement. Moreover, it should be authorized to appoint representatives for negotiation on specific issues whenever necessary and it should move its headquarters to New York.

10. Despite the divergence of views between the parties about methods of ending the suffering and bitterness in the Palestine area, the United Nations

should not spare any effort to bring about both a political settlement and an improvement in the economic and social conditions of the inhabitants. The United States hoped that Israel and the Arab States, recognizing the dangers inherent in the existing situation, would agree to renew their efforts to settle their differences having recourse to United Nations machinery.

11. For those reasons, the United States delegation had co-sponsored the joint draft resolution (A/AC.53/L.22). That draft did not attempt to solve, during the current session of the General Assembly, all the complex problems which still existed in the Palestine area; it represented a relatively modest approach to the solution of some aspects of those problems, to which the debate should be confined.

12. Mr. HELOU (Lebanon) paid a tribute to the Conciliation Commission for its efforts, but stressed that his Government did not agree with the conclusions contained in its report. The Lebanese delegation reserved its right to comment on the joint draft resolution and to submit an alternative text at a later stage.

13. For four years the truth about the tragic situation in the Palestine area had been obscured and distorted by Israel propaganda and dialectic. For four years, Israel had in effect ignored the series of decisions adopted by the General Assembly on the internationalization of Jerusalem, the territorial status of Palestine and the repatriation of the Arab refugees. Nearly a million refugees remained destitute and desperate and a prey to subversive propaganda; Israel had expanded its territory beyond that granted it by the United Nations and its masses of immigrants threatened to overflow into the neighbouring States; and Israel hoped, despite the Assembly's decision on the internationalization of Jerusalem, that circumstances would ultimately favour its domination of the whole of that city. Lebanon was expected to recognize a State part of whose territory had been wrested by conquest, in defiance of the United Nations. It was asked to negotiate with a State whose population, in and out of its territory, had never been clearly defined and identified. It was called upon to make concessions to a State whose policy of intensive immigration had created an explosive situation in the entire area.

14. The Conciliation Commission's conclusions must be considered in the light of those circumstances. It should further be recalled that Israel had repudiated the commitments undertaken when it signed the Lausanne Protocol in 1949 and that, at the recent Paris conference, the Conciliation Commission had held separate negotiations with the Arab and Israel representatives. Its failure to achieve positive results was not surprising in view of the spirit in which it had drafted its proposals.

15. The Conciliation Commission itself claimed that it had been guided by fairness and realism. If it interpreted realism as acceptance of the *fait accompli* and yielding to aggression, such a "realistic" basis for settlement must necessarily be unfair. In further proof of its realistic approach, the Commission had dealt only with the prevailing situation and had discarded past

events as irrelevant. Yet the champions of Israel had not hesitated to invoke the events of 2,000 years before.

16. The Conciliation Commission had been confronted with a situation which sometimes exceeded its capacity. Responsibility for failure to act on the Assembly's resolutions must be placed where it belonged. The United Nations should not, by its vote or its recommendations, reward deliberate non-cooperation and lack of goodwill.

17. The Commission's recommendations related to refugees, the internationalization of the City of Jerusalem and the territorial status of Palestine. The first problem was dealt with in terms of a false realism in proposals 2 and 3. According to proposal 2, Israel should agree to the repatriation of a specified number of Arab refugees in categories which could be integrated into its economy; according to proposal 3, it should accept the recommendation to pay a global sum as compensation for property abandoned by refugees not repatriated. Those proposals were in direct conflict with General Assembly resolution 194 (III), paragraph 11, which said that refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property. That text was perfectly clear, and the right of return was subject to no conditions or limitations whatsoever. But according to proposal 2, that sacred individual right was made dependent upon Israel goodwill. Certain unofficial statements made several months previously suggested that the Israel Government would be prepared to accept 10 per cent of the refugees. Furthermore, the refugees who would be allowed to return were defined as those who could be integrated into the economy of Israel, the Government of that State thus being given the right to decide which persons were suitable for integration.

18. The situation had also changed completely in the matter of compensation. Each refugee would no longer receive personal compensation for his losses, but one single payment would be made by Israel according to its financial possibilities. Any State could expand or limit its financial resources at will, its decisions in the matter being made dependent on the principle of sovereignty, if necessary.

19. Thus the Arab States were being asked to subscribe to a solution of the crucial problem of the Arab refugees which in effect amounted to nothing. Meanwhile, for the sake of reciprocal concessions and because the problems were interdependent, the Arab States were also asked to accept economic co-operation with Israel, the creation of an international water authority and arrangements which would facilitate the economic development of Israel.

20. Although fully appreciating the reasons which had governed the Commission's attitude, he failed to see how a clear and simple resolution adopted by the United Nations could now be so hedged around with conditions as to render it meaningless. The interdependence of problems in Palestine could not justify such a complete change. It might, at least

theoretically, have been acceptable for the Commission to ask the Arab States to make concessions in order that refugees might use their right to return without restriction. But it was neither logical nor just that the refugees should first be denied that right and that then the Arab States should be asked to subscribe to the other proposals.

21. Such a process, whereby a United Nations resolution was discarded, was typical of Israel strategy. Indeed, the real reasons which had led the Conciliation Commission to draft proposals 2 and 3 were set out in paragraphs 29 and 32 of the report (A/1985), which stated that in 1948 the return of the refugees to their homes would not have presented any very great difficulties, whereas at the present time the areas from which the refugees had come were no longer vacant and any movement of return would have to be carefully worked out with the active co-operation of the Government of Israel. That was the crux of the problem. Israel had made the implementation of resolution 194 (III) impossible, and had nullified the effects of mediation by occupying or destroying the vacant homesteads.

22. The Governments of the Arab States could not for a number of reasons make any concessions with regard to the rights of refugees. First, the right of refugees to return was a personal one, which could not be subordinated to the wishes of any government or to concessions made by it in other spheres. Secondly, resolution 194 (III) did not make that right subject to any reservation or to any negotiations with Israel. It was true that according to that resolution the Governments and authorities concerned were called upon to extend the scope of the negotiations provided for in the resolution adopted by the Security Council at its 381st meeting on 16 November 1948 and to seek agreement by negotiations conducted either with the Conciliation Commission or directly. But it was not implied that a final settlement could be reached at the cost of depriving millions of refugees of a right, the exercise of which was not made dependent on any consideration whatsoever. Nor did a final settlement imply that the Arab States should assist in the economic development of Israel or enter into such co-operation with the Israel Government as would allow it to commit further violations of international law. Finally, it was clear that the non-acceptance of United Nations resolutions by Israel was not due to the attitude of the Arab States.

23. The Israel Government declared that it was unable to allow the return of all the Arab refugees, but found no difficulty in allowing the annual immigration into its territory of from 200,000 to 300,000 Jews. According to official publications and Jewish sources, between May 1948 and May 1951 the population of Israel had risen from 650,000 to 1,325,000. Israel had needed no assistance from the Arab States to receive 600,000 Jewish immigrants. In a work entitled *The State of Israel*, published in Palestine in 1951, List had pointed out that Israel had the highest immigration figures ever registered: an annual increase of 33 per cent. The immigration rate in New Zealand was 4.58 per cent, in

Canada 1.82 per cent and in the United States 1.72 per cent.

24. Writing in the *International Journal* in the spring of 1951, Professor A. Bonne of Colombia University had pointed out that immigration into Israel would take place by stages and that the conclusion of the first stage had been set by the Israel authorities for the end of 1953. According to plan, the population of Israel at that date would be two millions. It had been estimated that the 600,000 new immigrants would cost Israel approximately \$1,500 million, the ordinary annual budget of the country amounting to some \$150 million.

25. In the light of those figures, the Conciliation Commission's statement that Israel could not receive a small proportion of Arab refugees unless the Arab States helped in the country's economic development seemed somewhat far removed from the truth.

26. Moreover, Israel's immigration policy threatened the security of neighbouring States. Its policy was not in keeping with the country's financial and economic possibilities, but formed part of Israel's desire for hegemony in the Middle East. According to recent figures, Israel's imports far exceeded its exports. The desirable export rate had been estimated at £1 64 million whereas in 1950 Israel's exports had only been £1 17 million. Up to the present the deficit had been covered by funds collected abroad.

27. So abnormal a situation could not be expected to endure. A population which could not draw resources from its own soil would be tempted to embark upon the conquest of the lands it needed.

28. As to the other proposals, they did not deal with the problems covered by the United Nations resolutions and the Lausanne Protocol of 12 May 1949. The regions which Israel had allegedly renounced in May 1949 had become desirable by September 1951, owing to the pursuit of a policy which reflected the aims of Zionism. No satisfactory reference to the internationalization of Jerusalem had been made in the proposals, sub-paragraph (e) of proposal 5 merely referring to the special attention [which must be paid to the need for free access to the Holy Places in the Jerusalem area. He wondered whether that meant that internationalization had been abandoned, or that the *de facto* situation amounted to the internationalization which had been decided upon, or that the settlement of the problem was being made dependent on agreement between the parties concerned.

29. The truth was that nothing could be expected from negotiations with Israel, since its very nature made it dependent upon the application of Zionist policy in its entirety. Zionists the world over had toiled not to make a home for the Jewish people, but to create the metropolis of an empire. Israel's policy must of necessity be directed towards perpetual expansion. In the circumstances, no agreement and no convention could be negotiated without being affected by those secret thoughts and desires which had been well-known even before the creation of the State, and which were revealed in the tempo of Jewish immigration at the present time.

30. Not wishing to be accused of ill-will, the Arab States had attended the Paris conference and their delegations had made a declaration stating that their respective Governments, as signatories of the Armistice Agreements with the Government of Israel, reaffirmed their intention to respect the undertakings there given (A/1985, annex B, appendix 2). He could not but reiterate that declaration. The Arab States had no aggressive designs against anyone, but they could not be asked to go further and deliberately to contribute to the expansion of a neighbouring State whose policy constituted a threat to peace.

31. It might be argued that injustice in one part of the world would have only limited consequences, that United Nations resolutions and recommendations had no binding force, and that delegations had discharged their obligations by the votes they had previously recorded. But the argument about the lack of force of United Nations recommendations might well weaken the Organizations' work, and justice and peace were indivisible. Injustice in Palestine would shake the whole international edifice.

32. Mr. SHUHSI HSU (China) thought that his delegation could support the joint draft resolution. Some form of conciliation body was obviously necessary, and the Conciliation Commission was well qualified for the task. The Commission's work had been valuable, although the results so far obtained had been negative.

33. Given the great gulf between the views of the parties, he wondered whether there was any value in the Conciliation Commission's insistence that both parties to the dispute should affirm their peaceful intentions. Without wishing to imply that the position would have been easier without that insistence, he thought that its only result had been that the two parties had committed themselves to positions which they would not otherwise have taken and an atmosphere had been created unfavourable to the very ends which the Commission had hoped to achieve.

34. The Commission had done well in the proposals which it had submitted to the parties. They should be formulated in such a manner as to conform with both the directives of the General Assembly and the practical requirements. The Commission had been correct in including the principle that the Israel Government should agree to the repatriation of a specific number of Arab refugees and accept the obligation to pay compensation for property abandoned by refugees not repatriated, as also in emphasizing the consequent necessity of revising the Armistice Agreements, particularly with a view to ensuring the economic capacity of Israel to handle repatriation. It might well be that consideration should be given to the economic capacity of both the Arab States and Israel, since the refugees would eventually be the responsibility of both. The Commission, however, could not be expected to deal with all questions in full, and the economic problems of the Arab States in connexion with the refugees could be handled by the General Assembly itself.

35. The Commission could not be blamed for the refusal of the parties to accept its proposals. Nor should

too much blame be laid upon the parties themselves. The Arab States were faced with the problem of absorbing 857,000 homeless people from Palestine, with small resources, and naturally insisted on the need for an early solution to the problem. Israel, on the other hand, seemed to have good grounds for declining to consider repatriation except as part of an over-all settlement including political and economic adjustment.

36. The Commission's proposals alone would not be enough to solve the Palestine problem. In that connexion, he welcomed the recommendations of the Director and Advisory Commission of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, (A/1905/Add.1). Although that report was not included in the documents referring to the sub-item under discussion by the Committee, he felt that recommendation 1, concerning a \$250 million programme of assistance for the relief and reintegration of Palestine refugees, was particularly relevant. The refugee problem was a by-product of the Palestine dispute rather than its cause, but as matters stood, it was becoming a cause in itself. Unlike the original dispute, however, it could be handled by the General Assembly. Despite the financial difficulties which faced many Members of the United Nations, there were many States which would be able to contribute to such a scheme.

37. If Israel and the Arab States could not forget the past, at least they need not fear each other. The Arab States had great potentialities and could have confidence in their own destiny. Israel, drawing its support from a western world whose culture it had inherited, could contribute to the dissolution of Arab suspicions and become a bearer of peace and goodwill from the West.

38. Mr. ABELIN (France) recalled that the Conciliation Commission had been intended to pave the way for a final settlement of the Palestine problem and to replace the provisional situation brought about by the Armistice Agreements by a permanent peace.

39. The Conciliation Commission had acted as both confidant and adviser, and at the Paris conference had made concrete proposals for the settlement of the problem. It had to be admitted that its endeavours, as recorded in the report under discussion, had been in vain. The parties to the dispute had not refused to co-operate with it, but they had shown no readiness to adjust their differences on the bases it had proposed. The situation arising from the Armistice Agreements, which was necessarily of a provisional nature, had thus been unfortunately prolonged.

40. Both parties had justified their actions by appealing to the principles set forth in previous General Assembly resolutions. Implementation of those principles would certainly have brought about the most just and fair solution. But the essential purpose of the United Nations was the establishment of peace based upon agreement between the parties. The parties must therefore make an effort to adjust their respective viewpoints, and even to make mutual concessions in order to reach a fair and realistic settlement. Peace could not be served

by intransigence, which would be contrary to the interests of those most chiefly concerned. He was referring to the refugees, whose fate constituted the most tragic part of the Palestine question. Their situation had undergone such drastic changes that, while the problem remained, all the data had changed. That must be taken into account in any effort to tackle the question as a whole.

41. The conclusions in the Conciliation Commission's report confirmed the view that no settlement of the Palestine problem was possible unless the parties concerned were prepared to make concessions in the application of basic principles. The joint draft resolution of which his delegation was one of the sponsors, was based on that premise.

42. The Palestine question was a matter of international concern, and the United Nations would not be turned aside from its self-assigned task of restoring peace in that area by the fact that three years of tenacious and impartial effort had achieved no positive result. Only a suitable international body could engage upon that task. The Conciliation Commission was such a body and had gained valuable experience. It had made repeated contact with the Governments concerned and had studied the concrete aspects of the problem on the spot. There would therefore appear to be no further need for its headquarters to remain in Palestine. Its character as an international conciliatory and mediatory body would be more clearly emphasized if it were at United Nations Headquarters. The provision to that effect contained in the joint draft resolution therefore met the needs of the situation. Provision was also made for the maintenance of a representative of the Commission in Jerusalem, as a tangible pledge of the will of the United Nations to promote a return to normal conditions.

43. The Commission would still be at the disposal of the parties to the dispute, either directly or through its representative, and would be ready to lend its good offices in seeking a solution of the problem. It would be entitled in return to expect constructive efforts from both parties to seek agreement in line with the resolutions of the General Assembly.

44. Such was the construction which the French delegation, in agreement with the United States, United Kingdom and Turkish delegations, wished to have placed upon the provisions of the joint draft resolution, and he appealed to members of the Committee to support it.

Threats to the political independence and territorial integrity of Greece : (b) Repatriation of Greek children (A/1932, A/1933, A/AC.53/L.4/Rev.1) (continued)

[Item 19]*

45. The CHAIRMAN called upon the representative of Sweden to make a statement on the subject of repatriation of Greek children.

46. Mr. GRAFSTROM (Sweden) recalled that on 26 November 1951 (7th meeting) the Committee had

unanimously approved a resolution submitted by Peru, the Philippines and Sweden on the repatriation of Greek children (A/AC.53/L.4/Rev.1). The resolution had proposed postponement of the discussion of item 19 (b) until the Standing Committee on the Repatriation of Greek Children had been able to report on the result of an invitation to be issued to the governments of the countries harbouring Greek children. The President of the General Assembly had accordingly issued an invitation to the Governments of Hungary, Romania, Bulgaria and Czechoslovakia to designate representatives to come to Paris for consultations with the Standing Committee, if possible not later than 15 December 1951.

47. That date had long since passed, and no action had been taken by any of the Governments concerned. The attempt to bring the solution of the problem nearer must therefore be regarded as a failure, and he submitted that there was no reason to adjourn the discussion of item 19 (b) any longer.

48. Mr. KYROU (Greece) asked the Chairman to arrange for item 19 (b) to be discussed as soon as possible.

49. Mr. VAN GLABEEKE (Belgium) requested that the oral statement just made by the representative of Sweden would be supplemented by a written report giving the Committee details as to the decision of the President of the General Assembly, the reasons why only four governments had received invitations, and the terms in which the invitations had been couched. The exact nature of the conversation that had taken place between the Chairman of the Standing Committee and the Czechoslovak representative to the United Nations should also be made known. He felt that everyone would wish to have as much information on the subject as possible.

The meeting rose at 12.40 p.m.