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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. Mrs. MEIR (Israel) thought that it might be well to clear up a few points. At the beginning of the debate, the representative of Israel had made a sincere appeal for a peaceful and realistic discussion. Since then, in eleven meetings, the Committee had heard fifty-four speeches by Arab representatives, comprising a unique compilation of slander. She had no intention of competing with the Arab spokesmen in that kind of debate. Of the 111 States Members of the Organization, there were eighty-six with whom Israel was proud to have diplomatic relations and fifty which had representatives accredited to Israel. Those envoys were better qualified to report what Israel was like than those who refused to have any contact with it and even denied its right to exist. Any Arab representative wishing to acquaint himself with the facts could obtain an entry visa to Israel, and she would greatly appreciate it if the courtesies were reciprocal.

2. It had been said in the debate that the existence of Israel was the cause of the instability in the Middle East. But Israel was one of the few islands of stability in that turbulent area. It was not the army divisions of Israel which were sent to fight in Yemen, or its bombers which were destroying towns and villages there, or its soldiers who were involved in border warfare in North Africa. It was certainly not Israel which had forced Syria to secede from the United Arab Republic. The radio stations calling upon civilians and armies to overthrow each other's Governments were not located in Israel. Her country would be only too happy if all the countries in the region would halt the ruinous piling up of arms and co-operate as good neighbours for the welfare of their own peoples. Israel was prepared to join in such a constructive effort at any time.

3. Several speakers had tried to represent the Israelis as imperialists and colonialists. She would suggest that the Bible was a better source of information than some of the pseudo-scientific dissertations heard in the Committee. The work of archaeologists from many

countries confirmed the scriptural accounts of the Hebrew civilization in Israel. The first expression of Zionism had occurred when the children of Israel were led by Moses into the Promised Land. Although at various stages their land had been conquered and occupied by foreign empires, the Jewish people had never submitted. Although the Jews had twice been driven into exile, their communities had never severed their links with the land of their forefathers. The Bible had at once set the distinctive course of Israel and of the land of Israel in human history, a course of interlocked and lasting destiny. The tragedy of the dispersion had been a direct result of Israel's obstinate refusal to acquiesce in foreign rule. The Zionist movement was one of the most remarkable liberation movements in human history.

4. It was regrettable that the representative of Mali, a country with which Israel had friendly relations, should have said that had the Jewish national home been established in Africa the Zionists would no doubt have sought to oust the African inhabitants too. In reply to that statement she would like to quote a passage written by Herzl, the founder of the Zionist Movement, in his book *Altneuland*, published in 1898: "... once I have witnessed the redemption of Israel, my people, I wish to assist in the redemption of the Africans".

5. The Committee had been informed by the representative of Iraq (403rd meeting) that it was Israel which had frustrated General Assembly resolution 181 (II) on partition. The facts therefore needed to be re-examined. Even before the adoption of resolution 181 (II), the Arab spokesmen had put on record their determination to prevent its implementation by all possible means. It was with that in mind that, in the text of the resolution itself, the General Assembly had requested that the Security Council determine as a threat to the peace, breach of the peace or act of aggression any attempt to alter by force the settlement envisaged by that resolution. The day after the resolution was adopted, the Arab League had made public its programme which, according to *The New York Times* of 30 November 1947, included the occupation of Palestine by the armies of the League's member States and the forcible prevention of the establishment of the Jewish State. On the same day, a statement had been issued by the Acting Chairman of the Palestine Arab Higher Committee calling for a holy war against the Jews. By the end of that week, a total of 105 Jews had been killed in concerted Arab attacks all over the country. On 16 February 1948, in its special report to the Security Council,^{1/} the United Nations Palestine Commission had stated that powerful Arab interests, both inside and outside Palestine, were engaged in a deliberate effort to alter by force the settlement envisaged by the General Assembly resolution.

^{1/} Official Records of the Security Council, Third Year, Special Supplement No. 2, document S/676.

6. The simple facts were that Israel had accepted the United Nations resolution and the Arabs, after losing the diplomatic battle against it at the United Nations, had immediately attempted to erase it in bloodshed.

7. When the Arab representatives demanded the return of the refugees it was not so that they could, as prescribed in paragraph 11 of resolution 194 (III) "live at peace with their neighbours", which meant living at peace with Israel and its people. For fifteen years the Arab representatives had not spoken one word that would imply such a peaceful intent. In fact, they did not hesitate to reveal that what they wanted was the return of the refugees and the departure of the Israelis. On 6 November 1963, while the debate was in progress, Radio Cairo had proclaimed: "the problem of the refugees in fact is the problem of the existence of Israel", and on the following day it had declared that Israel must cease to exist. What country would open its borders to people who announced that they had such intentions and who would be aided by the armies of hostile countries on all sides?

8. Israel had accepted the 1947 compromise plan, which provided for independent Jewish and Arab States linked in an economic union. It had been attacked, and a war fought, and then the Armistice Agreements had been signed as a transition stage to an early negotiated peace; to the present day Israel was still threatened with war. Meanwhile it would go on building and aspiring to peace; but it was also prepared to defend itself. The Government of Israel still maintained that there was no substitute for peaceful settlement of disputes by direct negotiation. Her delegation had been gratified to see more and more delegations actively supporting that view.

9. The Arab representatives had maintained that the principles of the Charter, concerning the pacific settlement of disputes, were not applicable to the Arab-Israel conflict. That attitude might have tragic results for the Organization. What country, especially what small country, would then be assured of the protection offered to it by the Charter? Her delegation wished to make its position crystal clear: there were at present 111 Member States in the Organization and Israel was one of them, with all the rights and all the obligations of any other Member.

10. Her delegation could not accept some of the statements made at the 398th meeting by Mr. Davis, the Commissioner-General, in presenting the report of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/5513). It would seem to serve no useful purpose to comment on them, but the question did arise how far the expression of personal views on contentious political matters should be regarded as within the province of a United Nations official. There were, on the other hand, positive and reassuring features in the account given in the report of the relief, health and education services of UNRWA. There was little doubt that the material conditions of life for the refugees were in some respects better than those of the surrounding population. On the other hand, her delegation noted that there had still not been any serious rectification of the rolls. As the report stated, UNRWA had inherited faulty records from the temporary relief agency which had preceded it (A/5513, para. 14). The Secretary-General's report^{2/} on the matter in 1959 had shown that a large number of non-

refugee local inhabitants had been included. According to Israel's own estimates, the total number of refugees who had left its territory had been in the neighbourhood of 600,000 and the figures had been inflated from the very beginning. The reported figures were even more inaccurate today, because the continuous process of *de facto* integration into the economic life of the host countries was not really reflected in the statistics. In that connexion, she would like to draw attention to foot-notes a and d to table 1 in UNRWA's report. In actual fact, the Arab refugee problem was considerably more limited in scale than appeared from the statistics.

11. The representative of Iraq had quoted (403rd meeting) two figures relating to the Arab population of Palestine, which he said had fallen from 93 per cent under Ottoman rule to 11 per cent at present. The fact was that at the end of the Mandate roughly one-half of the Arab population of Palestine had resided in the areas which had been occupied by Jordan and Egypt. Thus, more than half of the Arabs living in former Palestine had never left their homes at all. One hundred and forty thousand of them had remained in Israel or returned there, and their number was by now 250,000. With regard to the refugees, the great bulk of them had never left the area which had been Palestine under the Mandate, but had moved from one part of the country to another. The territory which had comprised Palestine under Mandate still held nearly all its former inhabitants. The problem should not be presented as one of a "homeless nation" but as one of "persons" displaced by events.

12. For a dozen years, Arab speakers in the debate had been alleging that Israel had refused to comply with United Nations resolutions on the refugee problem. The truth was that those Arab spokesmen had taken out of its context one single paragraph of an old resolution. The Arab thesis regarding operative paragraph 11 of resolution 194 (III) was roughly as follows: Israel had no right to exist; the Arab refugees were the rightful owners of the country; if they were repatriated, they would try to destroy it from within; since they did not recognize the Government of Israel, not even the future of the refugees could be discussed with it; nevertheless, Israel must open its borders to those refugees; finally, the task of the United Nations Conciliation Commission for Palestine was not to facilitate agreement between the States concerned, but to implement the Arab version of operative paragraph 11 of resolution 194 (III).

13. If the Arab thesis was correct, there was indeed nothing to discuss with the Government of Israel. As for the Arab refugees, they would in due course be absorbed among their brethren in the Arab countries, as the Jews from the Arab countries had been absorbed in Israel. But that was not the correct interpretation of paragraph 11.

14. In another paragraph of resolution 194 (III), the Governments concerned were called upon to seek agreement by negotiation with a view to the settlement of all questions outstanding between them. Those two paragraphs must be read together. Operative paragraph 11 itself had two built-in safeguards—peace and practicability—and those two conditions depended on relations between Israel and the Arab States. The paragraph did not speak of the refugees having a right to return, but only of their being "permitted", which obviously could only mean, permitted by the Israel Government. The paragraph had in mind reintegration, which later General Assembly resolutions were to define as integration in the economic life of the Middle

^{2/} Official Records of the General Assembly, Fourteenth Session, Annexes, agenda item 27, document A/4121.

East. Finally, operative paragraph 11 was addressed to the Conciliation Commission, whose task, as defined in paragraph 6 of that very resolution was to "take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them". That resolution did not and could not supersede in any way the sovereignty of Israel, nor could it prejudice Israel's national security.

15. With regard to the abandoned Arab property in Israel, the Israel Government had offered compensation as part of an over-all settlement of the question. As to the property itself, it was the duty of the Israel Government to use it for the general development of the country's economy. The abandoned Arab land constituted about 16.5 per cent of the area of Israel. The representative of Iraq had tried to create the impression that all the land of former Mandated Palestine which had not been Jewish-owned had belonged to Arabs. In actual fact, more than 70 per cent of the land in Israel had formerly been State domain, administered by the Mandatory Power. Furthermore, far from having derived vast sums as income from Arab property, as had been alleged, the Israel Government had spent tens of millions of dollars to reclaim and develop the property.

16. Since 1950, the Conciliation Commission and the Israel Government had co-operated closely. Some \$10 million in foreign currency had been unfrozen for payment to refugee claimants in the host countries. Furthermore, various securities in safe-deposit lockers had been released to the Commission for handing over to their refugee owners. The huge task of identifying and evaluating the abandoned property was being carried on with the help of the Israel Government, and was now nearing completion.

17. For several years Arab delegations had been trying to get the United Nations to claim a competence in that matter which it did not possess and could not claim without violating Israel's sovereignty. Such proposals had been put forward in various guises but all of them had been rejected by the General Assembly. At the present session, the Special Political Committee had before it a draft resolution (A/SPC/L.99) which would direct the Conciliation Commission to make further efforts regarding measures for the protection of the alleged property rights. That wording should deceive nobody. It was in essence the same proposal as before, and it raised the fundamental problem, namely, whether the United Nations could intervene directly with regard to private claims to property situated within the territory of a Member State. The reply was unequivocally in the negative. In the first place, rights relating to property situated within the borders of a sovereign State were exclusively subject to the domestic law of that State. Secondly, the United Nations had no competence to intervene in the regulation of property rights, by the law of a particular State. Thirdly, the fact that the claimants happened to be refugees receiving assistance from the United Nations did not alter the situation in any way.

18. She would not say anything about the substance of the series of talks which had taken place between the United States Government and the Israel Government, since they were of a confidential nature. She could confirm, however, that the talks had taken place "without preconditions as to the nature of the eventual solution of the problem", as the Conciliation Commission had stated in paragraph 2 of its twenty-first progress report (A/5545). The Israel Government would not have entered into the talks on any other basis.

19. If the Arab States had made peace with Israel years before, there would be no refugee problem today. The Israel Government still felt that the issue should be resolved as part of an over-all settlement. However, it was willing to negotiate directly with the Arab Governments concerned on the refugee problem, since Israel was anxious to see that humanitarian problem solved. If the Arab Governments genuinely felt the same desire, they should respond to the offer, and the international community should encourage them to do so.

20. Mr. GALLIN-DOUATHE (Central African Republic) said that the situation in the Middle East was an anomaly in a world in which international relations had recently taken a decided turn for the better. At the seventeenth session of the General Assembly a group of twenty-one States, anxious to ward off the threat which the Arab-Israel conflict held out for peace in the Middle East and other parts of the world, had submitted a draft resolution^{3/} inviting the interested Governments to undertake direct negotiations with a view to finding a solution for all the questions in dispute, especially the question of the Arab refugees. For a variety of reasons, the General Assembly had not taken a decision on that text.

21. After fifteen years of vain efforts on the part of United Nations, the Commissioner-General of UNRWA had brought forward new criteria in his statement, which was particularly moving in that it had viewed the problem from the human angle. He recalled certain passages from Mr. Davis' statement (398th meeting) drawing the conclusion that there was no refugee problem as such, but rather the legitimacy of the State of Israel was called into question.

22. At the seventeenth session, the Central African Republic delegation had urgently appealed to both sides to realize that while the Arab refugees expected international charity to provide the material assistance they must have, they would prefer a solution at the human level which would restore their dignity as human beings rather than be subject to political considerations which tended to obscure the human and social aspects of the problem, and in fact retarded the peaceful settlement of the conflict of which they were the victims. That appeal had not gone unheard, to judge from the encouraging note to be found in the Conciliation Commission's report: "All sides had shown goodwill, a desire to achieve progress on the refugee problem and a desire to continue the talks" (A/5545, para. 3). But the optimism had vanished in the face of the pessimistic statement by Mr. Davis that no definite progress has been made towards a settlement. In other words, an essentially human problem, the problem of the refugees, had once again reached a stalemate because of another problem—a political problem—namely, that of Palestine. He recalled the circumstances surrounding the birth of the State of Israel, and said that in the light of article 1 of the Convention on Rights and Duties of States, adopted by the Seventh International Conference of American States, Montevideo, 26 December 1933,^{4/} Israel was indeed a sovereign State, since it had a permanent population, a defined territory, government and the capacity to enter into relations with other States. To contest the legitimacy of Israel's existence as a State in the Middle East would thus appear to the Central African Government to be flying in the face of good sense, justice and equity.

^{3/} *Ibid.*, Seventeenth Session, Annexes, agenda item 31, document A/5387, para. 7.

^{4/} League of Nations, *Treaty Series*, vol. CLXV, 1936, No.3802.

23. He was glad to see that those who in the present instance constituted the rival nations had no personal hatred for one another; but he noted with regret that the feelings of each side towards the other were such that in the event of attack by the Arab countries, the State of Israel would plead legitimate self-defence as justification for striking back. That was hardly likely to lead to the peaceful solution which everyone sought, and might cause the conflict to spread. However, all hope was not lost, since the Arab States as well as Israel were anxious for peace, as their statements indicated.

24. If the tragedy which had removed thousands of men and women from their homes was to be averted, there must be a peaceful solution and a negotiated solution. President Nasser had pointed out at the Conference of Non-aligned Countries, held at Belgrade in 1961, the virtues of negotiation as the only means of bringing about peace based on justice. It was hardly necessary to mention the role played by negotiation in the solution of the Cuban crisis and in the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water, recently signed at Moscow. Article 33 of the United Nations Charter recommended recourse to negotiations, and the Charter of the Organization of African Unity reaffirmed that principle. The Conciliation Commission could play an effective role in that respect, and sincere and active co-operation between the Arab States and Israel would be extremely valuable. Furthermore, a number of delegations, including that of the Central African Republic, all of them friends both of the Arab States and of Israel, were at the present time studying the possibility of submitting a draft resolution which they hoped would be concise and to the point. It would again make a solemn appeal to the Governments concerned, inviting them to undertake direct negotiations with a view to a peaceful and rapid solution of the Palestine refugee problem, with the effective and zealous co-operation of the Conciliation Commission. The sponsors of the draft resolution hoped, in view of the great importance attached by the United Nations to the tragic fate of refugees in general and its active concern with the Palestine refugee problem, that passions would give way to reason and that such a draft resolution, which at the moment was still in the making, would have unanimous support.

25. Mr. SOSROWARDOJO (Indonesia) said that after reading the report of the Commissioner-General of UNRWA his delegation had had a feeling of helplessness. The Commissioner-General had made it clear that in spite of their efforts, he and his associates had made no progress toward a settlement of the issue. That was not surprising in view of the fact that Israel refused to comply with the General Assembly's resolutions, in particular paragraph 11 of resolution 194 (III). For fifteen years, the United Nations had been battling against intransigence on the part of Israel. The five principal resolutions on the subject of Palestine had remained unimplemented. According to the Chairman of the Palestine Arab delegation, Israel had not repatriated a single refugee, and it was sad to watch the United Nations being defied with impunity by a State which it had helped to create. In 1947, numerous Asian and African States had not yet been represented in the United Nations, and imperialism and colonialism were playing havoc with the world. The membership of the United Nations at the time had made it possible for certain powerful Member States to exert a high-level pressure and thus to control the votes of smaller

countries. In spite of that pressure, resolution 181 (II) on partition, adopted by 33 votes to 13, with 10 abstentions, had not been an unequivocal vote in favour of Israel. Nevertheless, the balance of power in 1947 had been in favour of the friends of Israel.

26. The responsibility for the partition of Palestine must rest with the countries which had thus used their power within the Organization in 1947. In that respect there was a certain similarity between the case of South Africa and that of Israel. In both instances, the parties involved had consistently refused to implement the United Nations resolutions. With regard to the racist policy of apartheid, the great majority of Members of the United Nations were convinced that the main trading partners of South Africa were responsible for perpetuating it. Similarly, it was the friends and political partners of Israel that had made the partition of Palestine possible and had indirectly rendered the Palestine Arabs a refugee nation.

27. The Commissioner-General of UNRWA stated in his report: "The whole issue of Palestine continues to complicate seriously almost every aspect of progress in the Middle East, as well as the relationship which this region has with the outside world" (A/5513, para. 40). In other words, whatever measures were taken to alleviate the plight of the refugees, the Palestine problem remained so long as repatriation was not effected. The Conciliation Commission should therefore intensify its efforts by co-operating with Israel's other traditional friends and political partners so that by their concerted action they could persuade Israel to apply the provisions of the repatriation resolution. Unfortunately, the Conciliation Commission had consistently shown itself incapable of fulfilling its mandate. That failure could easily be explained. Its composition had often been questioned by the Arab delegations, particularly that of the Arabs of Palestine. Several delegations had expressed doubts concerning the efficacy of its working procedures, while others had denied the "quiet talks" referred to in its report (A/5545). The Commission should therefore be urged to make sustained efforts to carry out the task entrusted to it under paragraph 4 of resolution 1456 (XIV).

28. The full implementation of resolutions 194 (III) and 1456 (XIV) was essential. The current stalemate was frightening. In 1947 the United Nations had unwittingly planted a time bomb and fifteen years later was still looking for a way to remove the fuse. The Chairman of the Palestine Arab delegation had expressed the readiness of the refugees to assist in preventing that bomb from exploding. It was therefore more imperative than ever that the Conciliation Commission should be invited by the General Assembly scrupulously to discharge its tasks: the repatriation, resettlement and economic rehabilitation of the refugees, with compensation for those who decided not to return to homes. It was in that spirit that Indonesia was sponsoring draft resolution A/SPC/L.99.

29. He paid a tribute to Mr. Davis, who had carried out his task with competence, devotion and objectivity. His successor would have to replace not only a Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, but also a man who was regarded as being genuinely devoted to the cause of a whole nation reduced to the status of refugees by an international injustice.

30. Mr. NAYERI (Iran) said that as there had been no change in the situation he thought it would be superfluous to restate the attitude of his delegation with re-

gard to the Palestine Arab refugees in the Near East. While the political aspects of the problem continued to cause his delegation concern, the work done by UNRWA was a source of deep satisfaction. In that connexion, he wished to associate himself with the speakers who had paid a tribute to the Commissioner-General for the work which he had done and had expressed their regret at his resignation; he was, however, convinced that Mr. Davis' successor, Mr. Laurence Michelmore, who was particularly well qualified for that task, would discharge it with the same dedication. It was impossible to read the report of the Commissioner-General without being impressed by the scope and extent of the work undertaken in the fields of welfare, education and health, and the results obtained. The importance attached by the Commissioner-General to education reflected his concern to meet the moral needs of the refugee. UNRWA's efforts to provide vocational training took into account the requirements of future economic development in the area. Only university education still left much to be desired, since the enormous expenditure which it entailed exceeded UNRWA's capabilities. Paragraph 11 of the report noted that private undertakings had provided scholarships for vocational and university education; it was to be hoped that their example would be followed. His delegation thought that UNRWA should stress that aspect of the problem and it hoped that the countries of Europe and America which had extensive university facilities would respond to any appeal the Agency might make to them in that connexion, as they had done, for example, in the case of the newly independent States of Africa. The Iranian Government for its part was ready to consider, as the occasion arose, any practical possibilities of doing so.

31. As he saw it, there were two possible ways of remedying the precarious state of UNRWA's budget: either to reduce that budget or to increase the available funds. It would be most unfortunate if the relief and education services were reduced. He therefore hoped that the fifty-three countries which were not currently contributing to the budget would make the necessary effort to enable UNRWA to continue its humanitarian work. UNRWA should consider accepting contributions in kind from countries with a shortage of foreign exchange and to that end it should draw up a list of the products it required.

32. In conclusion he would like to make it clear that in the view of his Government the activities of UNRWA, for all their importance, were far from providing a final solution to the distressing problem which the Committee had before it. As the Commissioner-General had indicated at the 398th meeting, the refugee problem was but one facet of the complex problem which had emerged out of the very creation and presence of Israel as a State in the Middle East. The Conciliation Commission had a difficult and ungrateful task, and would deserve the gratitude of all if it continued to make the necessary efforts to study all possibilities for action within the framework of its mandate. It could, for example, use its influence to persuade the Government of Israel to put into effect without reservation the resolutions of the General Assembly, which, his delegation remained convinced, reflected the minimum legitimate claims of an uprooted people whom the United Nations was in duty bound to assist.

33. Mr. KASSE (Mali), exercising his right of reply, said that his delegation maintained unchanged the views it had expressed at the 405th meeting in the statement

to which the Israel delegation had referred. It reserved the right to speak again on that subject.

34. Mr. TARAZI (Syria), exercising his right of reply, said that the Arab delegations, including his own, reserved the right at a later stage to refute the gratuitous affirmations which Mrs. Meir had seen fit to make in the course of her statement. He would like, however, to draw attention to certain points immediately. He considered that Mrs. Meir's allusions to the policy of the Arab countries and their relations with each other were out of place. Those countries were at any rate unanimous in their views on the Palestine question and that unanimity had been noted by Mr. Davis himself. The Arab States could equally well point to certain Israel problems and draw attention to the Lavon affair or the Eichmann affair, or, for that matter, speak of the difficulties recently encountered by Mr. Ben-Gurion.

35. Mrs. Meir had said that the Arabs had rewritten the history of the Jews. Without going into details, he would like to recall that the Zionists had allied themselves with the British for the sole purpose of obtaining the Balfour Declaration. He would also recall that in 1917 the majority of the inhabitants of Palestine had consisted of Arabs. Indeed, Mrs. Meir had not refuted that point; she had confined herself to a statement made by the representative of Iraq with regard to Arab property in Palestine and had said that during the Mandate the lands had been State domain administered by the Mandatory Power. He would like to make a clarification with regard to that point: the property régime in Palestine under the British Mandate had been the same as that in all provinces of the Ottoman Empire. An Ottoman law of 1905 had established a distinction between built-up areas, where the régime of complete ownership had been applied, and non-built-up areas, where a special régime had been in force, namely that of the State lands belonging to the Sultan. The bare ownership of those lands had been vested in the Sultan but the usufruct had been vested in those occupying and working them. Subsequently the Sultan had been replaced by the State or, in Palestine, by the High Commissioner. Thus, contrary to what Mrs. Meir had said, the possessor of the lands had been able to claim the full right of usufruct, which passed to his heirs by virtue of the right of inheritance, whereas the Mandatory Power had continued to retain the right of ownership of the land. Consequently, the land in Palestine, as in all the other ancient Middle East provinces, had been cultivated by peasants or had belonged to large landowners who had had it worked by tenant farmers; the majority of those peasants and tenant farmers had been Arabs. The Jews had shown no interest in cultivating the land until foreign foundations, such as the Rothschild Foundation, had acquired land to be worked by Jewish peasants. In support of that affirmation he drew attention to a book by Jacques Weulersse which had appeared in 1946 under the title *Paysans de Syrie et du Proche-Orient*;^{5/} it described the legal property régime in the States in question.

36. Mr. PACHACHI (Iraq) said that although Mrs. Meir's statement contained nothing new, he would reply later to any points which deserved clarification.

37. Mrs. Meir had not referred to the fundamental contention of the Arab delegations, i.e. that the creation of a Jewish State in Palestine was and always would be incompatible with the interests of the overwhelming

^{5/} Paris, Gallimard, 1946.

majority of that country's inhabitants. He had shown that the expulsion and exodus of the Arab people of Palestine had been the culmination of a long-range plan and that from the early days of the Mandate one of the fundamental objectives of the Zionist movement had been to prevent the creation of an Arab State in Palestine. Mrs. Meir had not touched on those facts because she could not refute them.

38. Mrs. Meir had expressed the hope that Arab representatives would request visas to go to Israel. In 1942, he had visited the parts of Palestine now under Zionist occupation; in spite of the immigration encouraged by the Mandatory Power, the Arab community had been homogeneous and had retained its Arab character. He hoped to visit Palestine again, but only when its inhabitants had returned and regained their rights.

39. Mrs. Meir had referred to the history of Hebrew civilization in Palestine. He did not deny that a Jewish State had briefly existed in Palestine, but it had lasted only 450 years out of a history stretching back almost 4,000 years. Neither did he deny the Jews' spiritual and religious ties with Palestine, but as he had already indicated, there had been other civilizations long before the arrival of the Hebrews in Palestine and long after their departure. There was nothing exclusive about the Jews' connexion with Palestine, and that of the Arab people had been of greater duration and perhaps of greater significance. Mrs. Meir had said that the Zionist movement had started when the children of Israel had been led by Moses from Egyptian bondage to the Promised Land and that the return of the Jews to Palestine had always been a central theme of the Jewish faith. It was also said that there had been biblical prophecies in that regard. If such prophecies had been made, however, they had been fulfilled long ago after the conquest by the forces of Babylon under Nebuchadnezzar, of the part of Palestine in which there was a Jewish State. Less than 100 years after the conquest of their country, the Jews who had been carried off into captivity in Babylon had been permitted to return to Palestine; many had returned, but the majority had chosen to remain on the banks of the Euphrates. After the destruction of the last Jewish State by the Romans under Titus and after the suppression of the Jewish revolt by Hadrian, the Jews had not been permitted to return to Jerusalem. They had returned only after the Arab conquest of Palestine in the seventh century. The second Caliph of Islam, Omar ibn al-Khattab, had himself brought the Jewish leaders to Jerusalem. That act of magnanimity by the Arabs towards the Jews more than 1,300 years ago had been repaid in 1948 by injustice and brutality.

40. In referring to a book by Herzl, Mrs. Meir had tried to show the warm feelings which the founder of Zionism had cherished for the Africans. However, she had not seen fit to mention that the possibility of making Uganda a national homeland for the Jews had at that time been under consideration. She had unquestionably failed to mention that because it was very embarrassing and not at all in keeping with the thoughts expressed by Herzl.

41. Referring to resolution 181 (II) on partition, Mrs. Meir had denied that it was the Zionists themselves who had been the first to violate it. Curiously enough, however, she had declined to reply to the detailed points he had made (403rd meeting), i.e. that the Zionist forces, following a plan drawn up before the adoption of the partition resolution, had overrun large portions

of the territory allotted to the Arab State under the resolution before a single Arab soldier had entered Palestine.

42. Mrs. Meir had asked whether the Government of any member of the Committee would open its borders to people who declared that they were entering the country in order to destroy it from within. However, the Arabs were not asking that foreigners should be permitted to enter Palestine; they were asking that the inhabitants of the country themselves should be able to return to their homes.

43. Mrs. Meir had accused him of giving a misleading picture of the number of refugees and the percentages of the population in Palestine, and she had said that only 600,000 Arabs had become refugees in 1948. The facts were as follows: the Arab population of Palestine in 1947, according to official sources, had been approximately 1.3 million. One hundred and forty thousand Arabs were said to have remained in the territory occupied by Israel. There had been a little more than 400,000 Arabs in the territory not occupied by Israel, which brought the non-refugee total to 540,000. In other words the action of the Israel forces in 1948 had caused 760,000 Arabs, or more than half the population to become refugees, so that it was no exaggeration to say that an entire nation had become a nation of refugees. He nevertheless welcomed Mrs. Meir's acknowledgement that at the end of the period of Ottoman rule in Palestine 93 per cent of the population had been Arabs. He wondered what moral and political arguments could be used to justify a process whereby that 93 per cent became, through forced immigration, a minority in its own country?

44. With regard to Mrs. Meir's interpretation of paragraph 11 of resolution 194 (III), he wished to point out that under that resolution the repatriation of the refugees was outside the scope of the conciliation efforts of the Conciliation Commission for Palestine. Indeed, the Commission had indicated in its first report^{6/} that, in addition to its general function of conciliation, it had been charged by the General Assembly with specific and clearly defined directives with regard to Jerusalem, the Holy Places and refugees. In other words, if there were to be any negotiations, the question of refugees would be outside their scope. In paragraph 11 of resolution 194 (III), the General Assembly had not recommended but "resolved" that those refugees wishing to return to their homes should be permitted to do so. In other words, the right of choice between repatriation and compensation should not be subject to prior negotiation and haggling. That was the only correct interpretation of paragraph 11. If the implementation of that paragraph was to be made subject to the convenience and desires of Israel, it would mean absolutely nothing.

45. Mrs. Meir had said that he had tried to mislead the Committee by creating the impression that all land in Palestine under Mandate which had not been Jewish-owned had belonged to the Arabs. Although he had not said that, he felt that the lands which were supposed to be State domain had not belonged to the Jews but to the community, as the representative of Syria had shown (401st meeting). At the time of the Mandate, the community had been more than 93 per cent Arab in composition.

^{6/} Official Records of the General Assembly, Fourth Session, Ad Hoc Political Committee, Annex, vol. II, document A/819.

46. With regard to the question of property, Mrs. Meir had mentioned draft resolution A/SPC/L.99. That document used the same words as resolution 394 (V) in referring to "the protection of the rights, property and interests of the refugees".

47. At the beginning of the present session (1240th plenary meeting) he had tried to show the General Assembly that Israel's aim was to acquire more land. Quoting from the third report of the Conciliation Commission,^{7/} he recalled the Israel delegation's statement that if the Gaza area was incorporated into the State of Israel the latter would be prepared to accept as citizens of Israel the entire Arab population of the area, including refugees. The Israel delegation had declared at that time that it was not in a position to inform the Commission how many refugees its Government would be prepared to accept in the event that the Gaza area was not incorporated into Israel. That proposal had been made in 1949, at a time when the 350,000 Arab refugees in the Gaza Strip, together with the 150,000 that had remained in the territory occupied by Israel, would have amounted to almost half the population of the area under Israel occupation. In spite of that, the Israelis had been prepared to accept those 350,000 Arabs. Yet, they must have known at the time that those Arabs were bitter and hostile over the loss of their homeland. Israel's alleged fears for its security were therefore merely an excuse for refusing to permit repatriation of the Arabs.

48. With regard to the question of negotiations raised by Mrs. Meir, whose observations had been very largely echoed by the Central African Republic delegation, the position of the Arabs was very clear: negotiations between the Arab States and Israel on the refugee question were not possible because the Arab States were not the party directly concerned. The dispute was essentially between Israel and the Arab population of Palestine. The Arab States had also pointed out that negotiations on the refugee problem between parties not directly concerned would weaken the refugees' inalienable right to return to their homeland—a right that had been recognized in 1948. The Arab States viewed Israel's attitude in persistently calling for negotiations, not as evidence of sincere friendship for the Arab people, but as a manoeuvre that was detrimental to the interests of the refugees. He wondered whether the Israelis' purpose in calling for direct negotiations was not to win a propaganda victory by making the world think that they wanted peace while the Arabs did not. That was a cunning subterfuge, but he could not understand why countries which had always had cordial relations with the Arab countries should insist on submitting a draft resolution along those lines every year, in the face of the latter's objections, when they were well aware that it would be rejected by the Arab States and had no chance of being adopted by the General Assembly.

49. Mr. EL-ZAYYAT (United Arab Republic) said, in the exercise of his right of reply, that he would speak later about the statements made during the meeting.

50. Nobody need be told that political advantages were generally the aim of military aggression and that victory finally culminated in the victor dictating the terms of peace. Anything which the aggressor failed to obtain by aggression, he tried to obtain by a diplomatic and political offensive during which he might try to make allies for himself. But such allies should not

forget that they were contracting an alliance with an aggressor and that those who helped the aggressor to harvest the fruits of his aggression could not call themselves the friends of the victims.

51. Mr. TARCICI (Yemen) said, in the exercise of his right of reply, that the Committee was studying the question of Palestine and in particular the question of the Palestine refugees who had been expelled from their mother country as a consequence of the Zionist aggression. It was common knowledge that if the Arab peoples in 1947 had not found themselves under colonialist rule the Zionists would never have been able to despoil the Palestine people of its rights. It was therefore quite natural for Mrs. Meir, who represented the aggressor, to become annoyed every time an Arab country emancipated itself and when another Arab country aided it in its struggle for progress, as was the case with the Arab Republic of Yemen. Mrs. Meir knew that the mutual aid given to each other by Arab countries and their emancipation was an obstacle to any new Israel aggression and Zionist expansion in the Arab countries.

52. Mr. COMAY (Israel) said, in the exercise of his right of reply, that he would clarify certain points in the statement made by the representative of Iraq. According to Mr. Pachachi the application of paragraph 11 of resolution 194 (III) did not come within the competence of the Conciliation Commission. If that was so it was difficult to understand why in 1949 the Conciliation Commission had convened a peace conference at Lausanne at which the Governments of Israel, Jordan, Egypt, Lebanon and Syria had participated. That conference had had for its purpose a general settlement as a projection of the armistice agreements and it had brought together the Governments that had signed those agreements. The agenda of that conference included the question of the Arab refugees and also all the other issues pending between Israel and its four Arab neighbours. There had been a series of conferences between 1949 and 1951. One of the many questions examined had been that of the Arab refugees and no Arab Government had said that negotiations with respect to the Arab refugees was not its concern.

53. The representative of Iraq had stated that during those conferences Israel had offered to take back a certain number of refugees which showed in his opinion that Israel was not really anxious about the problem of security which would thus be involved. It was true that Israel had made certain offers within the limits of a pacific settlement of the whole issue between itself and the Arab countries. But now when the Arab States insisted that they were at war with Israel, that they desired to destroy Israel and that according to them the Arab refugees hated Israel, how could it be said that it was a fairy-tale for Israel to worry about its security.

54. Finally, the representative of Iraq had suggested that the paragraph of draft resolution A/SPC/L.99 regarding measures for the protection of property contained nothing new in comparison with paragraph 2 of resolution 394 (V). That last text read as follows:

"The General Assembly,

"...

"2. Directs the United Nations Conciliation Commission for Palestine to establish an office which, under the direction of the Commission, shall:

"...

^{7/} *Ibid.*, document A/927.

"(c) Continue consultations with the parties concerned regarding measures for the protection of the rights, property and interests of the refugees".

To ask the Conciliation Commission in the exercise of its duties to consult with the Israel Government on those matters was not an infringement of Israel sovereignty; in fact during the last twelve years the Commission had consulted with the Israel Government on many occasions and frequently for the greater benefit of the refugees. On the contrary, paragraph 3 of draft resolution A/SPC/L.99 did not mention consultations. The proposal it contained took no account of Israel's sovereignty. The draft resolution did not permit any progress with regard to the property of the refugees and did not constitute a basis for co-operation. It was hardly of any use from the point of view of the refugees; it was simply part of the general attack against the legitimacy and sovereignty of the State of Israel and he hoped that the Committee would reject it.

55. Mr. TALEB (Algeria) reserved his right to reply at a later stage to the inaccurate statements made by the representative of Israel. But he thought it proper to touch upon one particular point. Mrs. Meir had thought fit to speak on the frontier question which had recently arisen in North Africa. She had alluded to the difficulties that had darkened the brotherly relations between Morocco and Algeria merely to conceal the difficulties in her own country. But despite such occurrences Moroccans and Algerians were none the less brothers and would remain so. In any case the question of frontiers was not confined to the Algerian-Moroccan border. The Summit Conference of Independent African States, held at Addis Ababa in May 1963, had dealt with the question of frontiers which were the result of colonialism and imperialism, those two evils which were at the origin of Israel. The United Nations itself had examined similar matters in 1945. Mrs. Meir had not chosen her example well by attacking North Africa. It was not by pointing to difficulties that had occurred between two brother States that the existence of a factitious State could be justified nor in so doing could the crime of the century be concealed.

56. Mr. PACHACHI (Iraq), in the exercise of his right of reply, said that contrary to the assertions of the representative of Israel the Arab States had not accepted in Lausanne in 1949 to negotiate the question of refugees and repatriation. The Conciliation Commission had stated in paragraph 13 of its third progress report^{8/} that the Arab delegation continued to hold the view that the first step must be acceptance by the Government of Israel of the principles set forth in resolution 194 (III), and in particular in paragraph 11 concerning repatriation of the refugees who wished to return to their homes and live at peace with their neighbours. The Commission pointed out that it had not succeeded in achieving the acceptance of that principle by the Government of Israel. The representative of Israel had also mentioned the proposal his Government had made regarding the Gaza Strip. The delegation of Israel had declared that it was not in a position to submit to the Commission proposals concerning the number of refugees if the Gaza Strip was not incorporated in Israel. In 1949 Israel had submitted a proposal which it thought acceptable, namely to obtain territory and in exchange to accept refugees. There was no talk about security. Israel wanted territory and in order to obtain it was prepared to accept 350,000 refugees irrespective of any question of

security. The representative of Iraq would like to have a reply on that point.

57. The draft resolution submitted by Afghanistan, Indonesia and Pakistan (A/SPC/L.99) directed "the United Nations Conciliation Commission for Palestine to make further efforts regarding measures for the protection of property, property rights and interests of the refugees". The Conciliation Commission was free to choose the methods it desired to achieve that aim. Therefore he saw no incompatibility between that request addressed to the Conciliation Commission and the paragraph of resolution 394 (V) respecting consultations with the parties concerned regarding property. The Conciliation Commission would have to approach Israel because all the properties had been expropriated by that country; before taking any measures for the protection of the rights and property of the refugees it would have to apply to the authorities in control. The representative of Iraq hoped that the matter would be taken up, for it was in every way compatible with resolution 394 (V). The main complaint regarding the Conciliation Commission was that it had failed to make direct contact with Israel and to ask what measures the latter had taken to apply paragraph 11 of resolution 194 (III) and paragraph 2 (c) of resolution 394 (V).

58. Mr. COMAY (Israel), in the exercise of his right of reply, said that the explanations given by the representative of Iraq with regard to the connexion between paragraph 3 of draft resolution A/SPC/L.99 and paragraph 2 (c) of resolution 394 (V) had not convinced him. He recalled that during the preceding year a draft resolution on property rights^{9/} had been submitted to the Commission; the preamble to that text reproduced the words of paragraph 2 (c) of resolution 394 (V) regarding the rights, property and interests of the refugees but omitted the word "consultations". The same thing had been repeated. If there was no incompatibility between the two texts why did not draft resolution A/SPC/L.99 reproduce textually the relevant paragraph of resolution 394 (V)? He presumed that there must be some reason for that wording. Moreover, if the text were really identical with resolution 394 (V) there would be no reason to submit it.

59. The question had been raised whether the Conciliation Commission should encourage negotiations between the Governments on all questions including the refugee problem. In its eighth report^{10/} the Conciliation Commission had stated that all the principles in its terms of reference under resolution 194 (III) should form a homogeneous whole. It had stated that although it fully recognized the importance and extreme urgency of the refugee question both from the humanitarian and political points of view it was not possible to separate any one question from the rest of the peace negotiations or from the final peace settlement.

60. In its tenth report^{11/} the Commission developed that idea further—that the refugee problem was part of the general peace negotiations which it was called upon to promote. The Chairman of the Commission had pointed out that concentration on any one paragraph of that resolution isolated from the rest had not helped in the promotion of peace. The Commission had considered also that any solution of the refugee question would involve important commitments by Israel, but

^{8/} *Ibid.*, Seventeenth Session, Annexes, agenda item 31, document A/5387, para. 8.

^{10/} *Ibid.*, Fifth Session, Supplement No. 18.

^{11/} *Ibid.*, Sixth Session, Supplement No. 18.

^{8/} *Ibid.*

that Israel could not be expected to make such commitments unless it received at the same time reasonable assurances from its neighbours as to its national and economic security. That was the real problem. A State could not possibly agree to repatriate hostile people into its territory without having to concern itself with its security and economic problems. As the Minister for Foreign Affairs of Israel had stated no country in the whole world would act otherwise. If the Arab States wanted Israel to accept any obligations they must be prepared to discuss the matter with Israel within the scope of its national interests and its national security. If they did not wish to negotiate with Israel, then they could not make any demands. Moreover, the

Arab States could absorb the Arab refugees in their countries just as Israel had absorbed the Jewish refugees. In brief, if the Arabs wanted Israel to consider taking in any refugees and to pay compensation to the others, then they must stop maintaining that they were at war with Israel and be prepared to enter into negotiations. They could not have it both ways.

61. Mr. RIFA'I (Jordan) said that the Minister for Foreign Affairs of his country would reply at the following meeting to the misleading statements made by the Minister for Foreign Affairs of Israel.

The meeting rose at 6.20 p.m.