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*Chairman:* Mr. Mihail HASEGANU (Romania).

## AGENDA ITEM 32

Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/5513, A/SPC/89, A/SPC/90, A/SPC/91, A/SPC/L.98, A/SPC/L.99) (continued)

1. The CHAIRMAN said that pursuant to the decision taken at the 398th meeting to permit the spokesman of the group mentioned in document A/SPC/89 to make statements at the appropriate time, he would invite Mr. Ahmed Shukairy to address the Committee.

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

2. Mr. SHUKAIRY said that it was owing in part to the efforts of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) that the cause of the Palestine refugees was still being kept alive in the United Nations. Mr. Davis and his predecessors had always given a true picture of the distressing condition in which the refugees were living, whereas Israel had made every effort to suppress the facts and becloud the issue. The Zionists, with their control of information media in most of the Western countries, had largely succeeded in concealing the refugee problem from world public opinion. The refugees themselves, on the other hand, had no means of approaching legislators and moulders of public opinion in those countries. Logically there should be no connexion between the Palestine problem and elections in the United States of America, yet the Zionists had been able to make support of Israel a major election issue in that country. There were many Americans of Arab descent in the United States, but they did not identify themselves as such and formed no pressure groups. Thus President Truman had been able to say in 1947 that there were no Arab constituents to be taken into consideration in the electoral campaign. The problem of the refugees from Palestine should be judged not on the basis of its possible effect on electoral campaigns in other countries but on its own merits. It was the duty of the United Nations Secretariat to inform world public opinion with regard to the whole problem of the Palestine refugees. When Jewish refugees had been living in camps in Europe

the whole world had rightly mobilized its resources to alleviate their sufferings, but the plight of the Palestine refugees was treated with indifference and they were entitled to ask why such a distinction should be made. The truth regarding that situation had been distorted under many pretexts, including the pretext that it was necessary to be realistic. Yet reality should not be accepted as a guide to United Nations action if it was not consonant with justice, for to act on the basis of unjust realities would be to bow to aggression. Discrimination in South Africa was a reality, but that did not mean that the United Nations was prepared to accept it.

3. Israel had spared no effort to divert the attention of world public opinion from the situation of the refugees. An inquiry conducted in August 1963 by the Committee on Foreign Relations of the United States Senate under the chairmanship of Senator J. W. Fulbright, had revealed that a number of American organizations were being financed by Israel for the deliberate purpose of misleading public opinion in the United States. For example, according to the Fulbright report, the American Zionist Council received annually from Israel the sum of \$328,350 to "combat Arab propaganda". Indeed, it had one year received \$712,000 from Israel. According to the report of the Committee on Foreign Relations, some of those funds were devoted to "the distribution of special material and guidance on controversial issues such as Arab refugees", the subsidization of individual moulders of public opinion and the drafting of pro-Israel proclamations for governors and mayors. It was to be hoped that the United States delegation's statements in the United Nations were not similarly drafted by moulders of public opinion subsidized by Israel. It was also reported that a Washington newsletter entitled Near East Report was receiving \$5,000 quarterly for "public relations", that an annual subsidy of \$48,000 was being paid by Israel agents to the Council on Middle Eastern Affairs, and that the organization misleadingly entitled the American Christian Palestine Committee had for a long time received substantial aid from Israel. Also, the Senate Committee had noted that Harvard University's Centre for Middle East Studies received an annual contribution of \$7,000. It was not for him to object if Israel dictated United States policies, but it had no right to do so in a way which was damaging to the cause of the Palestine refugees and prejudiced their right to their homes and their homeland. That activity of the Zionists should be outlawed not only in the United States but in all countries where Zionism was functioning. The Arab refugees themselves, lacking the financial means to influence public opinion, had no recourse but to urge in the Committee that Member States should take the necessary action to outlaw such campaigns. Israel would then be unable to reverse decisions of the United States Government, as it had done in the past. He quoted in that connexion a statement by Mr. Ben-Gurion published in The New York Times of 5 Novem-

ber 1951 to the effect that in the United States it had been possible to make contact with legislators and the Press and that as a result the Israel Government had on several occasions been able to persuade the United States Government to reverse certain decisions. Would the refugees likewise be able to reverse decisions of the United States, and was the United States prepared—not by dint of money or of "conduit" but by the force of logic—to reverse its decisions in favour of justice and equity and to uphold the cause of the refugees? Mr. Davis had told the Committee of the depressing conditions of the refugees, who survived on six cents per person per day, which covered shelter, relief, medical care and education.

4. He recalled that when General Assembly resolution 181 (II) had been adopted a number of representatives voting in favour of it, including those of Belgium, Canada, Sweden and New Zealand, had expressed serious misgivings with respect to the fairness and practicability of the Partition Plan. The United States representative, however, had expressed the incredibly naïve conviction that the boundary between the proposed Jewish and Arab States would be as friendly as the boundary between the United States and Canada.<sup>1/</sup>

5. Count Bernadotte in his progress report<sup>2/</sup> to the United Nations had noted that the Arab refugees, as residents of a former mandated territory for which the international community had a continuing responsibility, understandably looked to the United Nations for effective assistance. By "effective assistance" Count Bernadotte had not meant an appropriation of six cents a day per refugee. He had had in mind a means of assistance more in keeping with human dignity, as indicated by his statement that the liability of Israel to restore private property to its Arab owners and indemnify those owners for property wantonly destroyed was clear. Over fifteen years had passed and the refugees were still living on charity. The international community was paying the price of Israel's defiance. It was because of that defiance and arrogance that Count Bernadotte's recommendations had not been carried out.

6. At earlier meetings the representatives of Afghanistan, Pakistan, the Soviet Union and Yugoslavia had accorded him as a matter of courtesy the title of Chairman of the Palestine delegation. But he was not asking the United Nations to accord him any particular title; he and his colleagues had come to state the cause of the refugees and they had received their credentials not from the United Nations but from the very soil of Palestine, to which they were entitled as a matter of right and justice.

7. The most convincing evidence of the value of Arab property was the admission by Mr. Ben-Gurion himself that the Arabs owned 94 per cent of the land, the Jews only 6 per cent. That meant that today Israel owned only 6 per cent of the territory which it occupied. The Israelis were unlawfully occupying lands and houses and using personal effects that belonged to the refugees. The representative of Israel had tried to make it appear that he (Mr. Shukairy) and his colleagues were acting only in their capacity as individuals and represented no one. If there was anyone who could be said to speak for no one but himself as an individual in the context of the Palestine problem it was the

representative of Israel who came from South Africa, was not a Palestinian and owned nothing in Palestine. Similarly, Mrs. Golda Meir was, and always had been, a citizen of the United States, where the Jews, far from being persecuted, had a privileged position. It was difficult to see how a United States citizen could become a citizen of Israel overnight by simply setting foot on the soil of Palestine when the Arab inhabitants of that country, whose forbears had dwelt there since time immemorial, were treated as though they did not exist and their representatives were called "individuals", as though they represented no one.

8. The property owned by the Arab refugees was more than merely a number of scattered holdings. United Nations records showed that Arabs owned twenty entire towns and 841 villages in Palestine, together with large areas of land. Most of Israel's dollar earnings came from Arab property. The United Nations Conciliation Commission for Palestine had calculated that the land abandoned by Arab refugees amounted to 16,324 square kilometres, excluding the de-militarized zones, the Jerusalem "No man's land" and communal Arab lands. The Commission's nineteenth progress report<sup>3/</sup> in 1961 had estimated that the Arab refugees owned 450,000 separate land holdings. The Arabs had produced 80 per cent of cereals, 98 per cent of olives and 75 per cent of citrus crops, and the stone now exported by Israel was supplied from Arab quarries. In its report<sup>4/</sup> to the second session of the General Assembly the *Ad Hoc* Committee on the Palestinian Question had shown that Jewish property in many parts of Palestine formed an insignificant fraction of the whole. Nevertheless, Israel had seized the Arabs' land and was now seizing their seat in the United Nations. In addition, the annual income from Arab property amounted to \$47.5 million. Jewish Agency figures in May 1951 had suggested that 40 per cent of the Arab revenues went for repair, 25 per cent for taxes, 13 per cent for administration expenses and 12 per cent for development. Even if those figures were taken at face value, the remaining 10 per cent was not paid to the refugees, either through the Commission or UNRWA, but was used to settle Jewish immigrants, while the refugees lived off six cents a day. Such usurpation of both the property and the revenues of the refugees was nothing but genocide committed in the sight of the United Nations; hence the importance of paragraph 3 of the draft resolution submitted by Afghanistan, Indonesia and Pakistan (A/SPC/L.99). The representative of the United States had said that fiery oratory would not serve the interests of the refugees. The stigma lay not with those who had to resort to fiery oratory but with those Powers which were responsible for the plight of the refugees. The representatives of the United States had been fiery in their speech when the situation had called for it, notably when eleven United States airmen had been detained in the People's Republic of China and during the Cuban crisis. A very large proportion of Palestine Arabs, after all, had become refugees. He drew the attention of the Committee to the misfortunes of the Azazmeh tribe referred to by Mr. Davis at the 400th meeting. The tribe was on the verge of starvation.

9. Israel had so far taken six legislative measures to dispose of the property of the Arab refugees, but those measures were law only in title because they

<sup>1/</sup> Official Records of the General Assembly, Second Session, Plenary Meetings, vol. II, 124th meeting.

<sup>2/</sup> *Ibid.*, Third Session, Supplement No. 11.

<sup>3/</sup> *Ibid.*, Sixteenth Session, Annexes, agenda item 25, document A/4921 and Add.1.

<sup>4/</sup> *Ibid.*, Second Session, Plenary Meetings, vol. II, annex 33.

defeated the very concept of law. The refugees could not be defined as absentees, since they had been expelled by Israel. Under Israel legislation, even an Arab inside Israel who had moved from one part of the city to another was considered an absentee, and could therefore be dispossessed of his property. According to the American author Don Peretz, every Arab in Palestine who had left his town or village after 29 November 1947 had been liable to be classified as an absentee under the regulations. An analogy might be drawn with Nazi Germany, where the Jews had been expelled from their homes and dispossessed of their property through legislation. After Nazism had been destroyed, that legislation had been condemned and rescinded by the Governments of free Europe. In the United States and British zones of Germany, laws had been passed for the restitution of property to those who had lost it on racial, religious or ideological grounds. The Jews had been the first to benefit from those laws. Similar laws had been passed in 1944 and 1945 in countries which had been occupied by the Axis Powers, and Nazi legislation had been abrogated.

10. Such legislation in Europe, which had been hailed by the civilized world, was in essence the nullification of the Israel enactment regarding the property of the refugees. The question whether the conscience of the United Nations and of mankind would be awakened to protect their property, as Jewish property had been protected, still awaited an answer after fifteen years. The United Nations was in duty bound to protect the rights and interests of the refugees and restore their property and revenues to them. Having wrongfully assumed jurisdiction in the question of Palestine in 1947, the United Nations was now barred, under the rule of estoppel, from claiming that it was powerless. A minimum of justice demanded that it should undo the injustice it had done if it was to be worthy of the Charter. Once Arab property had been restored, the United Nations would be relieved of its financial burden because the refugees could support themselves and not subsist on charity.

11. They did not ask for mercy, but for their rights. What was required was not a resolution but action. Whether through a custodian, through the good offices of the Secretary-General or through the Commissioner-General of UNRWA, action must be taken to restore property and income to the refugees. The rights of the refugees had been reiterated in resolutions for fifteen years. Even in 1947, when resolution 181 (II) was adopted, it had contained three chapters on the rights of the Arab people to their property, free access to the Holy Places, and so forth. The United Nations, therefore, could not say that it had no jurisdiction because the land was now held by Israel. Unlike other countries, Israel had been given its constitution by the United Nations, and it was unable to take any measure affecting the rights of the Arabs of Palestine. The representative of the United States had used the word "contentious" (402nd meeting) in relation to the question of refugees, but surely the establishment of Israel and the partition of Palestine had been contentious, although the United States had not accepted advice in that matter. Indeed, it was a United States citizen, Mr. Clapp, who had headed the United Nations Economic Survey Mission for the Middle East sent to study the situation of the Palestine refugees. The report<sup>5/</sup> of that mission had pointed out that many Arab

farmers had been separated from their land by the armistice lines. Their problem could only be solved by allowing them access to farm their land across the lines. Though he appealed to the United Nations to submit a resolution to permit such access, he knew that it would not be done because of Zionist influence.

12. United Nations action was the more necessary since the problem of the refugees was growing in gravity and in intensity. Mr. Davis' resignation was a silent protest against United Nations inaction and against those Powers which were backing Israel economically and militarily. Fidelity to the United Nations resolutions required of Member States that, having voted for those resolutions, they should not extend economic and military assistance to a Member which persistently defied those resolutions. It was no wonder that Mr. Davis and his predecessors had resigned. UNRWA had not achieved its objective and it seemed as though it had been established as a permanent body to deal with a permanent problem. Israel was perpetuating the exile of the refugees and denying them their right to repatriation. As Mr. Davis had shown in his report (A/5513), not a single refugee had been repatriated and the problem was as intractable as ever.

13. The number of refugees was growing every year and might go on growing for ever. The number had increased through Israel's violations and aggressions and its expansionist policy. Whereas in early United Nations reports 30,000 refugees were estimated to have left Palestine in 1947, in Mr. Davis' latest report the number of refugees as at June 1963 was estimated at 1,120,170. The reason for that phenomenal increase lay in Israel's very existence.

14. When the Jewish State was proposed by the United Nations, it had been found that it did not contain a Jewish majority. Therefore, the Arabs had to be expelled and exterminated, as was witnessed by the many massacres, from the Deir Yassin massacre of April 1948 down to the most recent attack upon Tawafiq in 1960, since when there had been a number of Israel military raids across the armistice line. There was a danger of the number of refugees being further increased, since the Arabs in Israel now appeared to be the immediate target. In a petition to the President of the General Assembly dated 10 November 1961, ten Arabs from Israel had complained that 315,000 acres of Arab land had been taken from their owners and given to Jewish immigrants for communal settlement.<sup>6/</sup> Jewish immigration into Israel was a contributory factor to the increase in the number of Arab refugees. That had been prophesied by Count Bernadotte in his report of 12 July 1948 to the Security Council,<sup>7/</sup> and the warnings contained in that report should be borne in mind by the United Nations.

15. In addition to the problem of Jewish immigration leading to Arab displacement, there was the further danger of religious persecution. On 9 September 1963 a brutal campaign of religious persecution had been started against the missionary schools and religious establishments in Israel. The Arab Archbishop of the Greek Catholic community in Israel was reported to have been molested and grossly insulted. The religious

<sup>5/</sup> *Ibid.*, Fourth Session, Ad Hoc Political Committee, Annex, vol. I, document A/1106.

<sup>6/</sup> *Ibid.*, Sixteenth Session, Special Political Committee, 307th meeting, paragraph 11.

<sup>7/</sup> Official Records of the Security Council, Third Year, Supplement for July 1948, document S/888.

institutions and schools that were being persecuted in Israel were Palestinian foundations of long standing; their personnel were Palestinians by birth and, with no Government to protect them, would inevitably become refugees. As the representative of Iraq had pointed out, they were the responsibility of the United Nations.

16. The question of the Holy Places in Palestine was of constant concern to the world at large and to the Vatican in particular. The Holy Places and sacred shrines would cease to be living institutions as the expulsion of Palestinian Christians and Moslems continued and would in the end be reduced to museums. In Israel many mosques and churches had been closed because their congregations had been expelled. Thus, the Holy Land was losing its religious character and a great spiritual inheritance was being destroyed. To restore the holiness of Jerusalem and Nazareth, the Christian and Moslem inhabitants who had been expelled must be repatriated. Because of the exodus of its inhabitants, Palestine was being reduced to a mechanized farm and stripped of its religious character.

17. To realize the magnitude of the disaster and the plight of the refugees, delegations should visit Palestine and see for themselves; and that was what his delegation invited them to do.

18. At the 402nd meeting the United States representative had called for efforts to procure the Palestine Arab refugees' early and effective reintegration into the life of the Middle East. That problem was not before the Committee, and it was out of order for the United States representative to expand the item in that way. The Arab States of the Middle East were no longer under foreign domination and would not tolerate such interference in their domestic affairs. Furthermore, the Palestine Arab refugees were not animals without a will of their own, to be driven from one pasture to another. They were people whose only wish was to return to the land of their birth, and they could not be bartered.

19. The United States representative had on the same occasion exhorted the Committee to redouble efforts

to find an honourable and just solution to the problem, but that was a miserable statement; for a solution had been found in 1948 with United States support and was to be seen in paragraph 11 of General Assembly resolution 194 (III). Furthermore, the United States had betrayed the Conciliation Commission's mandate and should have brought pressure to bear on Israel in the past fifteen years to accept the repatriation of the refugees. Instead of implementing the General Assembly resolution, the United States had seriously deviated from the Commission's terms of reference and should resign if it had no belief in repatriation. As it was, the Conciliation Commission was only representative of the West and not of the United Nations as a whole. The socialist countries, the countries of Africa, Asia and Latin America should be represented on the Conciliation Commission, or else it should be composed of neutral countries.

20. He endorsed the view expressed on many occasions by Mr. Davis that the peace and stability of the Middle East and the whole world depended on the solution of the refugee problem. The prevailing climate of peace in the world could be disturbed at any moment if the problem remained unsolved. The right of the refugees to return home was not negotiable. It was no boundary dispute; home was the heart of the matter, and negotiation or compromise could not be admitted.

21. Mr. COOK (United States of America), speaking in exercise of his right of reply, said that Mr. Shukairy had made so many misstatements and had been so abusive that his delegation reluctantly had to take exception. Some of Mr. Shukairy's words were in bad taste and insulting to the intelligence of the members of the Committee. He did not propose to dignify Mr. Shukairy's comments with a reply. He would merely say that personal insult did no service to the Palestine refugees for whom the American people had so much respect and sympathy.

The meeting rose at 1.10 p.m.