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SUMMARY RECORD OF THE 13th MEETING

Chairman: Mr. PIZA ESCALANTE (Costa Rica)

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AGENDA ITEM 54: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE
NEAR EAST

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The meeting was called to order at 11 a.m.

AGENDA ITEM 54: UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST (A/33/13, A/33/320, A/33/285 to 287, A/33/320· A/SPC/33/L.6)

1. Mr. McELHINEY* (Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East) presented his report (A/33/13) and drew the Committee's attention to the summary in paragraph 10 of the Agency's three basic programmes: education and training services, health services and relief services. UNRWA existed only to provide those services to registered Palestine refugees. The Agency had no mandate to provide services to non-refugee Palestinians and only a limited mandate to provide assistance to certain displaced, non-registered Palestinians. Not all of the registered Palestine refugees received services from the Agency. Of the approximately 1,760,000 Palestine refugees now registered, about 1.5 million received health services, about 830,000 received relief services (mainly the basic ration) and about 320,000 received education and training services.

2. The Agency provided services to refugees, whether or not they were camp inhabitants: nearly two-thirds of the registered refugees eligible for services lived outside camps and the Agency had no responsibility for those camps. It should also be noted that the Agency's services were continuing and institutionalized: they did not constitute emergency assistance or disaster relief. UNRWA had quasi-governmental functions since it used its own institutions to provide education, health and relief directly to a refugee population approaching 1.3 million, larger than that of many Member States.

3. Owing to the institutional character of the Agency, any economies it had to effect because of insufficient funds, would not mean the temporary suspension of activities which could easily be resumed if funds subsequently became available: it would mean the dismantling of the institutional structure which provided the services. In other words, UNRWA could reduce some of its services in a limited way without dismantling its structure, but, like Governments, it could not turn whole programmes off and on at will, particularly education and health programmes. The Committee would doubtless appreciate the need to continue to provide the services rendered by UNRWA because they were not emergency services, but the kind of basic services which Governments routinely provided within the limits of their resources. The Agency had always assumed that over the longer term and in the context of a general settlement in the Middle East, the General Assembly would terminate its mandate and arrange for it to turn over its institutions to whatever authorities were to become responsible for the education, health care and welfare of the population it served. Obviously, the Agency could not turn over a dismantled structure to those authorities without vastly complicating their task.

* The full text of Mr. McElhiney's statement will be issued as document A/SPC/33/PV.13.

4. The Agency had had to cope with a number of special problems in 1978. The tragic events in Lebanon had forced it to relocate its headquarters, partly to Vienna and partly to Amman. It would have preferred to continue to function within its area of operations, but that had not been feasible for practical reasons. It had requested that the question of future consolidation of its headquarters in that area be kept under study with a view to its relocation there when feasible. However, the disruption of UNRWA's activities was of little importance by comparison with the broader aspects of the tragedy which had struck the Lebanese people; the Agency would continue to provide services to Palestine refugees in Lebanon to the extent possible given the circumstances.
5. The most difficult problem confronting UNRWA was its uncertain and inadequate financing. To bring the figures in paragraph 13 of the report up to date, he noted that estimated budgeted expenditures were now \$137.7 million and pledged or expected income amounted to \$126.4 million, leaving a deficit of \$11.3 million. The additional contributions received would enable the Agency to continue the preparatory cycle of education, to which the refugees attributed the highest importance, until the end of 1978. If insufficient contributions were forthcoming to cover the deficit for 1978, budget items would have to be eliminated and the Agency would have to draw on its working capital fund. While the level of that fund had been sufficient in former years to cover essential expenditures not covered by current-year income, in 1979 its level would be so low as not to be able to supplement income.
6. Although the Agency had always had problems of insufficient income - income received in the year of expenditure had been sufficient to cover budgeted expenditure in only eight of the 28 years of its existence - the situation was expected to become significantly worse in 1979. UNRWA was now at the point where non-structural economies were unlikely to suffice and it would probably have to dismantle at least some part of its institutional structure in order to survive and provide some services to the Palestine refugees.
7. It was a virtual certainty, for example, that the flour ration would have to be reduced still further in 1979 and, unless the level of anticipated income rose, the lower secondary cycle of education would have to be abandoned at the end of the current school year.
8. A new income solicitation procedure had recently been introduced by which all non-contributing States were requested to contribute and the major contributors were asked to consider contributions of specified amounts which would make UNRWA financially viable. The response had been sufficiently encouraging to warrant continuing the procedure with some modifications. However, no new contributors had come forward, so that the main burden of financing UNRWA still fell on a few Governments which resented the inequity inherent in the present system and were reluctant to go on increasing their contributions every year to keep pace with the Agency's rising costs.
9. Whatever the factors which determined the amount of contributions from

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(Mr. McElhiney)

Governments and year after year left the Agency with insufficient funds, he hoped the members of the Committee would realize that the adverse consequences of those attitudes were borne by the refugees because UNRWA could only provide the necessary social benefits to the extent made possible by the contributions of the international community.

10. He strongly urged the international community, at the annual pledging conference to be held shortly, to give practical expression to the decisions of principle it had adopted. If it was unwilling to do so, it was indeed true, as stated in the introduction to UNRWA's annual report, that the time was rapidly approaching when the implications of the attitudes of Governments would have to be assessed and the international community would have to give the Agency guidance on the nature and level of services it wished to provide.

11. Mr. PETNICKI (Yugoslavia) proposed that the statement of the Commissioner-General should be reproduced in extenso and circulated to the Committee members.

12. The CHAIRMAN, recalling the General Assembly's decision to authorize the Committee to secure transcripts of some of its debates, said that, if there were no objections, he would take it that the Committee agreed to the Yugoslav proposal.

13. It was so agreed.

14. Mr. KOLBY (Norway), Rapporteur of the Working Group on the Financing of UNRWA, presented the Working Group's report (A/33/320) and said that, in its resolution 32/90 D, the General Assembly had requested the Working Group to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of UNRWA for a further period of one year.

15. In chapter II, the report stated that despite the generosity of some Governments and the ceaseless efforts of the Commissioner-General, income was not sufficient to enable the Agency to maintain its services to Palestine refugees at the budgeted level. Throughout the year, the Commissioner-General had kept the Working Group fully informed of the Agency's financial situation and his efforts to solicit funds. He had reported that he had received no positive response to his special appeals to Governments which had not contributed in the past and that, except in a few instances, his appeals to Governments which contributed regularly had not been encouraging.

16. In chapter III, which dealt with the current financial situation, it was pointed out that at the beginning of 1978, the Agency had estimated a deficit of about \$26.8 million on its regular budget. It also lacked \$3.6 million to finance the first construction stage of a new camp in Lebanon and \$8.1 million to replenish and raise the working capital fund to an adequate level. Through various measures and an increase in contributions, the deficit had been reduced to \$11.3 million by mid-October 1978. However, the Working Group had admitted that unless substantial additional contributions were received before the end of the year, UNRWA would be unable to undertake a number of necessary expenditures.

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(Mr. Kolby, Norway)

17. The new forward planning procedure on a voluntary basis for solicitation of contributions had made it possible to avoid an immediate financial crisis and a drastic cutback on programmes in 1978. It was to be hoped that the Governments which had participated in the new procedure would continue to do so and that other Governments would join them.

18. The longer-term problems of financial security for UNRWA remained unsolved. Substantial reductions and even suspension of the Agency's services to refugees had been avoided only through the continued generosity of relatively few donors. Any reduction in services provided by UNRWA would have serious implications for the refugees themselves, for the countries they lived in and for the prospects for a peaceful settlement in the Middle East.

19. Until just and lasting settlement of the problem of the Palestine refugees was reached, UNRWA's services in the form of relief assistance, health care and education remained indispensable. The continuation of those services was an obligation of the United Nations on behalf of the international community.

20. It was essential to establish a firmer basis for financing UNRWA. The Working Group urged those Governments which had not contributed in the past and those which had so far made only relatively small contributions to participate in or contribute more generously to the financing of UNRWA. The Group had also expressed the hope that those Governments which in the past had contributed generously would continue to increase their contributions.

21. Mr. NUSEIBEH (Jordan) said that the fundamental text for the item under discussion was paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948, which asserted the inalienable rights of the Palestine refugees to repatriation or compensation. It was therefore regrettable that in the report of the Commissioner-General, the resolution on repatriation had been relegated to the usually unread annexes. Not a single refugee had been repatriated and the Israelis had been living in the homes of the dispossessed for three decades.

22. The original sin and tragedy of 1948 had been compounded after June 1967 by the dispersal of yet another category of Palestinians which had come to be known as "displaced inhabitants", whether refugees or inhabitants of cities in the occupied territories. They had been the direct responsibility of the Jordanian Government, which during the fiscal year covered by the report had spent a total of \$30,799,422 for that purpose.

23. He took exception to the wording in the letter of transmittal of the report of the Commissioner-General where it read "areas under the control of the Government of Israel", since the internationally recognized terminology was "occupied territories". Moreover, there were repeated references in the report to East Jordan and to the West Bank without reference to Jordan. The internationally recognized terminology was Jordan and the West Bank of Jordan until such time as its status was altered by internationally recognized instruments.

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(Mr. Nuseibeh, Jordan)

24. The reply of the Israeli occupation authorities contained in the report of the Secretary-General (A/33/286) was full of untruths. The General Assembly had never intended its call upon Israel to repatriate the displaced Palestinians as a humanitarian gesture; the Assembly had made an unconditional request, as it was the birth-right of every human being to live in his own homeland and not indefinitely in exile, which had already exceeded 12 years in the case of the displaced Palestinians and 30 years in the case of the refugees. Secondly, the return of the displaced to Uru Salem (Jerusalem), the Land of Canaan on the West Bank of the Jordan and to the Land of the Philistines in the Gaza Strip and the rest of the coast of Palestine could and should have taken place long before the clumsy pretext over security had ever existed. It was the denial of that elementary right which had inevitably led to resistance to both occupation and usurpation. Moreover, the reference in the Israeli note verbale to Judaea and Samaria was in itself a violation of international law and United Nations resolutions.

25. Even more devastating had been the flagrant refusal by Israel to abide by section B of General Assembly resolution 32/90 by continuing systematically to devour Jerusalem and the West Bank, to the extent where literally one third of the West Bank had already been colonized by the occupation authorities.

26. The report of the Secretary-General (A/33/285) also contained an Israeli note verbale which tried to paint a Disneyland portrait of the living conditions of the Palestine refugees in the Gaza Strip. Nevertheless, paragraph 8 of the report revealed the lack of co-operation of the Israeli authorities with UNRWA with regard to the question of housing for the families affected by the 1971 demolitions.

27. The small amount of aid per refugee provided by UNRWA highlighted the dichotomy between the international community's verbal commitment to the cause of the Palestinian people and its abysmal failure to match it with deeds. In addition, according to the report of the Commissioner-General, the actual percentage of refugees receiving all services was considerably less than 17.5 per cent of the registered refugee population.

28. His delegation appreciated the difficulties which made the Commissioner-General resort to the practice of establishing a list of suspended budgeted expenditures equal to the deficit and moving them from the non-approved to the approved category only as pledges of additional income were received. That unprecedented method would mean a gradual reduction and dissolution of the international community's commitment to the Palestine refugees without providing any solution to their real problem, namely, dispersal for an indefinite period. Nevertheless, he trusted that it would not be necessary to resort to that desperate measure and that a more stable budget could be prepared.

29. Except for the host Governments, a few major contributors and the 50 or 60 States which made symbolic contributions, the majority of Member States appeared indifferent to the situation.

30. In its resolution 32/90 F, the draft of which had been submitted by the Jordanian delegation, the General Assembly appealed to all States to make special allocations, scholarships and grants to Palestinian refugees. His delegation noted with regret that, as revealed by the report of the Secretary-General (A/33/287),

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(Mr. Nuseibeh, Jordan)

the appeal had been met with minimal and almost insignificant response. If some countries did not particularly welcome Palestinians in their lands, they might express their concern by contributing to institutions of learning for the Palestinian refugees. His delegation intended at the appropriate time to submit a draft resolution to that effect.

31. With regard to the relocation of UNRWA's headquarters, he drew attention to the letter dated 29 August 1978 from the Chairman of the Advisory Commission of UNRWA to the Commissioner-General, in which the Commission expressed its regret that a part of the UNRWA headquarters had been relocated from the area of its activities, stated its preference that the UNRWA headquarters be consolidated within the area of its operations, and requested the Commissioner-General to keep the question under study with a view to relocation to the area of operations when feasible in consultation with the Commission.

32. He stressed that during the current year, the guidance given by the General Assembly to the Commissioner-General should be unequivocal and forthright. No dissolution of the Agency's services to the refugees should be permitted until a solution had been found to their plight. The United Nations must not let them down by default in their hour of need.

33. Mr. ERELL (Israel) said he wished to suggest that all members should take into account, as they proceeded with the debate, the developments reflected in the Camp David agreements and subsequent negotiations. Those agreements had opened concrete prospects of an early and real peace. One of the elements of the Camp David accords was the commitment to deal with the refugee problem with a view to its permanent solution. There could be no doubt that negotiation was the way to reach a solution. A negotiated solution of the refugee problem was also a requirement under Security Council resolution 242 (1967), which was the accepted basis for a Middle East peace settlement. Consequently, when dealing with the problem of the refugees, it was important not to stray outside the framework of resolution 242.

34. Previous debates on the refugee question had dealt only partly with the needs of the refugees and the means of meeting those needs. For the rest, they had actually been battles in political warfare; they had not been constructive and they had not brought a solution to the problems of the refugees any nearer. His delegation strongly advocated that the pattern of the past should be abandoned and that the Committee should avoid unproductive polemics. Continued progress towards peace would be better served by promoting attitudes of moderation and conciliation.

35. His delegation was aware that certain Member States were opposed to the Camp David agreements, but trusted that further reflection would convince them of the merits of those agreements and of their enormous contribution towards peace in the Middle East. The compromises worked out at Camp David were reasonable and balanced and did not prejudice anyone's legitimate interests. They represented an honest and practicable framework for the complete settlement of the Middle East dispute and therefore served the interests of all the nations of the world.

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(Mr. Erell, Israel)

36. The important developments to which he had referred should determine the course and content of the Committee's discussions, and he hoped that his brief remarks would be given due consideration by members. His delegation reserved the right to present the Israeli Government's position on the substance of the issue at a later date. Essentially, his Government's approach was that the refugees needed and deserved a chance once again to become useful and productive members of a society of which they were a part. The several thousand Jewish refugees of 1948, from several Arab countries, had been absorbed and integrated in Israel. The Arab refugees should be resettled and integrated in Arab countries where opportunities were excellent.

37. Up to the present, UNRWA had had to concentrate on giving assistance rather than promoting resettlement and reintegration, although its original mandate included the task of programming development works to provide employment for refugees and enable them to rebuild their lives. His delegation was convinced that the problem would have been solved long ago if that sound logic had been applied by all concerned.

38. With regard to the origin of the refugee problem, he pointed out that the Government of Jordan had been one of those who, through the Arab League, had informed the Secretary-General by a telegram dated 15 May 1948 that the Arabs were launching a war against Israel and that it would be a war of extermination. That had been the first page of the tragedy and the first sin of the Jordanian Government. The second sin had been committed in 1967 when, despite Israel's warnings and pleadings, the Government of Jordan had decided to take part in that war. He trusted that in future the Government of Jordan would not make any further mistakes and would participate in the peace process.

39. The CHAIRMAN invited the Observer for the Palestine Liberation Organization to take the floor.

40. Mr. ERELL (Israel), speaking on a point of order, said that his delegation considered it a mistake to give the floor to the representative of the so-called PLO and wished his protest to appear in the summary record. The organization in question desired the destruction of a Member State.

41. Mr. HAMMAD (United Arab Emirates), speaking on a point of order, requested that the statement by the representative of Israel should be declared out of order since, in accordance with General Assembly resolutions, the Palestine Liberation Organization was fully entitled to participate in the discussions and to address the Committee.

42. Mr. TERZI (Observer, Palestine Liberation Organization) expressed surprise that in the letter of transmittal of the Agency's excellent report, it was stated that its operations had been conducted in areas under the control of the Government of Israel, since those areas had been illegally occupied by that Government, and the use of that wording at such a level was an indication of the intentions some people had concerning the future of the territory.

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(Mr. Terzi, Observer, PLO)

43. In order to determine why there were Palestine refugees, it was necessary to go back to the origins of the problem. In the book The Decadence of Judaism in Our Time, the Talmudic scholar, Moshe Menuhin, recalled that in 1948, the possibility of a suspension or repeal of the United Nations resolution on the partition of Palestine had prompted the underground terrorists' Irgun forces under Menachem Begin to unite with the regular army of the Haganah in order to accelerate and intensify the war of extermination against the Arabs and occupy as much of the country as possible. An illustration was the massacre at Deir Yassin, a village over which the Israelis had no jurisdiction and whose inhabitants, who had lived in a friendly relationship with the old Jewish settlers, had not fled the country and were supposed to be an example of the possibility of amicable coexistence between Arabs and Palestinian Jews. With the help of the Haganah, the Irgun forces and the Stern Group had occupied the village and perpetrated the most revolting atrocities: 254 Arab men, women and children had been butchered in cold blood and their mutilated bodies thrown into a well; captured Arab women and girls had been taken to Jerusalem, where they had been subjected to public mockery. That same day, the Irgunists had called a press conference at which they had called the murder a victory in the war of conquest of Palestine and Transjordan.

44. That was the origin of the problem about which the United Nations had been concerned for so many years. It was obvious that those who had from the beginning caused so much harm and injustice and who were the same people who at present were taking advantage of the situation by occupying the homes and exploiting the homeland of the Palestinians should defray the expenses caused by the refugees which they themselves had driven out. Although he recognized the international community's responsibility in that respect, he considered that the Zionist entity and its ally, the United States, which gave it extensive assistance, were the ones who should defray the expenses of the Agency and not the rest of the Member States.

45. In the statement which he had made to the General Assembly, the United States Secretary of State, Mr. Vance, had said that the Camp David agreements had concentrated on the means by which self-government could be established for the Palestinians living in the West Bank and Gaza but that there was also clear recognition that the problems of the Palestinians living outside those areas must also be addressed and that that problem must be resolved as an integral part of a durable peace settlement in the Middle East. However, the so-called Camp David agreements said that, during the transition period, the representatives of Egypt, Israel, Jordan and the autonomous authorities constituted a permanent committee which would decide on the modalities of admission to the West Bank and Gaza of persons displaced in the 1967 war, as well as the necessary means of avoiding disturbances and disorder. That statement was tantamount to denying the right of return, which had been recognized by the General Assembly and the Security Council as an inalienable right of the Palestinian people, not to mention the fact that it spoke only of the persons displaced after the 1967 hostilities and not of all Palestinians. However, the statement meant that those four Powers, without having been empowered to do so by anyone, could deny entry to Palestine to elements which they considered might disturb the public order.

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46. Mr. RAMATI (Israel), speaking in exercise of the right of reply, said that the problem of the Arab refugees was the direct result of the invasion of Western Palestine by the Arab States and the war of aggression they had launched against Israel in 1948 in complete defiance of the United Nations.

47. The Arab spokesmen had never denied their intention to destroy the Jewish State, even before the General Assembly had adopted resolution 181 (II) in 1947, which requested that the Security Council should determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by that resolution.

48. The Arab States had never denied their responsibility for the 1948 war. Their leaders had exhorted the Arab inhabitants to leave their towns and villages in order that the Arab armies might enter them and kill and expel the Jews from Palestine. Israel had done everything possible to prevent that exodus, moved by the spirit which had motivated the proclamation of the independence of Israel, namely that the Arabs who lived in Israel would be requested to maintain peace and participate in building the State. That was completely different from the policy followed by Jordan when it had illegally invaded Western Palestine in 1948. The Arab States had started the wars of 1948, 1967 and 1973 and therefore bore the principal responsibility for the Palestine Arab refugees, as well as for the 700,000 Jewish refugees whom they had forced out of their homes.

49. The representative of Jordan had not seemed pleased with the reference to East Jordan in the report of the Commissioner-General. He should be reminded that the West Bank had been annexed by Jordan, and that that annexation had not been recognized by either the international community or the Arab States. Pakistan had been the only country in the world to recognize it.

50. The representative of Jordan had said that one third of the West Bank had been settled. Yet there were less than 10,000 Jews for 750,000 Arabs. It was deplorable that that should constitute a problem in the eyes of those who spoke of coexistence and of Israel's obligation to allow the Palestine Arab refugees to return to the areas under its control. It seemed that the Jordanians believed in apartheid and the laws of Nuremberg.

51. Mr. NUSEIBEH (Jordan) speaking in exercise of the right of reply, reminded the Committee of the incidents which had taken place in Jerusalem in 1948, of which he had been an eye-witness. When the United Nations had decided on partition, there had not been more than two or three disturbances. However, two or three days later the city had been shaken by explosions caused by the attack launched by the so-called Haganah and Irgun forces. It was not the Palestine Arabs who had started the war but the Israelis, who had occupied more territories than had been assigned to them under the United Nations partition resolution. The Jordanian Army, which had been accused of conquering the western part of Palestine in order to exterminate the Jews, had been in Palestine throughout the whole of the Second World War as part of the allied forces. Nevertheless, on 15 May 1948, in compliance with the United Nations resolution, it had withdrawn, although it could have remained where it was.

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(Mr. Nuseibeh, Jordan)

Only on 18 May 1948, in response to the pleas of the citizens of Jerusalem to the Jordanian Government, it had decided to send a contingent of 600 men. Without that intervention, the 80,000 inhabitants of Jerusalem would have been slaughtered or driven out. The Arab armies had entered Palestine only after 15 May, when the British High Commissioner had abandoned the territory. By then the Israelis had occupied 80 per cent of Palestine.

52. A few days after the 1967 war, the Israeli newspapers themselves had recognized that a trap had been laid for Jordan and it had fallen into it. The hostilities had been started by the Israeli attack on Egypt and the destruction of its air force. In the book Conspiracy of Silence, it was stated that the Israeli air force had been responsible for the sinking of a United States merchant ship in an attempt to conceal what had been happening during those days.

53. He reminded the Committee that Jordan had been admitted to membership in the United Nations unanimously by the General Assembly in 1955 and membership had not been restricted to one bank of the Jordan or the other. In the Constitution of Jordan and the relevant act, it was stated that unification of the two banks of the Jordan was designed to restore the full, legitimate rights of the Palestinians and that it in no way prejudged the final solution of the Palestinian problem. He denied the alleged belligerence of the Palestinians and pointed out that they wanted a just peace, without surrendering their rights. In that connexion, he quoted the case of the Galilean village of Narim, whose peaceful inhabitants had been expelled by the Israeli authorities even though they had undertaken to be good citizens of Israel.

54. Mr. TERZI (Observer, Palestine Liberation Organization), speaking in exercise of the right of reply, expressed alarm at the use of the expression "Western Palestine". Palestine was the territory between the River Jordan and the Mediterranean, but Begin's party seemed to believe in an Israel which extended to both sides of the River Jordan, in other words, it desired the elimination of a Member State, namely, the Hashemite Kingdom of Jordan.

55. As to the origin of the problem of the refugees, he quoted the statement by Menachem Begin himself about what had happened at Deir Yassin, adding that almost the whole population of that village had been annihilated. He also quoted the commentary of the Talmudic scholar, Moshe Menuhin, indicating that such events had created panic among the Arab inhabitants of Palestine, and had provoked a large-scale exodus.

The meeting rose at 1.15 p.m.