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**Chairman: Mr. Alexis KYROU (Greece).**

**The Conciliation Commission for Palestine and its work in the light of the resolutions of the United Nations (A/2184, A/2216 and Add.1; A/AC.61/L.23) (*continued*)**

[Item 67]\*

1. Mr. ORDONNEAU (Chairman of the United Nations Conciliation Commission for Palestine) said that it had not been the intention of the Conciliation Commission for Palestine to take part in the debate on the item under discussion, which did not bear directly on the Commission's reports. He thought that the work of the Commission between 1948 and 1951 had been adequately covered by its reports. He pointed, however, to the most recent attempt to reconcile the positions of Israel and the Arab States at the Paris Conference in 1951. After the failure of that conference, the General Assembly had devoted particular attention to the problems raised by the Conciliation Commission and on 26 January 1952 had adopted resolution 512 (VI) urging the parties to seek agreement, making full use of United Nations facilities, and stating that the Conciliation Commission should continue its efforts and remain available to the parties. The Commission had remained available, but had received no requests for assistance from either party. It was clear that, the atmosphere being unfavourable to large-scale negotiations, ill-considered activities on the part of the Commission might have done more harm than good.

2. In the absence of opportunities to deal with more general issues, however, the Commission had endeavoured to find a new approach to the problems involved and had directed its attention to the more limited technical issues which offered possibilities of easier solution. One of the first problems was that of compensation for damages sustained, and another, the release of bank accounts belonging to Arab refugees. Complete information on the results achieved would be found in the

twelfth progress report of the Conciliation Commission for Palestine and the supplement to it (A/2216 and Add.1).

3. Mr. Ordonneau wished to point out that the Conciliation Commission, when studying a possible basis for payment of compensation to Arab refugees, had had no intention of prejudging any final solution which might be found to the problem of returning those refugees to their homes and restoring their property. The Commission had felt that the collection of technical data would prevent delay when the time was ripe for implementing whatever solution might be decided upon.

4. With regard to the release of bank accounts belonging to refugees, a decisive step had been taken towards the solution of that problem when the Government of Israel, after consultation with the United States representative on the Conciliation Commission, had agreed to unfreeze a first instalment of £1 million. According to appraisals made by the Commission's experts, that sum would allow the payment of deposits below the amount of £500, while bank accounts in excess of that sum would be released to that extent. That would assure compensation to over 5,000 of approximately 6,000 holders of bank accounts, while the remainder would be in a position to use up to £500 of their accounts. Furthermore, refugees having safe deposits in banks in Israel would be allowed to withdraw them. The results achieved by the Conciliation Commission might appear negligible when viewed against the background of the issues arising in connexion with the Palestine problem, yet they might well facilitate the restoration of normal relations between the parties.

5. Mr. Ordanneau welcomed the plea for a spirit of conciliation made in the Committee by the Mexican representative (25th meeting). The Commission had always worked in a spirit of conciliation and any action taken by any United Nations body should be inspired by that spirit. The Commission hoped that new efforts toward a general settlement would be made in the near future, but it should be remembered that the chances of success depended on the parties themselves.

\* Indicates the item number on the agenda of the General Assembly.

6. Mr. MOE (Norway), introducing a joint draft resolution sponsored by the delegations of Canada, Denmark, Ecuador, the Netherlands, Norway and Uruguay (A/AC.61/L.23), said that although he was speaking only on behalf of his own delegation, he thought that the other sponsors of the draft resolution were prompted by the same motives.

7. He wished to associate his delegation with the Mexican representative's appeal for a spirit of conciliation. He thought that there was general agreement that the time had come to make serious effort to reach a peaceful settlement of the Palestine question. The unsettled situation in the Near East was a factor making for instability in the world. It was necessary to establish normal relations between Israel and the neighbouring States and many attempts had already been made in that connexion, more particularly by the Conciliation Commission for Palestine. It was to be hoped that that Commission would continue its efforts, but his delegation was convinced that a new start must be made, on a new basis, and he felt that the time had come to appeal to the parties concerned to meet in direct negotiation and try to settle the outstanding differences between them. That was the main point and intention of the joint draft resolution.

8. Mr. Moe pointed out that the joint draft resolution took note of the Conciliation Commission's twelfth progress report (A/2216 and Add.1) which contained a suggestion that general or partial agreement could be sought through direct negotiation, with United Nations assistance or mediation. He thought that the members of the Conciliation Commission would be prepared to confirm the desirability of trying direct negotiation. Indirect negotiations could hardly succeed when the parties were all sovereign States, and the United Nations and its bodies or agencies could only recommend and not impose any solution. The conclusion must be drawn that the primary responsibility for reaching a settlement rested on the parties themselves, and that was stated in the first paragraph of the preamble of the joint draft resolution. It was a principle which should be insisted on in any dispute brought before the United Nations. As had been stated in the general debate, the United Nations should be aiming rather at solutions than at resolutions. The United Nations could not act as a tribunal or a court of arbitration, except in cases where it was specifically asked to do so, and had accordingly always tried to encourage direct negotiations for the solution of disputes because that was the best procedure. Mr. Moe felt that the weakness of some resolutions previously adopted on the Palestine question lay in the failure to obtain the greatest possible measure of preliminary agreement.

9. The Norwegian delegation had joined in sponsoring the draft resolution before the Committee in order to appeal to the parties concerned to make an honest and persistent effort to reach a solution. All the sponsors were fully aware of the difficulties of the problem, particularly those presented by the unsettled refugee question. The wisdom of making direct negotiation conditional upon settlement of that question was open to doubt, and he suggested that settlement had perhaps been rendered more difficult because the matter had been considered in isolation. If the attempt to reach a comprehensive settlement, through direct negotiation failed, at least a clear picture of the whole situation

would have been obtained; in any event the problem could not be peacefully settled unless the attempt were made. Mr. Moe recalled that the armistice agreements had been evolved from direct meetings between Israel and each Arab State. He hoped that an appeal by the Committee and the General Assembly for direct negotiations to arrive at a general settlement would be heeded and might lead to the establishment of peaceful relations.

10. The report of the Conciliation Commission for Palestine and the statement just made by the Chairman of that Commission revealed that there had been some slight progress recently in relations between the Arab States and Israel. Progress had also been made in the release of bank accounts and the question of compensation for Palestine refugees. It would appear from reports concerning the Near East that the idea of direct negotiations was not as unwelcome as it had previously been. The solution might at least be brought nearer by that means, and if there were any prospect of a more favourable atmosphere, the United Nations should certainly do its best to encourage it by expressing its advocacy of such a course. It was obvious that the Conciliation Commission would be ready to offer its services if the parties so desired.

11. Referring to the joint draft resolution, the Norwegian representative stated that the sponsoring delegations had endeavoured to make it as neutral as possible in order not to prejudice the position of any of the parties. The draft resolution was an expression of a sincere desire to appeal to the parties to enter into direct negotiations with a view to the establishment of peaceful and neighbourly relations among them and to secure permanent peace in the Near East.

12. Mr. SHUKAIRI (Syria) had not the slightest doubt regarding the sincerity and conciliatory spirit in which the representatives of Mexico and Norway had appealed to the parties to settle their differences peaceably. Peace, however, proceeded not from words but from a state of mind and heart expressed in deeds. He hoped that the parties in the present dispute would respond to the appeals with equal sincerity. It should be noted, none the less, that although the Israel representative had pledged himself in unequivocal terms to abide by those appeals and had given the impression that his country was devoted to peace, the exact opposite was true.

13. The Syrian representative said that he would approach the problem under discussion with serenity, despite the fact that as a refugee he was especially conscious of the tragedy which had befallen the Arab refugees of Palestine. He had seen at first hand the desolation of their life in exile, separated from their kin and begging to return to the homeland where, through long years of labour and suffering, they had made their lives and accumulated their modest possessions. In Jerusalem, their situation was most poignant, for they were within ear-shot of the lands which remained inaccessible to them. He had also seen how the demarcation lines laid down in the armistice agreements cut through villages, separated families and even kept grazing animals from their pasture. He would not, however, embitter the debate by dwelling on the heart-rending details of the refugees' plight.

14. The Arab States would respond to the appeals for peaceable discussion because peace was an integral part

of their culture and religion. An objective review of their position on the Palestine problem would show that the failure of the United Nations to achieve a settlement could not be charged to them. First through the Mediator, and later through the Conciliation Commission, the United Nations had attempted to reach a solution. The Mediator had been assassinated—he would refrain from assigning responsibility for that deed—and the Commission had been frustrated. The Arab States had co-operated to the fullest with the Mediator in his task of peace-making.

15. The Conciliation Commission had been created with the specific functions of ensuring the repatriation, resettlement, compensation and rehabilitation of the refugees, and of establishing an international régime in Jerusalem in accordance with the principles laid down in General Assembly resolution 181 (II). The Commission had met in a number of capitals, its membership had been changed, its methods and procedures had been modified, yet it had found itself unable to carry out its task. It was significant that since the United Nations had assumed jurisdiction, rightly or wrongly, in the Palestine issue, it had adopted fifty-one resolutions in an effort to resolve that chronic problem. Similarly, the Conciliation Commission, in its four years of work, had published a vast documentation to which its twelfth progress report was the most recent addition. It could hardly be called a "progress" report unless progress were to be defined as continued defiance of United Nations decisions.

16. The most important point of the joint draft resolution before the Committee was paragraph 3 of the operative part urging direct negotiations between the parties. Such direct negotiations constituted a normal method for the pacific settlement of disputes and the impression given by Israel that the Arab States had rejected them was entirely erroneous. On the contrary, whenever certain principles were accepted beforehand by the parties, negotiations had in fact taken place. That had been the case in the Rhodes negotiations for armistice agreements, later in the Mixed Armistice Commis-

sion and again in the Mixed Committee of Experts on the release of blocked accounts. The Arab States would be prepared to suspend debate on the item in the General Assembly and to meet with Israel under the auspices of the Conciliation Commission, if certain principles were agreed upon. If Israel were ready to accept those principles, there would be no need for the present debate. Within the United Nations, the agreed principles applicable to a solution were the obligations of Member States under the Charter and the General Assembly resolutions which were binding on all Member States. On the basis of such agreed principles meetings could be held and it might be possible that the parties would report to the General Assembly that a just and equitable solution had been reached in accordance with the United Nations resolutions. The solutions of the three major problems—the refugee question, the internationalization of Jerusalem and the territorial issue—had been dictated by those resolutions. The parties must find ways to implement those decisions in the light of all the aspects of the Palestine problem; the Arab States agreed that no one aspect should be isolated from the general context.

17. The Syrian representative said that although he was not authorized to speak on behalf of the Hashemite Kingdom of Jordan, from his own contacts with the leaders and the people of Jordan he could assure the Committee that that country would be prepared to accept the internationalization of Jerusalem as a territory under the effective control and sovereignty of the United Nations, provided the General Assembly resolutions on the status of the refugees and the territorial question were fully implemented.

18. Progress towards a solution of the Palestine problem depended on Israel's acceptance of United Nations resolutions. As a Member State, it could not legitimately reject them. Since the United Nations had created Israel, it should not tolerate its defiance of the resolutions adopted by the Organization.

The meeting rose at 12.10 p.m.