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Chairman: Mr. Charles T. O. KING (Liberia).

**AGENDA ITEM 27**

**United Nations Relief and Works Agency for Palestine Refugees in the Near East (continued):**

- (a) Report of the Director of the Agency (A/4213);
- (b) Proposals for the continuation of United Nations assistance to Palestine refugees: document submitted by the Secretary-General (A/4121)

1. Mr. GOHAR (United Arab Republic) said that the item under discussion was the tragedy of a refugee nation, resulting from the partition of a country and the exile of its people. He recapitulated the action taken by the General Assembly in regard to the Palestine refugees directly after the partition of Palestine. From the beginning, the United Nations had recognized in its resolutions the right of the refugees to repatriation, and Israel had as consistently denied that right. In its resolution 302 (IV), the General Assembly, after reaffirming the first repatriation resolution (resolution 194 (III)), had established the United Nations Relief and Works Agency to continue international assistance to the Palestine refugees, with a special mandate to confer with the United Nations Conciliation Commission on the question of the repatriation of the refugees and the compensation of those who did not wish to exercise that right.

2. While denying the Palestine refugees the right to return to their homes, Israel at the same time encouraged the immigration of alien Jews to Palestine in order to create a *de facto* situation which would make repatriation impossible. Israel claimed that Jewish immigration was an internal matter, but it had a direct bearing upon the refugee problem. It was the main obstacle to the implementation of the resolutions on repatriation and was therefore very much the concern of the United Nations. Unfortunately, certain Powers were lending material and political assistance to Jewish immigration to Palestine. In so doing they were acting against the implementation of resolution 194 (III) for which they had themselves voted in the General Assembly.

3. Israel had also forced thousands of Palestinians to flee from their homes after the signature of the General Armistice Agreement between Egypt and Israel<sup>1/</sup> in 1949. In 1950, more than 2,000 Arabs had been expelled across the armistice line to the Gaza Strip and over 7,000 Bedouin of the Azazma tribe had been expelled to Sinai. Those two acts of aggression had been discussed by the Security Council and by the Egyptian-Israel Mixed Armistice Commission, which had decided on 30 May 1951 that those Arabs should be allowed to return to their homes. That decision should have been implemented in accordance with a Security Council resolution (S/1907). However, Israel had not abided by that decision and as recently as September 1959, more Bedouin of the Azazma tribe had been driven across the Egyptian frontier to the Sinai desert. That action had been condemned by the Egyptian-Israel Mixed Armistice Commission on 6 October 1959 and Israel had been called upon to implement the earlier decision and to allow the Bedouin to be repatriated (see S/4226). Israel's answer had been that it regarded the General Armistice Agreement as inoperative.

4. In resolutions 194 (III), 212 (III) and 302 (IV), the General Assembly had established a series of principles governing its action in regard to the Palestine refugees: first, there was to be a free choice between repatriation and compensation; second, there should be compensation for those choosing not to return; third, the United Nations was responsible for extending relief to the refugees until the first and second principles had been fully implemented. During the past eleven years, there had been a general feeling among the refugees that an attempt was being made to depart from those principles. Continuous efforts were being exerted to resettle the refugees in Arab countries and contributions had even been offered to that end. When the host countries had resisted, they had been told that such resettlement would not prejudice the right of the refugees to repatriation and compensation. A clause to that effect had been inserted in every General Assembly resolution dealing with Palestine refugee matters, but nothing had been done to make repatriation a reality. Perhaps it had been hoped that in the meantime a *de facto* situation would have been created which would result in a solution of the refugee problem by the absorption of the refugees in the neighbouring Arab countries. On the contrary, time had only strengthened their determination to uphold their right to repatriation. Nevertheless, their patience must have its limits and further tribulation might prove to be too much for them. At the eleventh session of the General Assembly, Mr. Henry R. Labrousse, then Director of the Agency, had told the Committee (23rd meeting) that time was not a healing agent and that the longer the problem of Palestine refugees

<sup>1/</sup> Official Records of the Security Council, Fourth Year, Special Supplement No. 3.

remained unsolved, the more dangerous the consequences would be for the countries of the Near East and for the other Members of the United Nations. The only solution to that problem was to take steps for the repatriation of the refugees.

5. As long as the refugees were kept away from their homes, the responsibility of the United Nations to provide relief must continue. For the past eleven years, relief had been provided through UNRWA, whose mandate was due to expire in June 1960. On 15 June 1959, the Secretary-General had submitted a report containing proposals for the continuation of United Nations assistance to Palestine refugees (A/4121), in which he recommended the continuation of UNRWA pending, as expressed by the General Assembly, the "reintegration of the refugees into the economic life of the Near East, either by repatriation or resettlement", which were envisaged in resolution 194 (III) as resulting from the choice of the refugees themselves. That question of choice needed some clarification. In his progress report of 16 September 1948 (A/648),<sup>2/</sup> the United Nations Mediator, the late Count Bernadotte, had stated that the majority of the Arab refugees came from territory which, under the Assembly resolution on the partition of Palestine (resolution 181 (II)), was to be included in the Jewish State. After considering that report, the Assembly had adopted resolution 194 (III) which provided that those refugees who wished to return to their homes should be permitted to do so and that compensation should be paid to those who did not wish to return. The question of choice did not arise in respect of refugees belonging to the areas assigned to the Arab State under the partition resolution: they were to be repatriated without question. The choice between repatriation and compensation, therefore, arose only in the case of refugees from areas not assigned to the Arab State under the partition resolution. He pointed out, however, that if a genuine choice was to be offered to those refugees there must be a real possibility of repatriation.

6. Part II of the document submitted by the Secretary-General (A/4121) was devoted to technical matters falling under four main headings. Under the first, "Recipients of assistance", the Secretary-General made the point that the present rolls should be rectified by means of the deletion of those who were ineligible or were no longer eligible and the addition of those who were eligible. The first part of UNRWA's working definition of the persons eligible for its services required a claimant to have lost both his home and his means of livelihood as a result of the Palestine conflict. The Secretary-General and the Director of UNRWA had both drawn attention to those persons who were excluded from UNRWA assistance by the technicality of having lost their livelihood but not their homes, and had noted that many of them were in greater need now than some of the refugees in UNRWA's care. The United Arab Republic delegation noted that if the words "either ... or" were substituted for the words "both ... and" in the definition, those claimants would be eligible for relief. The second part of the definition related to the refugee's economic position. The Agency made use of a graduated income scale whereby assistance to the refugee was withdrawn progressively as income rose.

That scale should be approved by the host Governments, as being the best informed about the cost of living in their respective countries. It was also important, as the Secretary-General had remarked, that the refugee should have assurance that he could claim assistance again if and when it was needed, within a reasonable period.

7. Under the second heading, "Administration of assistance", the Secretary-General suggested that primary administrative responsibility for the programme of general education might well be assumed by the host Governments, since a considerable amount of integration had already taken place and the host countries were already making a substantial financial contribution. The host countries had begun to help the Agency to bear that burden at a time when it had been hampered by lack of funds. The United Arab Republic, in particular, had never imagined that that co-operation for the benefit of the refugees would one day be exploited in order to justify the Agency in abandoning its duties towards the refugees. Had it done so, it would not have participated in matters which were explicitly UNRWA's responsibility.

8. Under the third heading, "Types of assistance", UNRWA's programme was divided into relief, including general education, and self-support, including vocational training and individual grants. The United Arab Republic concurred in the Secretary-General's view that the standard of relief should be raised to meet the normal needs of the refugees and their natural increase. The question of self-support was more difficult. Both the host Governments and the refugees believed in it, but it must not be connected with the political aspect of the problem.

9. The last heading in part II of the report was "Agreements with host Governments". The United Arab Republic was quite ready to confer with UNRWA regarding the best means of facilitating its work. It had always co-operated with UNRWA and would continue to do so in the future. In that connexion, the United Arab Republic delegation wished to thank the Director of the Agency, Mr. Davis, for his remarkable work and his co-operation.

10. In the past eleven years, the United Nations had sought through UNRWA to console the refugees and to alleviate some of their miseries. However, the Agency had not been in a position to carry out fully the mission for which it had been established. It had made a good beginning, but in the face of the inability of the Conciliation Commission for Palestine to carry out its task, it had been forced to prolong its activities and had encountered difficulties in financing its programmes, with the result that it had been compelled to reduce its services. That had aggravated the problem, besides making a most painful impression on the refugees. Unfortunately, the situation in regard to finance was unchanged. UNRWA was still dependent on the voluntary contributions of Governments, and the sum contributed was barely sufficient to meet the basic physical needs of the refugees.

11. Officials of the Agency realized that the refugees could not and would not remain indefinitely under present conditions but fervently desired to return to their homes, rejecting all plans for resettlement elsewhere. General Assembly resolution 194 (III) had recognized their right to choose between repatriation and compensation, yet, as the Agency's Director stated in paragraph 9 of his report (A/4213), that

<sup>2/</sup> Official Records of the General Assembly, Third Session, Supplement No. 11.

promise was still unfulfilled. In the circumstances more attention should be given to the social, cultural and spiritual training of the refugees to prepare them for a useful, self-supporting life. The Agency was however obliged to confine its activities almost entirely to relief work. Meanwhile, social problems were increasing owing to the lack of adequate care for young refugees, the inadequacy of funds and staff for social services, and the absence of a permanent administrative unit to organize the supervision of such services. The Agency was endeavouring to combat apathy and idleness in the camps by helping the refugees to occupy themselves usefully, but practical leadership and social consciousness would have to be fostered among the refugees if they were to live as good citizens after repatriation.

12. Although UNRWA had extended facilities for academic and vocational schooling, inadequate funds had prevented further progress in that field, despite increased assistance from some of the major contributors. As a result, many young refugees were unable to complete their education. A realization of the importance of education, particularly in view of the limited local economic opportunities, had increased the need for schools at all levels. The Agency and the authorities of the United Arab Republic had given valuable assistance in that respect. Under agreements with the competent authorities in Egypt, UNRWA had established two vocational schools in 1954 and 1956, but they had been stripped of their equipment during the tripartite aggression against Egypt. The Agency had been unable to resume work in those schools because of budgetary difficulties. The United Arab Republic Administration in the Gaza Strip had also founded a commercial school and a teacher-training college, to which refugee children trained under UNRWA auspices had been admitted. The Agency had at first contributed to the cost of their education but had subsequently discontinued the contribution. Financial difficulties had also forced the Agency to limit the number of pupils admitted to secondary schools and to discontinue university scholarships. Thus, education, which was the foundation of rehabilitation, was being treated as the least of the Agency's concerns.

13. Insufficient funds had also affected the Agency's relief services, whose inadequacy had been pointed out in the annual report submitted by the Director at the thirteenth session (A/3931, paras. 39-40).<sup>3/</sup> For eleven years the refugees had lived on a near-starvation diet and lacked all the material and moral requisites of normal social life. Promises of repatriation had not been fulfilled and the refugees were losing confidence in the ideals of justice and truth. Their present insecure existence depended entirely on the assistance of the contributing Powers, although in fact their rightful property was worth many times the amount of the contributions made for their maintenance. Had they been allowed to return to their homes, in accordance with General Assembly resolution 194 (III), they would no longer be in need of financial assistance.

14. The contributions could not be regarded as charity, but rather as the assumption by the contributing countries of a historical responsibility for the essentially human problem of the refugees. The

Secretary-General should take the necessary steps to ensure that the UNRWA budget guaranteed adequate relief and educational services that would enable the refugees to become good, self-supporting citizens. His delegation believed that the UNRWA budget should be an integral part of the annual budget of the United Nations; or, alternatively, the General Assembly should authorize the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to establish an annual capital fund for the Agency's Director from the Working Capital Fund of the United Nations, to be repaid before the end of the calendar year from the contributions received by the Director. Such a step could be taken in accordance with operative paragraph 3 of General Assembly resolution 212 (III), adopted on 19 November 1948. Any other practicable method of achieving that aim would be acceptable to his delegation. As the Director of UNRWA had pointed out (148th meeting), the Agency needed a more dependable source of funds if it was to carry through satisfactorily its programmes of vocational training, scholarships and individual assistance. The present problem was the result of the expropriation and expulsion of the Palestine Arabs and could be solved only by their repatriation and the restoration of their rightful property. Such a solution would be in accordance with the natural rights of the Palestinian Arab nation and those rights had been recognized repeatedly by the General Assembly and by the Secretary-General in his statements.

15. Mr. COMAY (Israel), replying to the statement made by the representative of the United Arab Republic regarding a recent frontier incident, read to the Committee a letter dated 21 October 1959 from the Acting Permanent Representative of Israel to the United Nations addressed to the Secretary-General (S/4231). The letter explained that the decision taken by the Egyptian-Israel Mixed Armistice Commission on 6 October 1959 was not valid, as the Commission had not been in effective operation. Israel had not participated in the Commission's work since 1956 because of Egypt's exercise of alleged rights of war against Israel, including the obstruction of Israel's lawful commerce and shipping in the Suez Canal. The Bedouin alleged to have been driven across the frontier into Egypt had illegally infiltrated into Israel territory and were not Israel citizens. He did not wish to open a discussion on the standing of the Mixed Armistice Commission or the history of the Israel-Egyptian border, but felt that the Committee's attention should be drawn to a United Nations document relating to a point that had been raised by the United Arab Republic representative.

16. Mr. GOHAR (United Arab Republic) pointed out that the Egyptian-Israel Mixed Armistice Commission was a United Nations organ and could not be unilaterally regarded as inoperative by Israel. The Commission had been convened by its Chairman and the fact that Israel had not attended the meeting did not make the Commission inoperative. On 29 November 1951 the Commission had decided that the Azazma tribes had been expelled from a demilitarized zone in Israel and should be repatriated. Israel had appealed against that decision, but had subsequently withdrawn its appeal and was therefore still bound by that decision.

The meeting rose at 4.35 p.m.

<sup>3/</sup> Ibid., Thirteenth Session, Supplement No. 14.