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SPECIAL POLITICAL COMMITTEE, 400th
MEETING



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Chairman: Mr. Mihail HASEGANU (Romania).

AGENDA ITEM 32

Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/5513, A/SPC/89) (continued)

1. Mr. SIDI BABA (Morocco) proposed that the statement made at the 399th meeting by Mr. Shukaïry should be published in extenso.

2. Mr. COMAY (Israel) did not see the necessity for reproducing the statement in full, since a report of it would be carried in the summary record of the meeting. When the same question had arisen at the seventeenth session in connexion with the statement made on the same subject by another individual, it had been decided that the statement would not be distributed as a document of the Committee, but that it could be circulated on the responsibility of the person who had made it. That precedent should be followed in the present case.

3. Mr. SIDI BABA (Morocco) felt that the objection raised by the Israel representative ran counter to a well-established tradition of the Committee. The Committee had frequently heard petitioners and decided that their statements should be circulated in extenso. It would be unfair to make an exception in the present case, particularly as Mr. Shukaïry's statement contained a great deal of information that would be most useful to the Committee in its examination of the matter under consideration.

4. Mr. COMAY (Israel) said that, to the best of his recollection, the statements made by petitioners speaking for the Palestine refugees in all the years they had appeared before the Committee had never been circulated as official documents. It would therefore be contrary to all precedents to issue Mr. Shukaïry's statement as such a document. Furthermore, the text of that statement had already been distributed by the author when the statement was made.

5. He objected to the statement being circulated as a Committee document only if that would give the person who had made the statement and the group that he represented a status which they did not possess. If the matter were to be pressed, then he would ask for the discussion to be deferred so that he could produce the records of the debate at the seventeenth session on the subject to substantiate his thesis.

6. Mr. TARAZI (Syria) supported the proposal made by the representative of Morocco. The statements of the two petitioners who had appeared before the Committee when the item on apartheid was under consideration—Mr. Oliver Tambo and Bishop Reeves—had been published in full as Committee documents and the Committee should follow the same procedure in the present case. It would also be recalled that at the sixth and seventh sessions the statements made by a representative of the Palestine refugees had been reproduced at the request of the Yemeni delegation. It would therefore be wrong to go back on established procedure. He requested that an immediate vote be taken on the question.

7. After the CHAIRMAN had ruled under rule 129 of the rules of procedures of the General Assembly that no representative could interrupt the voting except on a point of order in connexion with the actual conduct of the voting, Mr. COMAY (Israel) withdrew his objection to the reproduction of Mr. Shukaïry's statement in full.

8. The CHAIRMAN said that, if there was no formal objection to the Moroccan proposal, he would regard it as adopted.

It was so decided.^{1/}

9. Mr. COMAY (Israel) said he had withdrawn his objection on the understanding that that in no way altered the capacity in which the author had made the statement. He requested the Chairman's confirmation of that point.

10. Mr. TARAZI (Syria) said he had been instructed by his Government to make the following statement with regard to the twenty-first progress report of the United Nations Conciliation Commission for Palestine (A/5545): paragraphs 2 and 3 of the report in question led to the conclusion that quiet talks had taken place between the Government of the United States of America and the Governments of the Arab countries concerned, namely Jordan, Lebanon, the Syrian Arab Republic and the United Arab Republic, on the subject of the solution of the problem of the Palestine refugees.

11. The Government of the Syrian Arab Republic wished to make it clear that there had been no quiet talks between Syria and the United States concerning the fate of the Palestine refugees. It was for the latter alone to decide their destiny.

12. In reiterating the position of its Government the Syrian delegation wished to refute categorically the unfounded assertions contained in paragraphs 2 and 3 of the Conciliation Commission's report. Since the Committee, at its 399th meeting the previous day, had heard the representative of Arab Palestine, Mr. Shukaïry, state the views of the Palestine Arabs on the problem of the refugees, his delegation considered

^{1/} The complete text of the statement by Mr. Ahmed Shukaïry at the 399th meeting was subsequently circulated as document A/SPC/90.

that the statement made by Mr. Shukairy was sufficient in that respect. His delegation therefore considered that paragraphs 2 and 3 of the Conciliation Commission's report were in no way binding on his Government and country and felt that the paragraphs should be removed from the Conciliation Commission's report. If they were not deleted, his delegation would not agree to discuss the Conciliation Commission's report on the basis of those two paragraphs; it would also refuse to accept the validity of any debate based on them, and would likewise reject any idea of a draft resolution based on them.

13. Since the report of the Conciliation Commission had been published in full and distributed in full to the members of the Committee; since the Committee's debates were not reproduced in full but in summary record form; and since it was necessary to establish an exact parallel between the contents of the report of the Conciliation Commission for Palestine and the statement he had just made, which concerned that report, his delegation requested that the present statement should be reproduced in full in the summary records.

14. The CHAIRMAN said that if there were no objections, the statement of the Syrian representative would be reproduced in full in the summary records.

It was so decided.

15. Mr. DAVIS (Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East), replying to the questions put to him at the 398th meeting by the Jordanian representative concerning the status of the Azazmeh bedouin and UNRWA's ability to assist them, said that to the best of UNRWA's knowledge they currently totalled about 10,000 people, although some estimates put their number as high as 17,000. In 1955 UNRWA, at the request of the General Assembly, had made an extensive study of all categories of Palestinians coming under the general heading "Other claimants for relief", which included the Azazmeh. The General Assembly, after considering that study, had referred the matter to voluntary agencies (General Assembly resolution 916 (X)). The Governments of Jordan and the United Arab Republic had done what they could to help the groups in question and UNRWA had contributed a few tons of flour for their relief. It was his opinion that of all the groups in need of relief in Jordan and the area below Gaza the Azazmeh were probably in the worst condition, suffering not only from lack of food but also from a high incidence of disease. So far, however, UNRWA had not been authorized to help such "Other claimants for relief".

16. Mr. Mahmoud RIAD (United Arab Republic) said he would like to pay a tribute to the Commissioner-General of UNRWA, who had carried out his responsibilities with a true sense of dedication to his task. It was with regret that his delegation had learned of Mr. Davis' decision to relinquish his post. He also wished to welcome the group mentioned in document A/SPC/89, and its Chairman, who was well known as a staunch defender of the Arab cause.

17. Before discussing the Commissioner-General's report he wished to enlarge upon the remarks he had made at the 398th meeting concerning the twenty-first progress report of the Palestine Conciliation Commission (A/5545). According to paragraph 2 of that document it had been proposed that the Governments of Israel, Jordan, Lebanon, the Syrian Arab Republic

and the United Arab Republic should be approached at a high level and without pre-conditions as to the nature of the eventual solution of the problem; the Commission had agreed to that approach and it had been kept generally informed of the progress of those talks with Arab and Israel leaders during the past spring and summer. In his preliminary comment at the 398th meeting he had said that the report was misleading. Now upon instructions from his Government he wished to state that no discussions or exchange of any correspondence had taken place on that subject except what was mentioned in the exchange of letters between President Kennedy and President Nasser dated 11 May and 22 August 1961 respectively, the texts of which had been published in the newspaper Al Ahram on 21 September 1962. Consequently, his delegation would like to make it clear that it could not accept paragraphs 2 and 3 of the Conciliation Commission's report.

18. During the past fifty years Palestine had witnessed the unfolding of a criminal scheme planned by international Zionism and its ally, British colonialism, which had culminated in 1948 with the usurpation of the land by foreigners illegally brought in from all corners of the earth, and the expulsion of the original inhabitants, who had thus been turned into a nation of refugees. That alliance had come into being towards the end of the 19th century, when Zionist leaders had begun to search for a territory. At one point the possibility of a settlement in Uganda had been considered, but the Zionist leaders had decided that only Palestine, with its great geographical and strategic importance, could be accepted. Their opportunity had come when Palestine, formerly under Turkish rule, was occupied by British forces during the First World War. The Zionist leaders had thereupon expressed their readiness to serve British colonialism and had been rewarded with the Balfour Declaration,^{2/} in which the United Kingdom Government had committed itself to view with favour the establishment in Palestine of a national home for the Jewish people. That Declaration had, however, specifically stated that "nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine". Meanwhile the Allies had been winning the war with the assistance of the Arab forces and the latter had been given certain promises by the United Kingdom Government in recognition of their contribution to the Allied victory. The promises had included, *inter alia*, the statement that the Allies' goal in prosecuting the war in the Near East was the complete and final liberation of the peoples in that area and the setting up of national Governments and administrations that would derive their authority from the free exercise of the will of the indigenous inhabitants. Having won the war the British had proceeded to carry out their bargain with the Zionists but had betrayed their repeated promises to the Arabs, as well as the sacred duty entrusted to them by the League of Nations to promote the development of self-governing institutions and safeguard the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

19. The efforts exerted by the United Kingdom to help establish a Zionist State had been in sharp contrast to its refusal to heed the opposition of the Arab people of Palestine, who had formed 93 per cent of the total population at the beginning of the Mandate. By 1947, 600,000

^{2/} See Official Records of the General Assembly, Second Session, Supplement No. 11, vol. II, annex 19.

foreign immigrants, with only their religion in common, had been brought to Palestine from Europe and elsewhere and organized, trained and armed. In 1947, when the Zionist had reached one-third of the population and had become militarily ready to assure control, the United Kingdom had taken what it called the "Palestine question" to the United Nations. Pressures had been exercised to bring about the adoption of General Assembly resolution 181 (II) on the partition of Palestine. The United Kingdom had then abruptly terminated its Mandate, leaving the Arab people unprepared and unarmed at the mercy of the Zionists. The forces of some Arab States had entered Palestine, after the British withdrawal on 15 May 1948, in answer to urgent appeals from the Palestine Arabs. Nevertheless, the Zionist military groups, backed by colonial forces, had driven the Arabs from their homes and had taken most of Palestine.

20. The United Nations, despite its acquiescence in the partition of Palestine, had been unable to ignore the right of the people of Palestine to return to their homeland. The General Assembly had resolved, in operative paragraph 11 of resolution 194 (III), that refugees should be allowed to return home and be given compensation for loss of property. The Israel authorities had ignored that and later resolutions.

21. The injustices suffered by the people of Palestine had a close parallel in the situation of the people of South Africa. In both countries foreign settlers had established their rule with outside support. The sole difference was that in South Africa the people had been chased to places designated by the settlers, while the people of Palestine had been expelled from their country altogether. The earlier debate in the Committee on South Africa's policies of discrimination had made it clear that the African countries were justified in revolting against the situation, taking economic and political measures against the South African Government, and insisting that the United Nations should do everything to put into effect the numerous resolutions concerning South Africa. That was all the more applicable in the case of Palestine since the United Nations had been used to bring about the plight of its people. It was therefore the responsibility of the United Nations to ensure that the people of Palestine could exercise their right to return to their homeland. A further parallel could be drawn between Palestine and Southern Rhodesia. Both countries had been occupied by the British who had encouraged the immigration of foreigners. In Southern Rhodesia the United Kingdom had established a Government based upon the settlers, while in Palestine it had created the Jewish Agency, also based on foreign immigrants. In Southern Rhodesia a settlers' army had been formed, while in Palestine Zionist military units had been trained and equipped. In urging the United Nations to take effective measures to remedy the situation in Southern Rhodesia, his delegation spoke out of experience of what had been inflicted on Palestine. Fortunately for the people of Southern Rhodesia, the balance of power in the United Nations was not the same at present as it had been in 1947 and 1948. In both cases, the pattern was that of colonialism, in which the legitimate rights of indigenous inhabitants were flagrantly violated. His delegation therefore urged the United Nations also to restore the rights to the people of Palestine, for it could never abandon its hope that the tragic injustice of the people of a whole nation brutally driven from their homes and made to live in deplorable conditions would be remedied. In paragraph 3 of his report (A/5513), the Commissioner-

General said that the refugees were still embittered by the conviction that a grave injustice had been done to them through the loss of their homes and homeland, to which they continued to demand the right to return. In support of their plea to return they cited paragraph 11 of General Assembly resolution 194 (III). That resolution, however, still remained unimplemented. The Commissioner-General had concluded his introduction, in paragraph 40, with the statement that the problem of the Palestine refugees remained as intractable as ever. It was clear from the two paragraphs mentioned that the Arabs of Palestine were as determined as ever to regain their fundamental rights to their homeland as recognized by the above-mentioned resolution, and it was equally clear that the Israel authorities were blocking the implementation of that resolution.

22. Several representatives when speaking during the general debate in the General Assembly, had pleaded for a peaceful solution in Palestine. Their sincerity could not be doubted. However, a solution short of full recognition of the right of the people of Palestine to recover their homeland would amount to acquiescence in an injustice imposed by force. The direct negotiations with the Arab States called for by Israel were a further manoeuvre to divert attention from the fundamentals of the problem. The Israel authorities evidently aimed at doing away with the United Nations resolutions and escaping their responsibilities under those resolutions. They wished to create the impression that the problem lay between them and the Arab States, whereas in fact it concerned the Arab people of Palestine primarily. Israel's so-called desire for peace had become a feature of its attempts to mislead international public opinion. Israel's latest peace offer brought to mind its long record of crimes against humanity. For Israel, peace was a matter of expediency and so far had meant colonization, massacres, usurpation, discrimination, disrespect for international commitments, and flouting of the United Nations Charter. The eviction of the whole people from their homeland and the murderous attacks on many towns and villages could not be considered acts of peace. The same applied to Israel's flouting of the General Armistice Agreements signed in 1949^{3/} with four Arab countries and its declared view that the Egyptian-Israeli Armistice Agreement was dead and buried. Israel's stated objective was expansion, its means of fulfilment aggression. That had been seen more clearly in 1956 when Israel had attacked Egypt and claimed both the Gaza Strip and the Sinai peninsula. The racial and religious discrimination practised by the Israel authorities applied not only to the Arabs in Israel but also to the different groups of Jews, who were stratified according to their place of origin. While refusing to abide by United Nations resolutions, Israel was continuously campaigning for immigrants from all over the world. Those were not acts of peace.

23. The direct negotiations or the dialogue which Israel had lately been proposing to conduct with the Arab countries was intended to deal a death blow to the fundamental rights of the people of Palestine, first because the Arab people of Palestine, and not the Arab countries, were the principal party concerned. Secondly, the right of the Arab people of Palestine to return to their homes was so cardinal and fundamental that it could never be negotiable. Thirdly, the rights

^{3/} Official Records of the Security Council, Fourth Year, Special Supplements Nos. 1-4.

of the Arab people of Palestine had already been recognized by the United Nations in numerous resolutions. Negotiations could only shake the very basis of those resolutions. The United Nations had a duty to uphold fundamental human rights wherever they were violated, and to maintain peace and justice everywhere. His delegation looked forward confidently to the return of the Arab people of Palestine to their fatherland.

24. Mr. PHARAON (Saudi Arabia) expressed the Saudi Arabian delegation's respect and admiration for the Commissioner-General of UNRWA for the ability and dedication with which he had carried out his task. In his report the Commissioner-General had noted that the refugees were still embittered by the conviction that with the loss of their homes and their homeland they had suffered a grave injustice. They were aware that despite the provisions of operative paragraph 11 of General Assembly resolution 194 (III) concerning repatriation and compensation and the clear instruction to the Conciliation Commission to facilitate the implementation of those provisions, the United Nations had done nothing to restore the refugees' lawful and inalienable rights. With ever-increasing chagrin they witnessed the failure of the United Nations to implement either that resolution or any of the fourteen subsequent resolutions confirming it.

25. In seeking to determine why no solution to the problem had been found two particularly important considerations had to be taken into account. The first was that General Assembly resolution 181 (II) on the plan of partition had been adopted at a time when certain rival Powers had been competing with each other in that area. He was convinced that if the Member States which had voted in favour of that resolution had been able to foresee its consequences or if they had been inspired by the concepts which now characterized discussions in the United Nations, they would have acted with greater fairness and wisdom. The second consideration was the contempt shown by the Israel authorities for the General Assembly's resolutions and the boycott of the Palestine Conciliation Commission. A glance at the General Assembly's resolutions

concerning Palestine revealed that they had two aspects, one based on political objectives, as reflected in the partition resolution, and the other based on right and justice. If the Assembly had had its present membership in 1948 it would undoubtedly have taken quite a different course of action, for the new Members which had struggled so valiantly for their own freedom and were continuing the struggle for the freedom of others would have been opposed to the injustice committed at that time. Indeed, the drama of the Arab people of Palestine reflected in the worst possible form the aggression and racial discrimination which those countries so vigorously condemned. If the Israel authorities sincerely desired to bring about a relaxation of tension in the Middle East, as their representative had asserted at the 1224th plenary meeting of the General Assembly, they could give proof of their good intentions by agreeing to implement the resolutions concerning repatriation and compensation of the Palestine Arabs. The Palestine conflict was not between Israel and the Arab States, as the Israel authorities claimed, but between Israel and the people of Palestine, who would themselves decide their destiny.

26. The problem of the Palestine refugees was still the nerve centre of the Middle East, and peace could not be restored in that area until it was settled in conformity with the principles of right and justice. There was a limit to the patience of oppressed peoples living in poverty and deprivation. The people of Palestine, living for fifteen years as refugees within sight of the homeland from which usurpers had driven them, would not continue indefinitely to endure that situation. The day might soon come when they would assert their rights by any means at their command without thinking of the consequences, for they were convinced that nothing could be worse than the circumstances in which they now found themselves. If peace and security were to be maintained in that part of the world the United Nations would have to act quickly to redress the injustice done to the people of Palestine.

The meeting rose at 12.15 p.m.