



UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

SIXTEENTH PROGRESS REPORT

(for the period from 1 October 1956 to 31 May 1958)

Note by the Secretary-General: The Secretary-General has the honour to communicate to the Members of the United Nations, in accordance with the provisions of paragraph 6 of General Assembly resolution 512 (VI) of 26 January 1952, the sixteenth progress report of the United Nations Conciliation Commission for Palestine.

General

1. Under General Assembly resolution 512 (VI) of 26 January 1952, the Conciliation Commission for Palestine was called upon to continue its efforts to secure the implementation of previous resolutions of the General Assembly on Palestine, and, accordingly, to continue to be available to the parties to assist them in reaching agreement on outstanding questions. That resolution also expressed the view that the Governments concerned had the primary responsibility for reaching a settlement of their outstanding differences in accordance with the resolutions of the General Assembly on Palestine.
2. As regards its general function of conciliation, however, the Commission is obliged to report that the situation described in its reports since 1951 remains substantially the same in view of the unchanged attitudes of the parties and their failure to avail themselves of the Commission's services. The Commission has therefore continued to direct its efforts to the solution of concrete problems which might be of direct benefit to a great number of refugees and on which progress could be made independently of the readiness of the parties to reach over-all agreement. The Commission's programme of identification of

of Arab refugee property holdings in Israel is almost completed and details of the Commission's work in this connexion are provided below. In its fifteenth progress report, the Commission described the progress made with regard to the question of blocked Arab refugee bank accounts and the transfer of safe deposit and safe custody items to their refugee owners. Further developments in respect of those matters are also dealt with below.

Identification of Arab refugee property holdings in Israel

3. The Commission has consistently expressed the view that, in order to implement whatever solution may eventually be found for the refugee problem, it will be necessary to know the precise location, extent, value and ownership of Arab property holdings in Israel. In accordance with that view, the Commission established, at the end of 1952, a pilot project of identification of such holdings. In that project, the office established by the Commission initially made use of microfilms of the Palestine Land Registers made shortly before the termination of the British Mandate. In June 1955, the Commission decided to accelerate the operation and instructed its land specialist, Mr. John Berncastle, to proceed to Jerusalem to recruit the necessary staff and to direct the work.

4. Essentially, the identification consists of preparing for each Arab-owned parcel or unit of land ownership a basic form (RP/1) giving, as at the termination of the British Mandate, the location, area, description, names of owners and extent of their shares, particulars of encumbrances such as mortgages and leases, taxation category (tax assessment in the case of urban parcels), and finally the consideration recorded in any sale which took place during 1946 and 1947. All the information entered on the forms is official in the sense that it is taken from the records of the former Mandatory Administration in Palestine.

5. For the purpose of the work, it is convenient to regard the rural land as divided into two classes, that to which the title had been settled under the Land (Settlement of Title) Ordinance, and that to which it had not. In other words, the land in Palestine was settled and non-settled. The word "settled" refers to the title of ownership and has nothing to do with physical occupation. In the case of "settled" land the information on location, area and description of parcels, together with the ownership and encumbrances thereon, is taken from micro-photographs of the Registers of Title, resort being made to the original

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registers only when the micro-photographs are missing or defective. The forms are then completed by extracting particulars relating to taxation and sales prices from other records now in the possession of various Governments.

6. In respect of the "non-settled" land (where land registration was a mere record of transactions and was not tied to a cadastral survey), recourse was had to the Tax Lists and other taxation data for all the necessary information. Information on ownership, area, etc., obtained from these sources is not, however, so definitive as information obtained from Registers of Title in the case of "settled" land.

7. In the special case of the Beersheba Sub-District (Negev), where the taxation records have disappeared, resort was made to the Registers of Deeds, notwithstanding the fact that the Land (Settlement of Title) Ordinance had not been applied.

8. The title to property in towns and other urban areas is generally not "settled" and information required on the forms is taken from working documents of taxation authorities known as Field Valuation Sheets and from other tax data, resort being made to the Registers of Title or the Registers of Deeds, whichever is applicable, for supplementary data on names of owners, shares and encumbrances.

9. On 31 May 1958, about 353,000 basic forms had been completed by the Commission's Jerusalem office. To that number must be added 74,600 forms completed in New York since the pilot project was started towards the end of 1952. In terms of blocks (outside the rural area of Beersheba sub-district), 9,920 had been completed out of a total of 10,480 blocks. As for the rural area of Beersheba sub-district, the basic taxation documents of ninety-four blocks out of the 560 outstanding have not been found as yet. These blocks comprise two towns and seven villages, and part of seven other towns and villages. If the search for these documents proves fruitless, an attempt will be made to compile the necessary forms by consulting secondary sources of information. It is estimated that the total number of basic forms which will eventually be required to complete the project is of the order of 450,000.

10. The following table shows the number of towns, villages and blocks in each of the sixteen sub-districts, together with the state of the work in each. All

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town and village entities are listed which were recognized as such by the Mandatory Government, excluding those in which Arabs owned no property:

<u>Name of sub-district</u>	<u>No. of towns and villages</u>	<u>No. of blocks</u>	<u>No. of blocks in which RP/1 forms completed</u>	<u>Remarks</u>
Ramle	80	1447	1425	
Gaza	55	1586	1586	
Jaffa	31	827	827	
Tulkarm	56	753	426	
Haifa	59	1759	1739	
Safad	83	913	874	
Tiberias	32	535	494	
Acre	52	645	639	
Beisan	32	443	443	
Nazareth	29	612	567	
Ramallah	3	8	8	
Hebron	26	269	269	
Jenin	23	156	156	
Nablus	3	5	5	
Jerusalem	54	503	462	
Beersheba	-	19	-	The nineteen blocks constitute Beersheba town. The rural area totalling some 12,573,000 dunums is not divided into village entities and blocks. Forms have been completed for all sixty Registers of Deeds of this sub-district. The areas covered by these forms total some 200,000 dunums.
Total	618	10,480	9,920	

11. Border villages to which the Land (Settlement of Title) Ordinance had not been applied pose a problem. The problem lies in the difficulty of determining the exact location of parcels in relation to the Armistice Line, since a cadastral

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survey is lacking. Consequently, the forms have been prepared for all the parcels in the blocks cut by the line even though some of these parcels may later be found to be on the Jordan side of the line.

12. The average number of parcels to a block is about forty-three, although the numbers actually vary from one or two to several hundred. The areas of blocks also vary widely.^{1/} The figures in the table in paragraph 10 are approximate because in many cases the forms have been completed for a number of blocks except for a few queries.

13. It will be apparent from the foregoing figures that the identification work is nearing completion. Various circumstances combined to prevent the work being done as expeditiously as had been hoped. The Suez crisis resulted in the whole of the Jerusalem staff being placed on leave for three weeks. Whilst all the Governments concerned quite willingly afforded access to land registry taxation and other records, some Governments could not see their way clear to allow the records to be moved to the Commission offices in the former Government House at Jerusalem. The result was that the Commission's staff had to work in the offices where the records were kept, where conditions of space often made it impossible for more than one man to work at a time. It also meant that the Arab staff members could not work on the records in the possession of the Israel Government, but as the records were in English and arabic it was necessary to recruit persons who knew both languages. In such circumstances the expenditure by the Commission on photo copies of the land registers proved more than justified. Without the copies, the work done in Jerusalem would have taken at least as long again.

Valuation of Arab refugee property holdings in Israel

14. It will be recalled that in its tenth progress report (A/1985, Annex A) submitted in November 1951, the Commission included a summary of the report of its Refugee Office on the valuation of abandoned Arab property in Israel, in which tentative estimates were made of the value of immovable and movable property. The figures arrived at in that report were global estimates, and it

^{1/} The average area of a block is about 766 dunums, a dunum being 1,000 square metres or about a quarter of an acre.

was expected at the time that a process of valuation on the basis of full identification of individual holdings would subsequently be carried out in order to permit more definitive estimates.

15. The completion of the identification programme in Jerusalem will mark the end of one phase of the Commission's work on Arab refugee property. In its last progress report, the Commission indicated that it had instructed its Land Specialist to make such "studies and analyses of available information, particularly the prices realized in sales which took place in 1946 and 1947, as would facilitate the making of a valuation of each individual parcel if the Commission should later decide to embark on such a project". These studies and analyses suggested useful techniques whereby the operation could be carried out.
16. In view of the variations in value which occur between one unit of land and another, the Commission is of the opinion that any record of Arab refugee property holdings in Israel which ignores the question of value would be incomplete. The Commission is also aware of the importance of having available for the work of valuation staff thoroughly familiar with the problems involved, and of the likelihood that the services of such staff will become increasingly difficult to secure with the passage of time. The Commission has therefore decided that a programme of valuation should be carried out as soon as possible.

Release of Arab refugee bank accounts blocked in Israel, and transfer of safe deposit and safe custody items

17. In its fifteenth progress report, the Commission reviewed the progress achieved up to that time in respect of the release of Arab refugee bank accounts blocked in banks in Israel. The present position is that, as of 30 April 1958, £2,658,691 of the accounts held by Barclay's Bank Dominion Colonial and Overseas and the Ottoman Bank have been released, and £410,000 held by these banks remain outstanding. It is the understanding of the Commission that the necessary foreign currency is available to release this balance of £410,000. The Banks concerned are continuing their efforts to locate and inform the various remaining account holders.

18. With respect to the accounts in other banks, the total amount involved is now expected to be about £140,000. The Government of Israel has not as yet made

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available the foreign exchange necessary for release of those accounts. In May 1957, inquiry in that regard was made by the Commission, but no definite reply was received from the Government of Israel. In a letter dated 24 April 1958 addressed to the Permanent Representative of Israel to the United Nations, the Chairman of the Commission requested that the Commission be informed as soon as possible of the steps which the Government of Israel contemplates regarding the release of those accounts.

19. As was indicated in previous reports of the Commission, procedures for the transfer of valuables from the banks in Israel to the correspondent banks in Jordan were worked out early in 1955. A detailed account of these procedures was provided in the Commission's fifteenth progress report. That system of transfer was adopted later in 1955 for the transfer of valuables to Lebanon. Agreements with the former Governments of Egypt and Syria were reached but these agreements have remained unimplemented. The Commission hopes, however, that it will prove possible to establish satisfactory arrangements for the transfer of the outstanding safe deposit and safe custody items.

20. At the end of December 1957, the situation with regard to the transfer of valuables owned by Arab refugees in banks in Israel was as follows:

Total of safe custody items	1136
Boxes and parcels released	29
Dossiers of Palestine Government bearer bonds redeemed	291
Dossiers of other bonds etc. released	246
Total of safe deposit lockers	154
Lockers released	119

21. In this connexion, the Commission would reiterate its view that the release of blocked accounts and the transfer of safe deposit and safe custody items are normal banking operations to be carried out as such. However, the Commission will of course remain available to provide any assistance that may be required.
