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Chairman: Mr. Thor THORS (Iceland).

AGENDA ITEM 18

**Report of the Director of the United Nations
Relief and Works Agency for Palestine Refugees
in the Near East (A/2717, A/2717/Add.1,
A/AC.76/L.15) (*continued*)**

1. Mr. FORSYTH (Australia) said that the previous General Assembly resolutions referred to in the preamble of the four-Power draft resolution (A/AC.76/L.15) had been supported by his delegation in the hope that they would prove to be constructive. However, there had been little progress towards a final solution; and whilst he was prepared to support the recommendation to extend the Agency's mandate for five years, he hoped that the problem would have been solved before the expiry of that period.

2. His delegation had repeatedly emphasized the desirability of constructive rehabilitation programmes and had been disappointed at the lack of progress in that direction, though it did not feel that the Agency was at fault. Accordingly, he placed great emphasis on operative paragraph 3 of the draft resolution which called on the Governments of the area to carry out projects capable of supporting substantial numbers of refugees.

3. The large figure of \$200 million mentioned in paragraph 4 might well be academic. He hoped that much more would be done in the future to use available funds for practicable rehabilitation projects, and that, with the provision of over \$36 million for such projects something constructive would in fact be done. Over the past seven years his Government had made a very substantial contribution to Palestine relief, and it therefore felt entitled to urge further and greater efforts to find a solution of the problem. In that connexion, it must be understood that his delegation's endorsement of the recommendation to extend the Agency's mandate for five years implied no financial commitment by the Australian Government for that period. The necessary funds were voted by Parliament each year at the request of the Government, and the latter's attitude would be affected by the use made of the money contributed in the past. He agreed that steps should be taken to ensure that relief funds were spent only on persons in need of assistance.

4. He noted with regret that the refugees had been neither compensated nor repatriated. Every effort to remedy their deplorable situation should be made

without delay, particularly since about half the refugees were children of 15 years of age or under. His delegation therefore strongly endorsed paragraph 6 of the draft resolution, requesting the Director to study the problem of assistance to other claimants for relief, particularly children and needy inhabitants of villages along the demarcation lines.

5. In connexion with paragraph 9, he reminded the Committee of the announcement by the Australian Minister for External Affairs that £50,000 would be sought from the Australian Parliament as a contribution for the coming financial year (479th plenary meeting).

6. His delegation would vote in favour of the joint draft resolution, but the Australian Government viewed the problem of Palestine refugees with no complacency and was far from satisfied with the progress achieved. While appreciating the efforts of those who had sought constructive solutions of the problem, his delegation felt that much more should be done by those directly concerned, even at the cost of sacrificing pride and prejudice and of assuming burdens.

7. Mr. SHUKAIRI (Syria) drew attention to the reference in the preamble of the draft resolution to paragraph 11 of General Assembly resolution 194 (III), in which the Assembly had recognized the refugees' right to repatriation. That was the primary right, and compensation was an alternative which neither the host countries nor the Agency, nor the United Nations itself could compel the refugee to select.

8. He noted that paragraph 1 provided for the extension of the Agency's mandate for a further five years. The necessity for that provision would be regretted alike by the host countries, the contributing Governments, the refugees and the Agency itself. The contributing Governments were to be compelled to give more and more, and the refugees to live indefinitely on charity, because Israel had seized their property and destroyed their national life. However, the extension of the Agency's mandate was unavoidable, and he hoped that the refugees would regain their homes before the expiry of the proposed five-year period.

9. Paragraph 2 requested the Agency to continue consultation with the United Nations Conciliation Commission for Palestine, with particular reference to paragraph 11 of General Assembly resolution 194 (III). The ultimate end in view was again repatriation; and in that connexion his delegation wished to make certain concrete proposals for consultation and action.

10. He proposed that the Conciliation Commission and the Agency should set up a fact-finding office to make a general survey of the refugee problem and to carry out certain specific tasks. The first should be to ascertain how many refugees wished to return and how many wished to waive repatriation. No plan for repatriation or compensation could be prepared, nor any resettlement

or rehabilitation project worked out, if that information was not available. Moreover, the implementation of the provisions of paragraph 11 of General Assembly resolution 194 (III) would be impossible without such figures.

11. The second task should be to classify the refugees according to their former domiciles. They had come originally from different parts of Palestine, some from the Jerusalem area, some from the area assigned to Israel under the partition plan and some from areas conquered by Israel. The Christian or Moslem refugees from the Jerusalem area could obviously be repatriated without difficulty, since that area was under United Nations sovereignty; in fact, the only solution in the case of such refugees was repatriation and not compensation. The question of compensation would arise, however, in the case of refugees from the areas assigned to Israel under the General Assembly resolution, and classification of their place of origin was therefore essential.

12. The third task would be to act as receiver for Arab properties held by Israel and to collect revenues and rents therefrom. The appointment of an independent receiver — and what could be more impartial than a United Nations organ — was an obvious necessity; and the income thus obtained could be applied to the reduction of the relief budget.

13. The fourth task was to take measures for the economic rehabilitation of the refugees. There were great possibilities of economic development in Palestine; for example, in the Negev and western Galilee, where irrigation schemes, the intensification of cultivation and other economic development measures would help the resettlement of refugees in their former homes. Some three hundred Arab cities and villages had been destroyed, and if the Agency rebuilt them it would not need to pay the cost of the land; labour would be supplied by the refugees themselves and the plan would offer an unrivalled opportunity for construction and development. The Arab villages along the demarcation lines offered another field for activity; a series of projects in that area would put an end to the distressing condition of thousands of refugees. It must be emphasized that neither the refugees nor the Arab countries would accept settlement of the refugees outside Palestine; General Assembly resolution 194 (III) could only be implemented in that context.

14. The remaining provisions of the joint draft resolution called for no special comment; he drew the Director's particular attention to the provisions of paragraph 6.

15. Referring to the United States representative's statement on 24 November (32nd meeting) that Israel "ought to satisfy one or the other of the two rights", Mr. Shukairi said the Assembly had repeatedly affirmed that refugees wishing to return should be repatriated and those not wishing to return should be compensated. His delegation had been greatly disturbed by the United States representative's statement, which appeared capable of varying interpretations, and had therefore welcomed the subsequent clarification (34th meeting). It was now clear that Israel was not being invited to choose one or the other of the two courses of action and that there was no question of the abandonment of repatriation in favour of compensation; nor has it in any way implied that Israel, and not the refugee, had the choice of the two rights. The Syrian delegation welcomed that assurance of the refugees'

unfettered discretion to choose repatriation or compensation; it was in that spirit that it accepted the joint draft resolution.

16. Commenting on the Israel representative's "sober" restatement (35th meeting) of his Government's attitude, Mr. Shukairi said it was natural for the Arab delegations to react with emotion to the refugee issue: it was their kinsmen who had been dispossessed of their lands and property and whose inherent rights were being violated. The allegation that the Arab representatives had exploited the issue for propaganda warfare against Israel was patently false; it was Israel, not the Arab States, which was using a highly organized and well-financed propaganda machine to distort the facts concerning the Arabs and their lands and the Palestine Arab refugees.

17. The Israel representative had questioned the refugees' right to repatriation on the ground that the refugee problem was the outcome of the armed struggle which had followed the Assembly's partition decision. Apart from the question of the responsibility for the flight of the refugees — and the records of the Security Council would show who had brought about the terror and panic which had forced the exodus of the Arabs from Palestine — it was ironic to deny the victims of a war the right to return to their homes. A refugee problem was invariably the product of conflict, and the right to repatriation had arisen precisely as a result of the war.

18. In addition, the Israel representative had said that repatriation would be incompatible with his country's internal security. While no one would deny the right of a State to decide whether persons desiring to enter it might constitute a threat to its security, that argument did not apply in the case of the Palestine Arab refugees, for they would be crossing their own borders into their own country. It was surely not the fault of the rightful inhabitants of Palestine that the State of Israel, if it permitted their return, would "become indefensible" to use the Israel representative's words. The Arabs had repeatedly warned that the establishment of a Jewish State in Palestine would create insecurity, and that the demarcation lines fixed by the armistice agreements were not defensible; but Israel had accepted those risks. Israel now also asserted that the country had no interior for settlement of the refugees; but that merely concealed its desire for expansion. The refugees had lived in Palestine before the emergence of Israel, and the new State could not demand the expatriation of its own people and still claim the attributes of statehood. The real threat to its security had been created by its injustice towards the Arabs of Palestine; obviously, it could not feel secure when a million of its inhabitants in the area immediately surrounding it were clamouring to return to their homes. The refugees' efforts to redress the injustice done them by mediation and conciliation had been frustrated; now they looked for the enforcement of their rights to the moral pressure the United Nations could bring to bear on Israel. Surely, Israel's security would be no further advanced if the refugees were to take the law into their own hands and compel repatriation.

19. The Israel representative had argued that there were economic obstacles to repatriation, and that the world the refugees had known had vanished in the six years since their flight. If it was true that their lands no longer existed, that their villages had disappeared and that the churches and mosques no longer stood,

then the greatest crime imaginable had been perpetrated. If not, then there was no obstacle to their return. Moreover, if Israel could justify the in-gathering of Jews from the whole world by forced immigration after 2,000 years during which the original Hebrew civilization had indeed vanished, it could not refuse to repatriate a section of its population which had been absent a mere six years. The excuse of financial difficulty was equally invalid. The economy of Israel was in fact based on Arab wealth and property and on the donations of United States taxpayers.

20. The CHAIRMAN asked the Syrian representative to confine his remarks to the item under discussion.

21. Mr. SHUKAIRI (Syria), resuming, said that the Israel representative had distorted the meaning of the references to peace and practicability in paragraph 11 of Assembly resolution 194 (III). The Assembly had urged the repatriation of all refugees wishing to return to live at peace with their neighbours; the fact-finding body which Syria was proposing would determine who those refugees were. The reference in the resolution to practicability applied only to the date of repatriation. Moreover, if it was practicable to take in foreign immigrants from all parts of the world with neither homes nor property in Palestine, Israel could not allege that it was impracticable for the refugees in the nearby Arab States to return to lands which had been theirs for centuries.

22. Mr. AZKOUL (Lebanon) said that, while the joint draft resolution (A/AC.76/L.15) clearly re-affirmed the principle of repatriation, the statements made by some delegations, including some of the sponsors of the draft, had been disturbing, since they were based on errors or sophisms and their total effect was to divest the concept of repatriation of all meaning. The Israel representative had been quick to seize upon them and to thank their authors for what he had called their realistic approach to the refugee problem. His reaction was understandable, for the three delegations in question, those of the Netherlands, the United States and France, had accepted his view that the refugee problem could best be solved by the resettlement of the refugees in the Arab States, and not by repatriation. They had taken that position though they were fully aware that it was contrary to the General Assembly's decision of 11 December 1948.

23. While Israel's motives for deliberately flouting the Assembly's decision were clear, it was less clear by what cogent reasoning the three delegations had been persuaded to abandon the principle of repatriation and to decide that they had been wrong to support it in the past, that the United Nations had chosen the wrong solution to the problem and that Israel alone advocated the proper course.

24. Israel had boasted that it had resettled some 50,000 refugees within its own borders, implying that the Arab States should do as much for the refugees in their territory. But the two cases were hardly comparable: the 50,000 had been refugees in their own country and had not wanted to leave it, while the refugees in the Arab States were exiles from their own country and did not want to remain in exile. The Israel representative had also said that certain categories of relatives of Arabs living in Israel had been permitted to rejoin their families. That concession on the part of Israel would appear far less magnanimous if the ridiculously small numbers of the persons involved were known. Finally, Mr. Comay had asserted that

there was little hope that Israel could take in any more refugees. With that statement, he had dismissed the problem of repatriation, in flagrant violation of the Assembly's resolution.

25. The "measure of compensation" Israel was now prepared to make available to the refugees was a further violation of the General Assembly's resolution, which had provided for full compensation. Moreover even that "measure of compensation" was to be subject to certain conditions: it was to be used for resettlement in the Arab States, provided that those States first re-established economic and trade relations with Israel. Those conditions revealed a total disregard of the rights and desires of the refugees as human beings.

26. Mr. Comay had maintained that Israel was not violating the Assembly's decision regarding repatriation because the principle of repatriation had been made subject to two conditions which did not exist: peace and practicability. But he had totally distorted the meaning of those terms and torn them out of the context of resolution 194 (III). Unfortunately, as Israel found powerful support among the great Powers, it did not feel the need to justify its violation of Assembly decisions.

27. Finally, the Israel representative had invoked his country's internal security as the pretext for excluding the refugees from their own homes. But it could be argued that the return of the refugees to their own lands with full citizenship rights would guarantee their loyalty to Israel and would serve to relieve existing tensions in Arab-Israel relations. The alleged threat to Israel's internal security was based on an arbitrary interpretation of the intentions of the refugees and on the deliberate classification of the refugees as foreigners. Obviously, it was a specious argument, used because all other means of justifying Israel's violation of Assembly resolutions had failed. Moreover, its lack of substance was shown by two historical facts. The General Assembly, when it had adopted its resolution in 1948, only a few months after the termination of the mandate, would not have decreed repatriation if it had considered that repatriation might endanger the new State of Israel. Nor had Israel itself considered the return of the refugees a threat to its security when it had offered, during the negotiations in the Conciliation Commission at Lausanne in 1949, to take in the 250,000 refugees in the Gaza Strip if Egypt would cede that territory to Israel.

28. However, the Israel representative's attempts to justify his country's violation of General Assembly resolutions in no way explained the attitude of the French, Netherlands and United States delegations. There was a hidden reason behind Israel's policy, and the Israel representative had touched upon the crux of the problem when he had asked whether the refugees would be ready to accept the national objectives of the Jewish State dedicated to fulfilling the historic tasks of Zionism. Thus the question was not whether the refugees would agree to live in peace in Israel but whether the State of Israel could agree to the acceptance of non-Jewish and non-Zionist elements. The issue had thus become one which involved the ultimate nature of the State of Israel and its future destiny and mission, indeed one which went even beyond that and raised the problem of the relations between the Western world and the Moslem and Arab world.

29. If the responsible authorities in Israel could agree to the return of a large number of refugees and their

integration in the national life of the country, they would thereby prove that their motive in establishing the State of Israel had been only the desire to provide Jews with a territory where they could live in peace, and where they might hope—despite the injustice created by the establishment of Israel on territory which did not belong to them—sooner or later to maintain good relations with the surrounding States. If however the Israel authorities denied the refugees their right to return, if they refused to re-admit the original owners of the land while at the same time admitting elements completely alien to the region simply because they were Jewish, and if, as a necessary consequence of their exclusiveness, they finally refused all non-Jewish elements living in Israel, they would thereby prove that their purpose was to create an exclusively Jewish State. Such a State, even if established in a depopulated desert, would inevitably arouse the antipathy of the surrounding States; and viewed in that light the feelings of Israel's neighbours could be readily understood.

30. If that was a far-fetched picture, then four historic facts connected with Israel's conduct could be explained only by that thesis. First: although the United Nations had established the State of Israel on the assumption that the Arab population would remain and participate in its national life, the Arab elements had been driven from their homes and were denied the right to return. Secondly: although the United Nations had demarcated the borders of the new State, Israel had nevertheless seized additional territory and refused to surrender it. Thirdly: Israel, in violation of the United Nations decision to internationalize Jerusalem, had made part of that city, which was strategically the most exposed part of its territory, its capital. While it was true that Jerusalem was the spiritual centre of Judaism, and that the city's sacred character existed because of the Temple, which lay outside the present boundaries of Israel's capital, it would be understood that logically Israel would have to conquer the Arab section of the city, and thereafter seize the hinterland in order to protect Jerusalem adequately. Fourthly: Israel, despite its small area and its lack of resources, continued to invite the Jews of the whole world to settle in its territory. It was doing so in order to justify the expansionist policy it had begun at Jerusalem in the eyes of the world, and to make further conquest appear inevitable.

31. It was thus clear that Israel was refusing to allow the refugees to return because its purpose was to create an exclusively Jewish State, hostile to all non-Jewish elements. It was understandable, therefore, that the Arab States should set little store by Israel's frequent protestations of its desire for friendship and peace with its neighbours, and that they should consider it naive to believe that once peace had been established Israel would settle the refugee problem. Unless there was a radical change, the future of the refugees, that of the neighbouring States and indeed that of Israel itself would be dark. But there was still time for a change in Israel's policy; even if its friends in the world were not moved by the fate of the refugees or of the Arab countries, they should be concerned with the effects of that policy on Israel, whose permanent isolation would result in national suicide.

32. There was another compelling reason why Israel's friends in the West should intervene and bring about the repatriation of the refugees, thereby modifying the

aggressiveness of the State of Israel. The antagonism that the Arab and Moslem countries felt towards Israel would be directed against the Western countries, which had first allowed the establishment of the new State and had then permitted and even encouraged it to pursue policies directed against Arab interests. The peoples of the Arab and the Moslem world would consider that Western colonialism was attempting to return under the disguise of Zionism, which they considered to be even more dangerous. They would think either that the Western Powers were under the domination of Zionist elements which forced them against their will to continue their support of Israel, or that they were supporting Israel of their own free will in the hope of subjugating the Arab and Moslem peoples. Even if the Arab and Moslem peoples were satisfied that the West had supported the establishment of Israel out of humanitarian considerations, they could never be convinced that Western support of Israel continued to be based on the same principles, for the once persecuted people of Israel had now, as a State, become the persecutor, and had embarked on a policy of expansion, violating principles to which the West itself had subscribed in the United Nations. If Israel was supported in its present policy the Arab and Moslem peoples would become more and more distrustful of and hostile to the West; and since neutrality was no longer possible in the present state of the world it was clear to which camp the Middle East would turn. Denial of the Palestine refugees' right of repatriation would have far-reaching implications, which the responsible leaders of the West should ponder.

33. The CHAIRMAN declared the list of speakers in the general debate closed.

34. Mr. AMBY (Denmark) said that, although he had not participated in the general debate, the Danish delegation was fully aware of the humanitarian aspects of the problem, and extended its sympathy to the refugees in their sufferings. He associated himself with the tribute paid by other representatives to the Director and staff of the Agency for their splendid work.

35. He would vote for the draft resolution, which was most satisfactory, and followed closely the views and findings expressed in the Director's report (A/2717) and in his statement to the Committee (28th meeting). Paragraph 3 of the preamble and operative paragraph 2 were particularly commendable, as they made it clear that the lack of progress had been due to the non-implementation of paragraph 11 of General Assembly resolution 194 (III).

36. He expressed concern at the Israel representative's statement that there was little prospect that Israel would be able to take in any more of the refugees now in the Arab countries. Furthermore, the Danish delegation could not agree with the Israel representative's interpretation of the references to peace and practicability in paragraph 11 of General Assembly resolution 194 (III). The paragraph could not be construed as meaning that a peace treaty must be concluded between Israel and the Arab countries before the refugees could return to their homes; its real intent was to be found in the words "at the earliest practicable date". In the absence of evidence to the contrary, he would assume that the Danish delegation's interpretation was shared by the other delegations which had voted for that paragraph year after year and which were now prepared to vote for the paragraphs mentioning it again.

37. The Danish delegation realized that, even with the best will in the world, the implementation of resolutions sometimes took time, and it therefore considered that the extension of the Agency's mandate for another five years was well advised.

38. He regretted that for reasons of constitutional law the Danish Government could not commit itself to future contributions, but would have to seek annual appropriations from its parliament.

39. He hoped that, with understanding and goodwill, at least a beginning would be made to implement the draft resolution, and, in particular, paragraph 11 of General Assembly resolution 194 (III). In that way there would be a beginning towards establishing real peace in the area.

40. Mr. DEJANY (Saudi Arabia) said that, although the draft resolution before the Committee dealt in a satisfactory way with the basic settlement of the refugee problem, it was marred by a number of shortcomings, particularly in the field of relief.

41. The first paragraph of the preamble recalled previous resolutions dealing with the refugees. First, resolution 194 (III), in its well-known paragraph 11, defined the foundation upon which the basic settlement of the refugees was to be made. The second, resolution 302 (IV), which set up and defined the mandate of the Agency, recalled and reaffirmed paragraph 11. The later resolutions all recalled those two and thus correctly gave prominence to the central theme of paragraph 11 of General Assembly resolution 194 (III). However, he shared the Pakistan representative's disappointment at the absence of any reference in the third paragraph of the preamble to the Committee's grave concern at the fact that no progress had been made towards repatriation and compensation pursuant to paragraph 11 of resolution 194 (III).

42. Operative paragraph 1, which proposed the extension of the Agency's mandate for five years, was satisfactory because relief activities were essential if starvation was to be avoided. In the field of rehabilitation, it was clear from paragraph 20 of General Assembly resolution 302 (IV) and paragraphs 4 and 5 of General Assembly resolution 393 (V) that the Agency's directives on rehabilitation covered both repatriation and resettlement. In resolution 393 (V), the General Assembly stressed both means of reintegration as being essential. Moreover, in his report to the General Assembly in 1952 (A/2171), the Director had quite clearly referred to the dual purpose of the fund created under General Assembly resolution 393 (V), and to his own responsibilities in that connexion when he stated that the fund was to be used to help refugees to repatriate if the opportunity should develop, or to settle elsewhere if they should choose. The Director would undoubtedly keep those two aspects of rehabilitation in mind, ensuring that both means would have an appropriate share of his concern and efforts. All phases of the Agency's activities were of equal importance if its task was to be accomplished successfully.

43. The Saudi Arabian delegation attached the utmost importance to operative paragraph 2, for while the United Nations Conciliation Commission bore the primary responsibility for the fundamental settlement of the refugee problem it had so far been totally inactive in that connexion. He hoped that it would make

renewed and vigorous efforts commensurate with the seriousness and urgency of the task. In so doing, it should give serious consideration to the Director's warning to the Committee that the lack of action on repatriation and compensation had a very close bearing on the refugee problem and thus seriously hampered the ability of the Agency to carry out its mandate. In view of its close relationship to the Agency's mission, the Conciliation Commission would undoubtedly realize the extent of its responsibility in the ultimate success or failure of the Agency's task. The goodwill of all parties concerned was essential if the Agency's task was to be discharged successfully; and he hoped that the United Nations Conciliation Commission would give serious attention to the questions which he had previously raised (32nd meeting) with respect to the protection of the rights, property and interests of the refugees, all of which had a close bearing on the refugee problem as a whole and on the Agency's objectives. The Government of Saudi Arabia, together with other Arab Governments, would if necessary take steps to bring those questions to the attention of the United Nations Conciliation Commission, which he wished every success.

44. The projects referred to in operative paragraph 3, even if found and carried out, could support only a small fraction of the refugees, and would provide only a temporary solution. Some Arab countries had already indicated their readiness to co-operate in resettlement of that kind, which however should be implemented only in the case of refugees who were unwilling to be repatriated. It must be remembered also that the success of projects was affected by outside influences, as was the case with the Yarmuk-Jordan project, on which work had slowed down and might even cease despite the Jordan Government's sincere desire for its completion, a desire which was also shared by the other Arab States.

45. So far as operative paragraphs 5 and 6 were concerned, he was disappointed to note that no provision was being made to raise the nutritional standard of the refugees or to supply rations to the inhabitants of the villages along the demarcation lines or to thousands of children. Neither was clothing or cotton cloth to be provided to any of the refugees, despite their sufferings. The Saudi Arabian delegation sincerely hoped that the Director, in whom it had complete confidence, would do what he could to remedy the situation under the provisions of paragraph 6, as soon as he had made the necessary studies or had had the opportunity of effecting savings or making transfers between budget items.

46. In the light of those observations his delegation would vote for the draft resolution.

47. Mr. NISOT (Belgium) said that his delegation wished to pay tribute to the Agency and its Director and Deputy Director for the work that had been accomplished.

48. The Belgian delegation would vote for the draft resolution. It extended the Agency's mandate for five years. The favourable vote of his delegation would not imply any undertaking or promise as to Belgium's financial contribution. That was a matter to be determined by the competent constitutional organs.

The meetings rose at 1 p.m.