

SPECIAL COMMITTEE ON PALESTINE

SUMMARY RECORD OF THE TWENTY-THIRD MEETING (PRIVATE)

Held at the Y.M.C.A. Building, Jerusalem,
Tuesday, 8 July 1947, at 5:00 p.m.

PRESENT:

CHAIRMAN: Mr. Sandstrom (Sweden)

Mr. Hood (Australia)
Mr. Rand (Canada)
Mr. Lisicky (Czechoslovakia)
Mr. Garcia Granados (Guatemala)
Sir Abdur Rahman (India)
Mr. Entezam (Iran)
Mr. Blom (Netherlands)
Mr. Garcia Salazar (Peru)
Mr. Fabregat (Uruguay)
Mr. Simic (Yugoslavia)

SECRETARIAT: Mr. Hoo (Assistant Secretary-General)
Mr. Garcia Robles (Secretary)

The CHAIRMAN called the meeting to order.

Adoption of the Agenda

The agenda was adopted

Approach to the Arab Higher Committee arising from the proposal of the Yugoslav Representative

The CHAIRMAN circulated a draft letter* to be sent to the Arab Higher Committee expressing the Committee's wish to hear their views. The draft letter read as follows:

8 July 1947

Sir:

I have the honour to inform you, on behalf of the United Nations Special Committee on Palestine, that the Secretary-General of the United Nations has communicated to the Committee the cable of 13 June, signed by you, which conveyed to the United Nations the decision of the Arab Higher Committee with regard to the attitude of Palestine Arabs toward the work of the Committee.

The Committee has noted with genuine regret this decision of the Arab Higher Committee. In this connection, your attention is called to
/my statement...

* For final text see document A/AC.13/42

my statement broadcast from the Palestine Broadcasting Service Studio on 16 June, at which time I emphasized that "the Committee earnestly hopes for full cooperation in its task from all elements in the population."

On behalf of the Committee, I reiterate this statement with particular reference to the Arab population of Palestine. The Committee would welcome expressions of the Arab viewpoint.

Sincerely yours,

Emil Sandström
Chairman, United Nations
Special Committee on
Palestine

Mr. Jamaal Husseini, Vice Chairman
Arab Higher Committee
Jerusalem, Palestine

The CHAIRMAN invited the Committee to discuss not only the draft letter but also the manner in which it would be communicated to the Arab Higher Committee.

Mr. HOOD (Australia) referring to his suggestion made at the Twenty-Second Meeting*, stated he had drafted a telegram to be sent to the Secretary-General of the United Nations, with the Chairman's permission, he would circulate the draft.

The CHAIRMAN agreed

(The draft telegram prepared by Mr. Hood contained a request to the Secretary-General to renew the invitation to the Arab Higher Committee to cooperate with the Committee, to notify the Arab States adjoining Palestine of this approach, and to intimate to the Arab States the Committee's desire to make contact with them in conformity with its terms of reference)

The CHAIRMAN suggested that the Committee should discuss first the letter to the Arab Higher Committee and examine Mr. Hood's proposal later.

Mr. SIMIC (Yugoslavia) enquired why his own proposal was not being discussed as well.

The CHAIRMAN explained that the text of Mr. Simic's appeal to the Arab Higher Committee was out of date.

/Mr. SIMIC....

Mr. SIMIC (Yugoslavia) maintained that his own proposal could be discussed since it was in accord with the suggested letter to the Arab Higher Committee.

Mr. FABREGAT (Uruguay) pointed out that the Committee should examine the proposal by Mr. Simic, which had begun to be discussed at the Twenty-Second Meeting.

The CHAIRMAN invited Members to express their views on the three proposals before the Committee, namely, (1) that the Committee should make a public announcement containing the appeal to the Arab Higher Committee, (2) that the Committee should ask the Secretary-General to convey its request to the Arab Higher Committee and to the Arab States; and (3) that the Committee should address a letter directly to the Arab Higher Committee.

Sir ABDUR RAHMAN (India) pointed out that the question now before the Committee was one of procedure, that is, it had to determine how the problem should be approached.

The CHAIRMAN agreed with Sir Abdur Rahman, saying that the Committee should first decide the method of approach. The terms of the appeal of the Arab Higher Committee were dependent upon the method of approach chosen by the Committee.

Mr. GARCIA SALAZAR (Peru), stressing the importance of establishing contact, favoured a direct appeal to the Arab Higher Committee by the Committee itself and a request to the Secretary-General to support the Committee's appeal.

The CHAIRMAN stated that, in his opinion, if the Committee wished the support of the Arab states for the Committee's appeal to the Arab Higher Committee, the proper approach would be through the Secretary-General.

Mr. HOOD (Australia) said his proposal was different. He proposed to notify the Arab States of the Committee's approach to the Arab Higher Committee and, simultaneously, to invite them to make contact with the Committee.

The CHAIRMAN considered that such a method of approach would take too long and that an approach to a private organization need not be made

through the Secretary-General.

Mr. ENTEZAM (Iran) enquired whether, in view of the substantial loss of time involved in Mr. Hood's proposed method of approach, Mr. Hood would be prepared to withdraw his proposal.

Mr. HOOD (Australia) said that no matter of principle was involved. What he had in mind was to avoid the publicity which would follow if the invitation was rebuffed.

Mr. HOO (Assistant Secretary-General) pointed out that since the telegram* to the Arab Higher Committee had been sent by himself in New York and not by the Secretary-General, it would not be advisable for the Secretary-General to write the letter to the Arab Higher Committee. He could write the letter from Jerusalem, and it need not be given publicity.

Mr. BLOM (Netherlands) said that he was in favour of sending the letter.

Mr. ENTEZAM (Iran) enquired if Mr. Simic was satisfied with the proposed letter.

Mr. SIMIC (Yugoslavia) stated that he favoured the proposed draft of the letter with the substitution of the final paragraph of his original proposal for the last paragraph of the draft letter. He wished the Committee's decision on the matter published so that everyone would know that an effort had been made to approach the Arab Higher Committee. In reply to a query by the Chairman, he indicated that he maintained his proposal.

Mr. GARCIA GRANADOS (Guatemala) briefly referred to the tactics used by the Arabs when the Royal Commission visited Palestine in November 1936, adding that they might follow similar tactics now. If there were any indications that the Arabs would be willing to appear before the Committee he would subscribe with pleasure to the letter. If they were unwilling to come it would be of no use to send the letter.

The CHAIRMAN asked Mr. Simic if he thought the appeal to the

Arab Higher Committee should be in the form of a public announcement or of a letter.

Mr. SIMIC (Yugoslavia) replied that it should be in the form of a letter.

The CHAIRMAN said that the Committee had now before it two proposals - a letter addressed directly to the Arab Higher Committee, and a request to the Secretary-General to transmit the letter to the Arab Higher Committee. He asked Mr. Hood if he maintained his proposal.

Mr. HOOD (Australia) said he had made a suggestion only, not a proposal, and he did not regard the matter as one to be voted on.

The CHAIRMAN asked whether members approved that the Committee should send a letter directly to the Arab Higher Committee inviting its cooperation with the Committee.

DECISION: The proposal to send a letter directly to the Arab Higher Committee inviting its cooperation with the Committee was approved: ten votes in favour and one abstention.*

Consideration of Terms of the Letter

The CHAIRMAN invited the Committee to discuss the wording of the letter and asked whether any changes were proposed.

Mr. SIMIC (Yugoslavia) suggested that the final paragraph of his original proposal ~~xxx~~ should replace the last paragraph of the letter.

Mr. BLOM (Netherlands) objected to Mr. Simic's amendment on the ground that a negative reply from the Arab Higher Committee would disqualify the Committee's report.

The CHAIRMAN agreed with Mr. Blom's observation.

(After discussion the CHAIRMAN read out the last paragraph of the draft letter with amendments proposed by Mr. Simic, Mr. Rand and Mr. Blom. The paragraph, as amended, read: "Accordingly, the UNSCOP, conscious of its responsibility to the task, directs to the Arab Higher Committee an appeal for full cooperation with the Committee. The Committee would welcome expressions of views of the Arab Higher Committee."

Mr. RAND (Canada) disagreed with the wording of the first part of

* The representative of Guatemala wished his abstention recorded.

Document A/AC.13/SR.7, page 6.

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this paragraph because it could be assumed that the Committee was fully aware of its responsibilities. The Committee should intimate that it was only drawing to the attention of the Arab Higher Committee the desirability of making representation on their part.

The CHAIRMAN enquired whether members agreed that the last phrase in the third paragraph should read: "The Committee will welcome expressions of views of the Arab Higher Committee". No objections were voiced.

Mr. SIMIC (Yugoslavia) said he maintained his proposal concerning the terms of the opening phrase of the third paragraph.

Mr. BLOM (Netherlands) declared he preferred Mr. Simic's wording, but suggested that the appeal be made only to the Arab Higher Committee.

Mr. LISICKY (Czechoslovakia) proposed the following phrase: "On behalf of the Committee I reiterate to the Arab Higher Committee an appeal for full cooperation".

Mr. RAND (Canada) disagreed, maintaining that the Committee should make no appeal but simply express the view that it would welcome the cooperation of the Arab Higher Committee.

The CHAIRMAN suggested that the phrase should be "On behalf of the Committee I reiterate to the Arab Higher Committee this invitation for full cooperation. The Committee would welcome expressions of the views of the Arab Higher Committee."

No objections were voiced to the Chairman's proposal, and the text of the letter* was accordingly adopted without dissent**.

The CHAIRMAN asked members whether the letter to the Arab Higher Committee should be published.

Mr. LISICKY (Czechoslovakia) considered that full publication of the letter was unnecessary. He suggested it was sufficient to say that a letter had been sent to the Arab Higher Committee and indicate its general purpose.

Mr. Lisicky's suggestion was approved without dissent**.

* Document A/AC.13/42.

** The representative of Guatemala wished his abstention recorded.

Letter from the Representative of India to the Chairman proposing that the Committee seek the collaboration of the Arab States***

The CHAIRMAN invited members to express their views on Sir Abdur Rahman's letter.

Sir ABDUR RAHMAN (India) requested an opportunity for informal discussion which would not be recorded and the Chairman agreed.

(At this point an informal discussion ensued).

On resumption of the meeting Mr. LISICKY (Czechoslovakia) suggested that discussion on Sir Abdur Rahman's proposal be deferred until an answer from the Arab Higher Committee had been received.

Mr. ENTEZAM (Iran), while agreeing with Mr. Lisicky's view, declared that he supported Sir Abdur Rahman's proposal. If the Committee approved the proposal he would have something to say on the manner in which the Arab States should be approached.

Mr. HOOD (Australia) pointed out that if the Arab States were approached after they knew that the Arab Higher Committee had refused to coöperate with the Committee, the Committee would be making an invidious distinction between the two bodies. He therefore suggested that both parties should be approached simultaneously.

The CHAIRMAN agreed with Mr. Hood's view.

Mr. LISICKY (Czechoslovakia) enquired whether the purpose of Sir Abdur Rahman's proposal was to obtain the views of the Arab States or of the Arabs of Palestine.

Sir ABDUR RAHMAN (India) replied that he wished to obtain the views of both.

Mr. BLOM (Netherlands) recalled the difficulties encountered during the last session of the General Assembly in connection with the approval of trusteeship agreements, which had to be agreed upon by the "states directly concerned". In his opinion there was reason to believe that, as regards Palestine, the Arab States were states directly concerned. If the Committee, however, were to consult them on the matter, any decision as to whether the Arab States were to be considered as directly concerned

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regarding Palestine might be prejudiced.

The CHAIRMAN pointed out that consultation of the Arab States might be necessary for carrying out the Committee's task, and that such a step would be a political gesture.

Sir ABDUR RAHMAN (India) maintained that the Committee need not embark on the legal aspect of the question, which could be left to other bodies. His proposal was based on the fact that the Arab States would be affected geographically in the solution of the Palestine problem.

Mr. HOOD (Australia) pointed out that, during the Special Session of the General Assembly in May 1947 the Arab States had been regarded as interested parties, and were therefore not considered eligible as members of the Special Committee.

Mr. ENTEZAM (Iran) remarked that the Arab States could be approached in accordance with paragraph 4 of the Committee's terms of reference, and not as interested parties in the sense indicated in the Charter and trusteeship agreements.

Mr. FABREGAT (Uruguay) agreed with Mr. Entezam's views and pointed out that, by taking this step, the Committee would give anyone to understand that its work would be incomplete if the cooperation of the Arab States were not secured.

The CHAIRMAN stated that he understood that all members were in favour of inviting the Arab States to have their views heard. The next point to decide was the method of the expression of their views and the way to approach them.

Sir ABDUR RAHMAN (India) suggested that invitations should be sent to the representatives of the Arab States in Jerusalem; the mode of hearing would be decided after their replies had been received.

Mr. ENTEZAM (Iran) said he saw three possibilities of contacting the Arab Governments - (a) to go to each of the Arab countries; (b) to ask each of them to send delegations to Jerusalem; and (c) to choose an

Arab country, possibly the nearest to Jerusalem, and there hear all the representatives of the Arab countries concerned. He preferred the third course, and suggested Lebanon or Egypt, preferably the former. The best method of approach would be to send a letter to the representatives in Jerusalem of the Arab States.

Mr. LISICKY (Czechoslovakia) enquired whether the Committee should invite the views of the adjoining Arab countries or of the Arab States in general.

Sir ABDUR RAHMAN (India) said that in his letter he had suggested the adjoining Arab States, but he now supported Mr. Entezam, who had referred to the Arab countries in general.

The CHAIRMAN asked whether the Committee should ask for written statements or for hearings.

Sir ABDUR RAHMAN (India) said he favoured hearings, and he was supported by Mr. Hood.

Mr. ENTEZAM (Iran), dealing with the question whether adjoining or all Arab countries were involved, expressed the opinion that the views of the latter should be sought. He preferred that the Committee should address itself to the separate Arab countries and to the Arab League.

Mr. GARCIA GRANADOS (Guatemala) said he was in agreement with other members that the Committee should seek the views of the Arab countries, and endorsed Mr. Entezam's view that the hearings should be held in Lebanon.

Mr. RAND (Canada) asked why the Committee should not hear the Arab representatives at Geneva.

The CHAIRMAN replied that a neighbouring country would be preferable.

Mr. ENTEZAM (Iran) suggested that the Arab States should be left to choose between a neighbouring country and Geneva.

The CHAIRMAN pointed out that it would perhaps be better to approach informally the representatives of the Arab States in Jerusalem and take a decision after the Committee was acquainted with their opinion. He asked

/members

members whether they wished to restrict the invitation to the neighbouring States.

DECISION: As no member indicated a proposal, the Chairman interpreted the wish of the Committee to be that the invitation should be extended to the Arab States in general. It was also agreed that the letter be drafted by the Chairman and Mr. Hoo.

(Later in the meeting Mr. Hoo, Assistant Secretary-General, read out the following draft of the letter, which was approved subject to minor changes:

"Sir,

I have the honour, at the request of the United Nations Special Committee on Palestine, to extend to the Government an invitation to present to the Committee, in such manner as may be found appropriate, the views of your Government on the question of Palestine. It is the view of the Committee that if it should be the desire of the Government to present oral testimony on the question, this should be done prior to the Committee's departure for Geneva, either in Jerusalem or at some mutually convenient place in one of the neighbouring Arab States, or subsequently at Geneva.")

Mr. HOOD (Australia) agreed with the Chairman's suggestion for an informal approach to the representatives of the Arab States and the Chairman suggested that himself, Mr. Entezam and Sir Abdur Rahman would deal with the matter.

Mr. ENTEZAM (Iran) informed the Committee that he had already made such an informal approach and had been assured that a request by the Committee would be accepted.

The CHAIRMAN inquired whether the invitation should be restricted to Arab States which were Members of the United Nations: in other words, whether Transjordan and Yemen were to be invited.

Sir ABDUR RAHMAN (India) said that the letter should be sent to all the Arab States, without exception.

The CHAIRMAN asked Mr. Hoo whether the Committee's direct approach to the Arab Governments was appropriate.

Mr. HOO (Assistant Secretary-General) said this was a matter of protocol involving legal questions. He was not certain as to the precise diplomatic procedure. The Secretary-General had certain powers arising from paragraph 8 of the Committee's terms of reference.* The question was whether the Committee should approach the Arab States directly or through the Secretary-General.

The CHAIRMAN ruled that Mr. Hoo, as the representative of the Secretary-General, could sign the letter.

Consideration of Addendum to Second Report of Subcommittee Two (Document A/AC.13/SC.2/7/Add.1)

The CHAIRMAN recalled that the Committee had decided** to accord a hearing to Mr. J.W. Abileah of Haifa.

Mr. BLOM (Netherlands), Chairman of Subcommittee Two, explained the reasons why the Subcommittee now recommended that no hearing be granted to Mr. Abileah.

DECISION: The proposal of the Subcommittee was adopted.

Consideration of Letters and Telegrams Received by the Committee

Mr. GARCIA ROBLES (Secretary) referred to two letters dealing respectively with requests for obtaining passports (Document A/AC.13/NC/38) and for the Committee's intervention to obtain freedom of some detainees at the Latrun Detention Camp, Palestine (Document A/AC.13/NC/39). The Secretary recalled that the Committee had decided at the Twentieth Meeting not to take any action with regard to similar requests sent by individuals***.

The CHAIRMAN asked if members agreed to proceed in a similar way regarding the two letters under consideration.

DECISION: No objection being raised, the Chairman ruled that both requests should be rejected.

Mr. GARCIA ROBLES (Secretary) next referred to three documents relating to the Cyprus detainees. The first (document A/AC.13/NC/25) contained two letters, one from the Inter-Camp Committee, Xylotymbou Camps,

/Cyprus,

* Document A/309.

** Document A/AC.13/27.

*** Document A/AC.13/SR.20, page 2.

Cyprus, and the other from the Central Camp Committee, Karaolos Camps, Cyprus. The first letter made an urgent appeal to the Committee to visit the camps, and if that were not possible, urged the Committee to enable a deputation of detainees to proceed to Palestine in order to appear and give evidence before the Committee.

The second (document A/AC.13/NC/43) was a telegram from the Central Committee of Cyprus Refugees, saying that the refugees were "awaiting impatiently" a reply regarding the Committee's anticipated visit to their camps.

The third (document A/AC.13/NC/47) was a telegram from the Cyprus Detainees, Dekhelia Camps, stating that 11,000 Jewish Cyprus detainees had observed a hunger strike to demand their immediate release and requesting the Committee to investigate their conditions in Cyprus.

Mr. GARCIA GRANADOS (Guatemala) endorsed the appeal of the detainees, claiming that 17,000 people were awaiting some action of the Committee on their behalf. The Committee could not take action for their liberation, but it could bring them some hope by visiting them and investigating their conditions. Although entitled to do so, the Committee need not publicly criticize conditions in the camps, but such conditions would be improved by a visit on the part of the Committee. There were 2,000 children in the camps, and a hunger strike had now been called against the camps' conditions. He hoped the Committee would set aside legal considerations and be guided by humanitarian reasons.

Mr. FABREGAT (Uruguay) supported Mr. Garcia Granados' proposal. The people in the camps had committed no crime. They were, in fact, the problem with which the Committee was dealing. They were the victims of persecution who wanted to come to Palestine in virtue of their own right according to international treaties. He did not consider a visit to the Cyprus camps would be an intervention in the internal affairs of another country. The object of the visit would be to try to establish reasonable living conditions for people who, he believed, were properly to be considered

/as

as coming within the Committee's terms of reference. The Committee was empowered to go wherever it considered it necessary to study the Palestine problem.

Sir ABDUR RAHMAN (India) maintained that the Committee would be going beyond its terms of reference if it acted in matters with which it had no direct concern.

The CHAIRMAN called the attention of members to the difficulty of fitting in the hearing of the Arab States together with a visit to Cyprus in the short time left to the Committee for completing its task. A visit to the Cyprus camp, as Mr. Garcia Granados had admitted, would be only a gesture. The Committee might later send a small group to visit the D.P. camps in Germany, and that would be quite sufficient to learn of conditions in such camps.

Mr. GARCIA GRANADOS (Guatemala) moved an amendment to his proposal. He suggested that a sub-committee should go to Cyprus and he volunteered to be a member of that sub-committee. He added that the purpose of the visit to the camp was to give hope to the detainees.

The CHAIRMAN asked Mr. Garcia Granados if he thought that a first-hand knowledge of the situation in the Cyprus camps would add to the possibility of solving the Palestine problem.

Mr. GARCIA GRANADOS (Guatemala) replied that it would help in the study of the question. A visit to the camps would offer the Committee the same advantages as it gained from its visit to villages and settlements in Palestine. The question of visiting the D.P. camps had been discussed at length in the First Committee of the special session of the General Assembly, and the majority of its members had been in favour of a visit. The same applied to the Cyprus camps. He asked that his proposal should be voted by a roll-call.

Mr. FABREGAT (Uruguay) expressed strong disagreement with the views of the Chairman that the time factor was an obstacle to a visit to the Cyprus camps and that the Committee had already full knowledge of conditions in the camps. He was of the opinion that the Committee did not know precisely the problem of Cyprus, which he believed represented in fact the general problem of immigration

/into...

into Palestine. He was particularly impressed by the fact that 2000 war-victim children were being kept in prisoners' camps in Cyprus.

Sir ABDUR RAHMAN (India) then moved the closure of the debate.

Mr. SIMIC (Yugoslavia) expressed doubts that a visit to Cyprus in the manner suggested by Mr. Garcia Granados could be arranged. Any decision the Committee might take on Cyprus would be without prejudice to the question of visiting other camps.

Mr. LISICKY (Czechoslovakia) pointed out that at an earlier meeting, the Committee, with the concurrence of Mr. Garcia Granados, had rejected another petition from detainees in a camp in Palestine and Mr. Garcia Robles (Secretary) explained that the Committee had already decided* not to take any action with regard to requests for the Committee's intervention for the release of detainees.

Mr. GARCIA GRANADOS (Guatemala) declared that his proposal referred to telegrams from Cyprus detainees requesting the Committee to see the conditions in which they lived. He was not trying to seek their release.

Sir ABDUR RAHMAN (India) remarked that he had moved the closure of the debate and that his motion took precedence.

There being no opposition to the closure, the CHAIRMAN put Mr. Garcia Granados' proposal to a roll-call vote. The proposal was to send a sub-committee to Cyprus to investigate the conditions under which the detainees were being held.

DECISION: The proposal was rejected: three votes in favour (Guatemala, Uruguay and Yugoslavia); six votes against (Australia, Canada, Czechoslovakia, India, Peru and Sweden); and two abstentions (Iran and Netherlands).

The CHAIRMAN indicated that the Committee's decision not to send a sub-committee did not affect the other question, namely, the request of the Cyprus detainees to be heard before the Committee.

Mr. GARCIA GRANADOS (Guatemala) supported the application of the Cyprus detainees for giving evidence before the Committee, and asked,

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* Document A/AC.13/SR.20, page 2.

for a roll-call.

Mr. HOOD (Australia) enquired whether the persons desiring to address the Committee were actually members of the camp, and whether they would be able to enter Palestine.

Mr. BLOM (Netherlands) stated that the Subcommittee in its first report had recommended a hearing.*

The CHAIRMAN suggested that a roll-call vote should first be taken on whether a hearing should be granted.

DECISION: The request of the Cyprus detainees to give evidence before the Committee was rejected: four votes in favour (Guatemala, Netherlands, Uruguay and Yugoslavia); five votes against (Australia, Canada, India, Peru and Sweden); and two abstentions (Czechoslovakia and Iran).

Communications from the Jewish Central Committee, U.S. Zone, Austria (Document A/AC.13/NC/26) and from the Central Committee, Liberated Jews, U.S. Zone, Germany (Document A/AC.13/NC/36).

The CHAIRMAN proposed a decision concerning these two communications should be deferred until the Committee reached Geneva.

The proposal was adopted.

Sir ABDUR RAHMAN (India) asked for an adjournment.

The meeting was adjourned at 8:10 p.m.

* Document A/AC.13/SC.2/5, page 2.