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Chairman: Mr. Carlet R. AUGUSTE (Haiti).

AGENDA ITEM 26

Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/4478) (continued)

At the invitation of the Chairman, Mr. John H. Davis, Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, took a place at the Committee table.

1. Mr. ROSSIDES (Cyprus) said that he intended to examine both the political and the humanitarian aspects of the question. He pointed out that the problem was becoming more and more serious and might eventually be impossible to solve—a danger which the Director of the Agency in his report (A/4478) had clearly indicated. His delegation appreciated the excellent work which had been carried out by UNRWA. Also, it was gratified to note that the host countries had been increasingly helpful in their co-operation with the Agency, for only with the active co-operation of all concerned could the problem be solved.

2. One particularly unfortunate aspect of the problem, however, that deserved attention was the growing percentage of young persons who were becoming virtually unemployable. At the present time, 80 per cent of the refugees were unskilled workers and farmers. The jobs at which they could be employed did not exist or would require an uneconomic level of investment. Apart from any political consideration, that fact would seem to prove that integration within the host countries, on which so much emphasis had been laid, was not practicable and could not be regarded as a solution.

3. Repatriation or compensation in compliance with resolution 194 (III), would seem to be the only solution. Nothing, however, had been done in that direction so far, and the plight of the 30,000 young persons who were growing to maturity each year was becoming even worse than that of their parents. As one means of remedying that situation, the Agency contemplated a programme of vocational training that would make it possible to turn out 2,500 graduates a year. Those were constructive proposals which he heartily endorsed. Without wanting to minimize their importance, however, he did not believe that they would be adequate to solve the problem because they affected too small a

percentage of the young refugees. Emphasis must therefore be laid on the urgency of a solution to the problem and on the responsibility of the Special Political Committee in finding a solution.

4. One of the impediments to any progress towards such a solution had been the concept that the refugee problem could not be solved before a settlement of all the existing differences between Israel and the Arab countries had been achieved. That was an unrealistic approach, for the refugee problem had become so complicated that it would in itself prevent a general settlement of the Palestine question, whereas its solution would certainly facilitate such a settlement. In resolution 1456 (XIV), the General Assembly had requested the United Nations Conciliation Commission for Palestine to make further efforts to secure the implementation of resolution 194 (III). While the difficulties to be overcome were undoubtedly great, it must be admitted that there had been no results. It was to be hoped that more vigorous action would be taken by the Commission towards breaking the deadlock. It had been suggested that the Commission should be expanded, and in his opinion, that would be a constructive measure which might bring new life to the Commission in its work. He also supported the suggestion that the administration of the properties of the refugees should be taken over by an administrator, as a means of somewhat improving their sad lot and giving them new grounds for hope.

5. The problem of the Palestine refugees was basically different from all other refugee problems. As a general rule, refugees did not want to return to their countries, whereas in the present instance they were yearning to return to their homeland. Resettlement was the obvious solution in the former case, and repatriation in the latter, and that fact must be taken into account. There was also a psychological aspect of the problem, for the readiness of the refugees to return to the State of Israel was a mark of confidence which redounded to that country's credit. The return of a limited number of refugees would be at least a first step in the right direction. It would encourage understanding among the parties and enable the attitude of the refugees to be tested and the entire matter to be looked at from a practical point of view. His delegation appealed to Israel to make a gesture along those lines. The further aggravation of the problem could not be prevented merely by continuing to provide assistance at the same level; some means of breaking the deadlock must be found.

6. Mr. SHUKAIRY (Saudi Arabia) said that the statement of the United States (201st meeting) representative was of particular significance. That was so not only because the United States was a great Power, but also because it had played a major role in the partition of Palestine and in the establishment and continued survival of Israel. In addition, the United States was a member of the Conciliation Commission and played

such a prominent part in it that the Commission might even be said to be composed of the United States and the United States only.

7. The United States representative had emphasized that consideration of the question called for great restraint and a high degree of statesmanship. It appeared that that appeal for the attributes necessary for tackling any international political question had been specifically addressed to the delegations of the Arab countries. It could not, of course, have been addressed to Israel, for Israel had no complaint to make and no pain to suffer. That appeal had therefore been addressed to the Arabs, who had been unjustly driven out of their ancestral homes, and the fact was that on the question of the Palestine refugees the Arab delegations could not but express the passionate sentiments by which they were moved, because the refugees were brother Arabs and Palestine was their homeland. The noblest endeavours of the human mind were motivated by feelings, and the United Nations was itself a storehouse of human aspirations, human hopes and human fears. All nations, moreover, were responsive to their feelings. When, in 1954, the United States had requested that the question of the detention of eleven American airmen held in Communist China should be included in the agenda of the General Assembly, that too had been a question of repatriation. It had been presented with passion, and reference had been made to family reunions at Christmas. In the present case, repatriation was sought not for eleven men but for over a million refugees, who for fourteen years had been celebrating their religious holidays in exile. Those people represented half the population of Palestine, and what was at stake was the dignity and the spiritual and material rights of an entire nation. If statesmanship meant giving up the right of the refugees to repatriation, then it would be rejected by all Arabs as a betrayal of the lowest order. That appeal came, moreover, from the State whose lack of statesmanship had been at the root of the entire Palestine problem. The United States was, after all, the country which had put pressure on the United Nations to adopt the policy which had led to the calamity of the Palestine Arabs. It was the country which had recognized Israel without being assured that Israel would respect the rights of the refugees, and it was the country which today, through its economic assistance, was encouraging Israel in its refusal to admit the right of the refugees to return to their homeland. The United States representative had, however, made another appeal which was even more disquieting. He had said that the crucial factor was the present and future welfare of the Palestine refugees themselves. That remark, if put back into its context, could imply that the refugees would remain far from their homeland for ever, and that the Arabs must accept the de facto situation, or, in a word, that they must bow to Israel and acquiesce in the total cancellation of the United Nations resolutions. That appeal which seemed to be innocent on the surface was inspired by intentions not difficult to discover. He would cite in that connexion an item which had appeared in The New York Times of 19 November 1960, to the effect that the United States had begun to bring renewed pressure on Israel and the Arab States to end their simmering twelve-year-old dispute. According to The New York Times, the United States would contribute the major part of an international loan that would permit the repatriation of 100,000 to 120,000 refugees to what was now Israel, and the resettlement

of the remaining 900,000 in the Arab countries. The United States would contribute to the development of the Jordan Valley irrigation projects. In addition, it would guarantee the Arab-Israel frontiers after the permanent borders had been drawn and agreed upon by both sides, with the result that the Arabs and Israelis would no longer need to continue the arms race. In his opinion, those proposals were tantamount to accepting the de facto situation as a starting point for the solution of the problem. They would, moreover, result in the repatriation of only one tenth of the refugees and the integration of the remaining nine-tenths in the Arab countries. Such proposals were totally unacceptable to the Arab countries, because they would never accept the de facto situation and would not abandon the right of any refugee to repatriation, regardless of his age. If, furthermore, those proposals should stand unopposed, the Arab countries would be bound to regard the United States as no longer qualified to serve as a member of the Conciliation Commission, since it would have violated the Commission's terms of reference; they would be bound even to discontinue their co-operation with the Commission, and by acting in that way they would be merely applying the statesmanship which the United States had urged. To propose the repatriation of only a fraction of the refugees was contrary to the resolutions of the United Nations and the terms of reference of the Conciliation Commission. And it was an established rule of international jurisprudence and practice that when the terms of reference of any assignment were violated, the assignment became ipso facto rescinded, and the assignees lost their status under the assignment. Thus, if the proposals just referred to were not denied, the United States would cease to be a member of the Conciliation Commission without any necessity for a formal resolution by the United Nations.

8. With regard to the financial aspect of the problem, the United States representative had said that since May 1950 voluntary contributions by Governments had amounted to almost \$319 million, and that since the establishment of UNRWA the United States contribution had exceeded \$222 million. Despite the Arab countries' debt of gratitude to the contributing Governments and more especially to the United States Government, that sum of \$222 million must also be considered in its political context. Viewed in that way, it represented only part of the price that the United States saw fit to pay for its wrongful policy on the Palestine question. Against the friendly advice of the Arab countries, the United States had pursued in Palestine a policy which had been bound to lead to the expulsion of the Arabs. It had employed every form of pressure to drive the United Nations in 1947 into the hazards of partitioning Palestine. It could therefore not escape the consequences of the lack of statesmanship it had shown in not heeding the warnings of the Arab States and, in particular, the appeal^{1/} of Sir Mohammed Zafrullah Khan, Minister for Foreign Affairs of Pakistan, who had begged it not to ruin its credit in the Middle East. The United Nations, including the United States, must bear in mind that the hundreds of millions of dollars extended as relief to the Arab refugees could not compensate the refugees for their sufferings, their exile, or the loss of their national dignity or property. Compensation might be possible for the loss of their

^{1/} See Official Records of the General Assembly, Second Session, Plenary Meetings, vol. II, 126th meeting.

property, but for the loss of their homeland there was no compensation. In his report, (A/648)^{2/} Count Bernadotte, the United Nations Mediator, had stressed the responsibility which the United Nations would never discharge until the refugees had been repatriated. On the other hand, it was unjust to infer that the refugees were indebted to the contributing Governments, for the fact that they had not been repatriated was due solely to Israel's refusal: the Member States that were contributing to UNRWA were paying the price of Israel's refusal to recognize the refugees' right to repatriation. The United States, to mention only one, could make Israel yield, for Israel owed its existence to the United States. Without the United States, Israel would be a political fiction, and if the United States withheld its economic assistance Israel would be forced to recognize the rights of the Arab refugees immediately.

9. With regard to the Conciliation Commission for Palestine, the United States representative had said that its progress depended fundamentally on the attitudes of the parties and that for several years the Governments directly concerned had not proposed any solutions to the Commission. He denied that allegation, which was supported neither by the facts nor by the resolutions of the United Nations; he was surprised that it should have been made by the United States, which was a member of the Conciliation Commission, and he briefly reviewed the long history of that Commission, showing that from 1949 to 1951, at Beirut, Tel Aviv, Lausanne, New York, Geneva, Lake Success and Paris, the talks had failed on each occasion because Israel in disregard of United Nations principles, had always refused to agree to repatriation of the Arab refugees. The Arab States, in contrast, had at all times co-operated with the Conciliation Commission and had submitted many proposals to it, orally and in writing, on all aspects of the Palestine question. They had, for example, submitted detailed proposals regarding the property of the refugees, its conservation and administration, and had outlined to the Commission both the principles on which all repatriation operations should be based and detailed measures for carrying them out. The Arab States had also submitted specific proposals for the internationalization of Jerusalem under United Nations supervision.

10. Israel, on the other hand, had violated the Protocol of Lausanne^{3/} which it had signed on 12 May 1949, had rejected the internationalization of Jerusalem—claiming the city as its eternal capital—and had refused to yield one inch of the Arab territory it held. Mr. Ben-Gurion had even declared that Israel would not surrender at the conference table what it had won on the battlefield. It was astonishing that, after speaking of battlefields, Israel should once again be talking of peace. So far as the Conciliation Commission was concerned, the United States was stating the facts unfairly, for the Arab States and Israel could not be referred to in the same terms. Israel had always rejected the implementation of the United Nations resolutions concerning repatriation, while the Arab States had always urged their implementation. Israel must be recognized as guilty, and he could not see what more could be asked of the Arab States after all the proposals they

had made to the Conciliation Commission. The Arab States would never propose or accept the abandonment of the rights of the Arab refugees of the Near East: Palestine was the home of the refugees and they were determined to go back to it.

11. The United States policy on the refugee problem was neither surprising nor new. For that policy to be more fair in the future, the new United States Administration would have to adopt a basically different approach. The Palestine policy of the United States, directed by the Zionists, was contrary to its true interests in the Middle East. On one occasion President Truman had even declared that he did not have hundreds of thousands of Arabs among his constituents, proving that the United States position was based not on justice or fairness or even on the interests of the United States as a whole, but on the activities of a few thousand Zionists in its territory. Because of Zionist pressure the United States could not take a just, fair and bold position within the Conciliation Commission. That had always been a cardinal defect in the Commission's composition. In 1948 it had been hoped that because of its economic influence the United States might be able to prevail upon Israel to recognize the rights of the refugees. By withholding assistance from Israel, the United States could indeed make Israel bow to the will of the international community. But the United States did not wish to use its influence, because it was in the grip of Israel and the American Zionists. Thus the wishes of 100 million Arabs whose homeland stretched from the Atlantic to the Persian Gulf were **disregarded because the United States supported Israel.**

12. He would not refer to the statements which Senator Kennedy and Vice-President Nixon had made during the recent electoral campaign in the United States, and which gave the impression that Israel was situated not in the Eastern Mediterranean but between the Atlantic and the Pacific; on the other hand, he wished to refer to the charge of being anti-Israel that had been made against Mr. Cabot Lodge, the former Permanent Representative of the United States to the United Nations. That accusation showed that there could be no hope that the statements of the United States representative in the Committee, or United States efforts in the Conciliation Commission, would be fair. In the course of his statement (201st meeting), the United States representative had expressed the hope that the Conciliation Commission would continue its efforts to promote "a" solution of the refugee problem. To an uninformed observer, that statement might appear very reasonable; in fact, however, it was contrary to General Assembly resolution 194 (III), which had decided for the repatriation of the refugees and had been reaffirmed on all subsequent occasions. The United States had voted for that resolution and had even been one of its sponsors; it should therefore urge its implementation, instead of advocating "a" solution.

13. In his statement (209th meeting), the Israel representative had attempted to destroy the case of the refugees on a number of grounds. First of all, he had tried to reduce the number of refugees in order to avoid world public opinion being aroused against Israel. That attempt was abortive, as the Agency's statistics showed. It was not surprising that Israel should seek to reduce the number of its victims, but the Arab States were prepared to ask the United Nations and the Director of the Agency to carry out a

^{2/} See Official Records of the General Assembly, Third Session, Supplement No. 11.

^{3/} See Official Records of the General Assembly, Fourth Session, Ad Hoc Political Committee, Annex, vol. II, document A/927, Annex B.

census of the refugees once Israel had accepted the principle of repatriation.

14. Secondly, the Israel representative had distorted the facts with regard to reintegration, which the United Nations, the Secretary-General, the Conciliation Commission, the United Nations Economic Survey Mission for the Middle East (Clapp Mission) and UNRWA had never recognized as a substitute for repatriation. From December 1948 to December 1959, repatriation had always been the objective sought by the United Nations and all organs acting under it. The General Assembly had adopted fifteen resolutions supporting repatriation and, whatever the Israel representative might say, operative paragraph 4 of resolution 393 (V) defined reintegration as either repatriation or resettlement. Assisted by a few delegations, Israel had voiced a number of slogans to defeat the cause of the Arab refugees. The first had been an appeal to forget the past. It was not possible for the refugees to forget their past—their life in their homeland, their memories and associations. That would be self-betrayal. No country could forget its past; France and Belgium, for example, could not be asked to forget the Nazi occupation during the Second World War. Moreover, the authors of that slogan were forgetting that Israel's case rested solely on historical associations, often fictitious and confused, that dated back 3,000 years. The United Nations had unjustly resurrected that distant past. The refugees, on the other hand, had a well-defined, continuous and immemorial past, and their exile was only thirteen years old.

15. The second slogan called on the United Nations to face realities. That slogan itself lacked reality, for what it meant was that the refugees had been expelled and should not return, since conditions in the country had changed and Israel did not want the refugees back. But if the United Nations was always to accept the existing situation without attempting to change it, it would serve no purpose. If it was maintained that all injustices were realities, it would be better to revert to the law of the jungle, pure and simple.

16. The third slogan was an appeal against reversing the course of history. Such an appeal might seem innocent, but in fact the refugee problem was itself the outcome of an attempt by Israel to reverse the course of history.

17. The fourth slogan, reiterated unceasingly by Israel, was that negotiations were needed with a view to solving the refugee problem by agreement between the parties concerned. In the first place, the main party concerned was the people of Palestine themselves. In the case of Palestine, as in the discussions on the Tunisian, Moroccan, Libyan and Algerian questions, the Arab States supported the cause of justice and liberty. It was not for them, however, to negotiate with Israel any more than to negotiate with France on the Algerian question. The people of Palestine, albeit an integral part of the Arab nation, were the masters of the destiny of their country, which was a special entity with a separate personality. That was the right meaning to attach to the right of peoples to self-determination—a universal principle, for the denial of which to the people of Palestine there was no justification. Israel, it was true, had proposed that the refugees from Palestine should be resettled in the Arab countries where they would encounter no religious or other barriers. That was analogous to suggesting

that the Jews should drive the Christians from New York and tell them to live in other parts of the United States. The people of Palestine rejected outright any idea of resettlement outside their age-old homeland.

18. In the second place, to seek to make repatriation a subject for negotiation was to destroy it as a principle. Negotiations were conceivable for debatable problems, but repatriation was an indefeasible right just as much as all those stated in the Universal Declaration of Human Rights. The United Nations, as resolution 194 (III) showed, had recognized the right to repatriation without mentioning the consent of Israel. The arguments raised by Israel had been raised at every session since 1948; the United Nations had invariably rejected them and, on each occasion, reaffirmed its stand on repatriation. Indeed, it would be illogical and contrary to the fundamental principles of the Organization to make the implementation of United Nations resolutions subject to the good will of one or other State. Furthermore Israel had signed in 1949 the Lausanne Protocol in which it had recognized the need to achieve as quickly as possible—and not, as it now claimed, so far as practicable—the objective of ensuring respect for the refugees' right to repatriation and to the preservation of their property. Moreover, the Palestine question had three aspects: the question of Jerusalem, the refugee question, and the territorial question. Mr. Ben-Gurion, in the document he had addressed to the Trusteeship Council^{4/} stated that the inhabitants of Jerusalem were unalterably opposed to the General Assembly's decision to place the city under an international régime and that, for the State of Israel, Jerusalem would remain the capital forever. The Conciliation Commission, moreover, had failed to induce the Government of Israel to accept the principle of the repatriation of refugees, and the State of Israel claimed all the territory over which it now exercised its authority. Consequently no purpose whatsoever would be served by negotiating on any aspect of the question.

19. The fifth and last slogan urged resort to peaceful means rather than to force of arms. The Arabs accepted that principle, for the Charter of the United Nations prohibited the use of force in the settlement of international disputes. The refugee question, as it happened, had been settled in favour of repatriation as early as December 1948 and ever since the refugees had been pressing the United Nations by every peaceful means open to them, to grant their demand by taking effective measures. As the United Nations had remained inactive for fourteen years, the refugees had no choice but to take the law into their own hands. The use of force was inadmissible only if the United Nations took action. Moreover Israel itself had been established only by force of arms, and it was again by force of arms that Israel had driven out and dispossessed the people of Palestine. Indeed, Israel itself had asserted at the fifteenth session that the repatriation of the refugees could be effected only at the cost of war; any such war would be a war of liberation, of self-defence, forced on the Palestine Arabs by Israel's defiance of the authority of the United Nations. Israel had thus no grounds for complaint if the Palestine Arabs undertook military preparations.

20. A number of delegations, in their anxiety to maintain peace at any price, had stressed the need for an

^{4/} See Official Records of the Trusteeship Council, Fourth Year, Sixth Session, Annex, vol. I., document T/431, annex.

immediate solution to the refugee problem. Such a solution could not affect the principle, which had been clearly laid down long ago; it concerned only the measures of implementation. The report of the Director of the Agency had made it plain that the refugee problem was closely bound up with that of Palestine. The solution to the latter problem recommended by the General Assembly in its resolution 181 (II) had proved to be a calamity: it had created the refugee problem and was a source of constant disturbances. It was therefore the duty of the United Nations to reconsider that resolution. The United Nations had not, in the first place, been empowered to partition a country against the wishes of its people; by so doing the Organization had violated its own Charter, for the territorial integrity of any country was one of the fundamental principles of the United Nations. Moreover, the General Assembly had never resorted to partition in connexion with any of the colonial problems which had arisen in Africa or Asia. Contrary to Israel's contention, the partition of the Indian sub-continent had been effected outside the United Nations and with the consent of the whole population which had been rooted there for centuries. In Palestine, by contrast, there had been determined opposition to partition, and the Jews had been a mere minority of alien invaders. In the case of Cyprus, which had been dealt with by the United Nations, a unitary State had been established. Similarly, on the question of the Congo, not a single delegation had advocated partition or secession; on the contrary, the Security Council and the General Assembly had stressed in their resolution the territorial integrity of the Congo.

21. Again, many delegations had only reluctantly voted in favour of resolution 181 (II), as was borne out by the statements which the Swedish, Canadian, New Zealand and Belgian representatives had made at the time. Other delegations, such as those of the Philippines, Haiti and Thailand, had given the measure their support only at the last minute and under strong pressure. As to the United States representative, he had prophesied at the time that the boundary between the Jewish and Arab States would be as peaceful as that which separated his country from Canada. The main objective of resolution 181 (II) had indeed been to bring peace to the two communities living in Palestine. But the 1947 resolution had merely spread to all the States in the region a conflict which, in 1956, had almost started a world-wide nuclear war. A million

human beings had had to cross into exile the boundary which, it had been hoped, would be peaceful. It was high time the United Nations reconsidered its error.

22. There was in reality only one way to settle the Palestine question and thus to solve the refugee problem. Palestine was a State which had been placed under mandate by the League of Nations. That was its legal status from the international standpoint. The United Nations, as the successor to the League of Nations, must respect that State's political independence and territorial integrity. It should have the refugees repatriated and the unity of Palestine restored. Needless to say, those Jews who were legitimate citizens of Palestine would enjoy full rights. The half-million Jews who had migrated from Arab lands to Palestine in the last decade could either remain there as citizens or return to the States from which they had come. The rest of the immigrants would be repatriated to their countries of origin or would go and settle in other States, if they so desired and could gain admission. The people of Palestine—Moslems, Christians and Jews—would be able to establish their State and give it a democratic constitution. Free and independent Palestine would become a Member of the United Nations, and its delegation would include Moslems, Christians and Jews selected on their merits. That was the only way to bring peace and stability to the Holy Land, the Middle East and the world at large. So long as the State of Israel continued to exist, that aim would never be achieved.

23. Mr. COMAY (Israel) observed that the official records of the negotiations held under the auspices of the Conciliation Commission told a story which was different from the account given by the Saudi Arabian representative and was less flattering to the delegations of the Arab States.

24. Mr. WILCOX (United States of America) rejected the attacks and insinuations the delegate of Saudi Arabia made against the policies and statements of the United States.

25. The CHAIRMAN declared closed the general debate on the report of the Director of UNRWA. At its 214th meeting the Committee would resume the discussion of agenda item 23 on the question of an increase in the membership of the Security Council and of the Economic and Social Council.

The meeting rose at 1.15 p.m.