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Chairman: Mr. Mihail HASEGANU (Romania)

Organization of the Committee's work

1. The CHAIRMAN said he had been informed by the Chairman of the Second Committee that the latter had decided to withhold action on its draft resolution (A/C.2/L.735 and Corr.1 and Add.1) concerning the expansion of the Economic and Social Committees and the Co-ordination Committee of the Economic and Social Council until the Special Political Committee had decided upon the question of the expansion of the Council itself. The Chairman of the Second Committee had suggested that the Special Political Committee might consider that question as soon as possible so that the Second Committee could decide upon its own draft resolution by 6 December at the latest.

2. If there were no objections, he proposed to reply that the Special Political Committee had already decided that all the items concerning the expansion of the Assembly's General Committee and equitable representation on the Security Council and the Economic and Social Council would be examined together; that an order of priority to be observed by the Committee in examining the items on its agenda had already been laid down; and that to comply with the request would mean reversing those decisions and could lead to serious difficulty.

*It was so decided.*

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*)

*At the invitation of the Chairman, Mr. Ahmed Shukairy, spokesman of the group mentioned in document A/SPC/89, took a place at the Committee table.*

3. Mr. SHUKAIRY thanked the Committee for giving him an opportunity of expressing the views of the people of Palestine. The Palestine refugee problem certainly had a bearing on the stability and peace of the Middle East, and hence of the whole world. In accordance with the principles and objectives of the Charter, the people of Palestine must be represented during the consideration of the problem since they

were the principal party in the matter, and their fate would determine whether there would be war or peace. It had been alleged at the 398th meeting that his group represented no one. In fact it represented the people of Palestine and should by right take its place at the United Nations as a sovereign Member. It should therefore be heard fully and freely for the United Nations could not judge an issue in the absence of the party aggrieved.

4. The present tragedy of the Palestine refugees was the outcome of an unprecedented injustice. Yet the refugee question was only part of the Palestine problem as a whole. Even more serious was the fact that the Israel delegation had contended in the United Nations that the Palestine problem did not exist at all. Such a denial was an intolerable international mockery. The problem had figured prominently in United Nations documents since 1947 and the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East had referred to the Palestine problem as such on several occasions. The very fact that the Committee was meeting to discuss it was ample testimony of its existence. The problem was not so much one of refugees as of a whole refugee nation of over a million people. It had led to wars in 1948 and 1956; yet to Israel it was so insignificant that it did not exist. The truth was that the Palestine problem would continue to exist until Palestine was restored to its people, who had been uprooted from their land, robbed of their homes and denied the right of repatriation. What was more, the people of Palestine would continue to assert their presence in the United Nations, entering, like so many others, as an oppressed people until they had gained the rights of a sovereign State through independence and were able to unseat their oppressors.

5. The group of which he was the spokesman did not appear before the Committee as ordinary petitioners. The problem did not belong to an individual or individuals, nor was it a matter of an ordinary violation of human rights. What was at stake was a whole people dispossessed of its ancestral homeland. The bitter feelings of the Palestine Arab people with regard to the existence of Israel had been mentioned in the Commissioner-General's report (A/5513) but regrettably were not reflected in the twenty-first progress report of the United Nations Conciliation Commission for Palestine (A/5545), which in fact told a story of failure. In the interests of international justice and peace, therefore, it was his group's right to be heard and the duty of the Committee to listen.

6. The group which he led was representative of the actual people discussed in the report and in the statement by the Commissioner-General at the 398th meeting. He himself was not a newcomer to the United Nations, and while a refugee had served as Chairman of the Syrian and Saudi Arabian delegations. His col-

leagues too were all lawful citizens of Palestine who had been born and raised there—not brought in under the protection of British bayonets or with American financial support—before becoming the victims of international robbery. They came from different parts of Palestine and different walks of life. After 1948, they had dispersed to many different countries, but now they came before the Committee as one group, representing one people for one Palestine, independent and unpartitioned. They shared a common aspiration: to return to their homeland in dignity and honour. The loss by the refugees of their homes and homelands was the crux of the problem; the conviction that a grave injustice had been done to them through that loss was reflected in paragraph 3 of the Commissioner-General's report and that conviction would remain the outstanding issue and govern events. Relief, shelter, vocational training, medical services and social welfare, though necessary to the daily life of the refugees, were incidentals. The problem was one of national existence.

7. The Commissioner-General's statement in paragraph 3 of his report that the picture drawn in the annual report for the past four years of the status and plight of the Palestine refugees remained generally true was evidence of his impatience and frustration. The announcement of his resignation had been the outcome not of achievement but of the very opposite. His statement that after fifteen years the problem of the Palestine refugees remained as intractable as ever was in the nature of an ultimatum and pointed to the absurdity of the Conciliation Commission's use of the word "progress". The Conciliation Commission would have done better to follow the honest line taken by the Commissioner-General. As paragraph 3 of the Commissioner-General's report showed, Israel would not implement General Assembly resolution 194 (III), and did not even accept the principle of repatriation. With regard to that report, it should be noted that the Commissioner-General was one of the few public figures in the United States who resisted Zionist pressure and exercised independent judgement. In that respect, it was the policies of the United States that were open to criticism and not the people, who deserved admiration for their benevolence and tolerance. Television, radio, Press and politicians in the United States all contrived to give the impression, particularly on the question of refugees, of another Israel in its midst. The refugees on the other hand, could turn only to the United Nations, and they had faith in the international community.

8. On the question of a national homeland and their right to live, it was not necessary to cite precedents. The people of Palestine had the same right to a homeland as others. They should be allowed with the other nations to enjoy the sacred principles enshrined in the United Nations Charter. In the first place, Palestine was not a newly discovered land. Throughout its long history it had never been vacant. Even the Bible referred to it as the "land of Canaan" of the Arabian peninsula, in which the ancient Hebrew had been described as a stranger. The country had been overrun by Assyrians, Babylonians, Hebrews, Greeks, Romans, Persians, Seljuks and Ottomans. It had often changed hands, but the people of Palestine had repelled the invaders. They had acquired diverse cultures, languages and traditions until they had finally emerged as an Arab society participating with the rest of the Arab world in making Arab civilization and history.

9. The question of Jew and non-Jew had never been an issue in their national life. The native Jews had been simply Palestinians as were the Moslems and Christians of that country. It was a fact of history that when Jews were persecuted and massacred elsewhere, they had found a hospitable refuge in the Arab world, including Palestine.

10. According to Obadiah, a distinguished Jew and scholar, in the fifteenth century, the Jewish families in Jerusalem had not exceed seventy in number. In 1845, according to the report of the Palestine Royal Commission<sup>1/</sup> there had been not more than 12,000 Jews in the whole of Palestine. Among the first refugees that had been admitted some 1,500 had come from Hungary and Holland, and they had been followed by 400 from Lithuania. The stream of refugees had continued until the end of the First World War, when the number of Jews had risen to 60,000, owning 2 per cent of the land and enjoying the fraternity and hospitality of the people of Palestine. What the Israel delegation had said about a stream of Jewish refugees from the Arab world was untrue. Those migrants had left, not because of any persecution, but because of Israel's pressure on Jews living abroad. In the Arab countries Jews could be found in all walks of life and they had no reason for leaving their homes except pressure from Israel.

11. Both Mr. Ben-Gurion and Mr. Ben Zvi had declared during the First World War that their gratitude to the Arab countries which had given the Jewish people shelter for hundreds of years was unforgettable. It was ironic that those two Jewish refugees had caused the exodus of the same people who had afforded them refuge. Even after the Zionist invasion of Palestine in 1948 Jews had continued to live unmolested and free in the Arab world. That was testified in Rabbi Elmer Berger's book, Who Knows Better Must Say So!<sup>2/</sup> which contradicted what had been said at the Committee's previous meeting by the representative of Israel concerning streams of Jewish refugees from Arab countries.

12. In recalling those matters, he was not seeking to arouse sympathy for the refugees but to explain the feelings of bitterness and resentment amongst them reported by the Commissioner-General of UNRWA. He had come before the Committee to defend the rights of the people of Palestine and seek their repatriation to their homeland. At session after session the General Assembly had discussed and adopted resolutions on the repatriation of the refugees but, as Mr. Davis had reported, resolution 194 (III) of 11 December 1948 still remained unimplemented. That was tantamount to an indictment of the United Nations.

13. For the past fifteen years the United Nations had been reiterating its position in support of repatriation, but not a single refugee had been repatriated. The United Nations Mediator, Count Bernadotte, had been killed by the Israelis in the course of his mission in Jerusalem. Subsequently, the United Nations had established the Palestine Conciliation Commission with a specific mandate for the repatriation of the refugees, but its twenty-one progress reports had only revealed Israel's rebellious attitude and its refusal to accept the principle of repatriation. According to the Commissioner-General, the problem of the Palestine refugees remained as intractable as ever.

<sup>1/</sup> London, H.M. Stationery Office, 1937 (Cmd. 5479).

<sup>2/</sup> New York, The Bookmailer, 1956.

14. The people of Palestine took a very serious view of the matter. They could not wait indefinitely. There was a limit to their patience and self-restraint. When patience was exhausted, men followed the counsels of despair and the United Nations knew by experience where desperate action could lead. It was fully aware of the liberation movement that had emerged in Asia and Africa. Palestine could be the scene of a liberation movement by the people of Palestine and no one should be surprised if that happened, for Palestine was their homeland. Repatriation was their inherent right, not an invention of the United Nations. Their right to their homeland pre-dated the United Nations and the illegitimate birth of Israel. Therefore, even without General Assembly resolution 194 (III) they were entitled to repatriation without qualification or reservation to live their national life in dignity and freedom.

15. Many of the African, Asian and Latin American Member States had gone through the same ordeals as the people of Palestine. Many representatives had, like himself, come to the United Nations as petitioners and observers and had been granted a hearing in spite of the protests of the colonial Powers. No less than eighty States Members of the United Nations had wrested their freedom from the colonial Powers. The problem of Palestine was essentially a colonial issue. The native people had been uprooted, dispossessed and expelled from their country by aliens behaving like the colonizers who had settled in Asia and Africa.

16. It might sound strange to say that the refugee problem was the outcome of imperialism, but Mr. Winston Churchill himself had declared at the time that the creation of a Jewish state by the banks of the Jordan and under the protection of the British Crown would be in harmony with the true interests of the British Empire. The importation of 3 or 4 million Jews to the banks of the Jordan presupposed a refugee problem.

17. Even the Zionist leaders had never concealed the fact that Zionism was an imperialist movement. According to a document found in the archives of the late Dr. Chaim Weizmann concerning an interview between him and Lord Balfour on 4 December 1918, a community of 4 or 5 million Jews in Palestine would have been a sufficiently sound economic base from which the Jews could radiate out into the Near East and so contribute to the reconstruction of countries which had once been flourishing and make Palestine a Jewish country under the British Crown. That was the language of colonialism and imperialism which had been heard in Asia and Africa as well.

18. The introduction of millions of Jews into a small country of 10,000 sq. miles had meant the expulsion of the native people and the result had been 2 million Jews in Palestine and one million Arab refugees outside Palestine while Jewish immigration had continued in full swing. Although the Arab exodus from Palestine had actually begun in 1948 as a result of Jewish terrorism, the refugee problem had been foreshadowed long before in Zionist plans. In 1948 the emergence of Israel had meant the emergence of the refugee problem. Without Israel there would have been no refugee problem and no instability and insecurity in the Middle East.

19. The problem of the Palestine refugees was by its size and nature unique. The refugees constituted over half the population of Palestine. No other country

had a refugee problem on that scale. It was unique in another respect too: it was not the outcome of religious dissensions between Jew and Moslem, nor was it the result of social or political conflict. It was not the product of a boundary dispute nor of armed conflict. The essential factor of the refugee problem was the non-existence of a whole people in the eyes of those who held world power in their hands. When the Balfour Declaration,<sup>3/</sup> promising the establishment of a Jewish National Home, was made public on 2 November 1917, the people of Palestine had been assumed to be non-existent and their country a vacant land. The United Kingdom had promised land that it did not possess, and the people who possessed it had not been consulted. Although they had protested and revolted, the United Kingdom had proceeded with the establishment of the Jewish Home just as if Palestine had been a British overseas possession. Consequently, the people of Palestine had become refugees as their country was flooded with aliens and strangers of every creed and race.

20. The Balfour Declaration could therefore be regarded as the first report on the Palestine refugees and should be preserved in the United Nations archives together with Count Bernadotte's report. When the United States had subscribed to the Balfour Declaration, it had done so on the assumption that Palestine did not exist as a people, as though Palestine was a vacant island off the shores of the United States. Both the United Kingdom and the United States, in endorsing the establishment of a Jewish National Home under the policy of Jewish immigration into Palestine, had done so without paying due regard to the wishes of the inhabitants of that country. During the British mandate some 700,000 Jews had been imported into Palestine with the help of British bayonets and United States dollars against the will of the people of Palestine; that invasion had been something unique in modern history.

21. That the people of Palestine did not exist in the eyes of the international community was clear from the twenty-first Progress Report of the United Nations Conciliation Commission for Palestine, which stated that the United States representative on the Commission, with the latter's approval, had initiated a series of quiet talks "with the parties concerned—Israel, Jordan, Lebanon, the Syrian Arab Republic and the United Arab Republic" (A/5545, para. 2). It was curious, to say the least, that the people of Palestine should not be regarded as one of the parties concerned in discussions relating solely to the question of Palestine. Yet that question could not be resolved without the participation of the people of Palestine.

22. It would be interesting to know the exact purpose of the "quiet talks" mentioned in the report of the Conciliation Commission. According to the report their purpose was to find the nature of the eventual solution to the refugee problem (*ibid.*). Yet that solution had been clearly laid down by the General Assembly in its resolution 194 (III) when it had assigned to the Conciliation Commission the clear mandate of facilitating the repatriation and resettlement of the refugees. It looked very much as if the Commission was departing from that mandate by attempting to seek another solution, and that the quiet talks were leading

<sup>3/</sup> See Official Records of the General Assembly, Second Session, Supplement No. II, vol. II, annex 19.

to a quiet burial of what remained of the people of Palestine.

23. It seemed to him, incidentally, that the Conciliation Commission, which was made up of three members—France, Turkey, and the United States—had exceeded its powers by delegating one of its members alone to undertake the talks—particularly when that member was the United States, which had never been neutral in the Palestine question and had indeed been mainly responsible for the existence of Israel. If there were to be talks, then they should be carried out by the Commission as a whole.

24. For fifteen years the United Nations had pursued a policy of inaction in the face of the problem of the Palestine refugees. Today the refugees wanted to know whether there was any peaceful way of regaining their homes and homeland, whether their rights could be restored by legal means, or whether they would be forced to take the law into their own hands. For to continue the policy of inaction was to invite the people of Palestine to seek their rights outside the United Nations by resorting to arms. That was bound to happen if the United Nations did not act quickly, and if it happened the Organization would be powerless to intervene.

25. At the 398th meeting the representative of Israel had appealed for peace and had called for a dialogue between the Arabs and his country. To that he would reply immediately that the rights of the people of Palestine to their homeland were not and never would be negotiable. In any case, what could be expected from such a dialogue when Israel openly flouted the resolutions of the United Nations? It had resisted the repatriation of the refugees, and the Conciliation Commission had reported that not a single one had been repatriated. It had ignored the call for the internalization of Jerusalem. And, on the territorial question, Mr. Ben-Gurion himself had said that Israel would not give up at the conference table what it had gained by war.

26. It was ridiculous for the Israel representative to speak of peace when his Government was pursuing a policy of war and aggression. Israel's expansionist tendencies were obvious from its official publications and the statements of its leaders. The 1951 and 1952 issues of the Israel Yearbook, published by the Government of Israel, contained statements to the effect that the State of Israel had been restored in only a part of the land of Israel and that some were hesitant as to the restoration of the historical frontiers fixed and set from the beginning of time. In 1956 Mr. Ben-Gurion had told the Knesset that one of Israel's objectives in the Sinai campaign in the war against Egypt was "to free part of the fatherland which is still in foreign hands". Although the Sinai Peninsula was Egyptian territory, Israel claimed it as its own. Finally, the representative of Israel, speaking of the refugee problem at the fifteenth session in 1960, had told the Special Political Committee (209th meeting) that there was no other realistic approach short of a war which would destroy Israel and resettle the refugees amongst its ruins. What then was the purpose of a dialogue with Israel?

27. In conclusion, his case could be summed up in four fundamental points. First, the problem of the Palestine refugees was an indivisible part of the Palestine problem as a whole. It could only be solved within the general context of that question and on the basis of the right of the indigenous people of Palestine to self-determination. Secondly, the Palestine problem was the outcome of a conspiracy between Zionism and the forces of international imperialism. As a colonial issue it could therefore only be solved in accordance with the general framework of decolonization. Thirdly, the exile of the Palestine refugees was the direct outcome of the establishment of Israel; the native people of Palestine had been robbed of their homes and uprooted from their homeland so that an alien people could settle on their land. Finally, the people of Palestine, as the legitimate owners of the country, were determined to exercise all their rights, national and private, to the full.

The meeting rose at 1 p.m.