

United Nations
**GENERAL
ASSEMBLY**

SIXTEENTH SESSION

Official Records

**SPECIAL POLITICAL COMMITTEE, 308th
MEETING**



Tuesday, 5 December 1961,
at 3.30 p.m.

NEW YORK

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Chairman: Mr. Yordan TCHOBANOV (Bulgaria).

In the absence of the Chairman, Mr. Sanz Briz (Spain), Vice-Chairman, took the Chair.

AGENDA ITEM 25

Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (A/4861; A/SPC/58 and Add.1) (continued)

1. Mr. SHUKAIRY (Saudi Arabia) recalled the pitiful lot of the Palestine Arab refugees. Their right to repatriation had been recognized since 1948 by the General Assembly, which had adopted one resolution after another on the subject, and had explicitly asked the United Nations Conciliation Commission for Palestine to facilitate the arrangements for, and to carry out, the work of repatriation. The Commission had indeed submitted nineteen so-called progress reports, though no progress had been achieved, and still the refugees were unable to return to their homes; in the meantime their number had increased from 800,000 to 1,200,000.

2. The main reason for that situation was the attitude of Israel. At the Lausanne talks in 1949,^{1/} Israel had officially recognized the refugees' right to repatriation. Yet as the Government of Israel itself had admitted, that was only a ruse to facilitate the admission of Israel to the United Nations. Since then, Israel had continually defied the resolutions of the General Assembly and, by a parliamentary decision of 6 November 1961, had denied the Arab refugees the right to repatriation, even rejecting a proposal that they should be given a choice between repatriation and resettlement.

3. Israel had been encouraged in that course of action by the military and economic support it received from a number of countries, in particular from the United States. Such countries, which were responsible for the very existence of Israel, persisted in maintaining it artificially with their subsidies, which Israel then used to hire the instigators of the disorders in the new African States.

4. The United Nations Conciliation Commission for Palestine was also partly responsible. Instead of

taking effective steps, as its mandate required, to give effect to operative paragraph 11 of resolution 194 (III), which concerned repatriation, it had confused measures of conciliation with measures for effecting repatriation, by seeking the consent of Israel, whereas the rights of the Arab refugees were indefeasible rights which could not be made dependent on the refusal or acceptance of a third party.

5. The Conciliation Commission's inactivity seemed deliberate. Instead of following the clear instructions of the General Assembly, the members seemed rather to have followed those of their own Governments. The Commission had never asked the United Nations to take steps to enforce the principle of repatriation. It was now very clear that the Conciliation Commission had no sympathy for repatriation and no sympathy for the future of the Arab refugees. When the General Assembly had, at its fourteenth and fifteenth sessions, in its resolutions 1456 (XIV) and 1604 (XV), asked the Conciliation Commission to try to bring about repatriation, it had simply requested a United States citizen, Mr. Joseph E. Johnson, to ask the parties their precise opinion on measures which might usefully be taken to ensure the application of operative paragraph 11 of resolution 194 (III). Mr. Johnson's competence and good will were not in question, but his appointment had been unnecessary, because the views of the parties concerned on the refugee question were well known to all. It was enough to read the records of debates, or simply the newspapers, to know that the Arab States and the refugees demanded repatriation, as laid down by the United Nations, whereas Israel was openly hostile to repatriation, in complete contempt for the rights of the refugees. If the Conciliation Commission did not know that, it was incompetent and should be dissolved.

6. Mr. Johnson's appointment was also illegal, because it was not a matter of a mission of experts of the kind which the Commission had already sent to Palestine, and which had generally failed because of the obstructive attitude of Israel. Mr. Johnson's task, to inquire into the exact opinions of the parties, was the essential function of the Commission itself, a function it had no right to delegate to any organ or person without the express authorization of the United Nations. Even if the Commission had had the right to appoint a representative to carry out its own duties, it was unfortunate that it should have chosen a citizen of the United States rather than of a neutral country. The United States was closely involved in the affairs of Israel and the Zionist movement, and could not be expected to approach the problem in an independent spirit, nor could Mr. Johnson be expected to go against the policy of his own Government.

7. As a consequence of Zionist influence, United States politicians could not give an unprejudiced opinion on the Palestine question in public. The

^{1/} Official Records of the General Assembly, Fourth Session, Ad. Hoc Political Committee, Annex, vol. II, document A/927.

partition of Palestine, which had led to the expulsion of the refugees and the present disaster, had been the result of the pressure which the United States had put on a large number of delegations to the United Nations in 1947, in order to ensure a majority when a vote was taken on resolution 191 (II). Mr. Sumner Welles had admitted openly that every form of pressure, direct or indirect, had been brought to bear for that purpose, and Mr. James Forrestal, who had then been the Secretary for Defense, had noted that the United States had lost very greatly in prestige in the Arab world by its attitude. The former President, Mr. Truman, who had been the architect of the Palestine tragedy, had not hesitated to state in his memoirs that no other question had ever led to such pressure and propaganda in the White House. Mr. Lawrence H. Smith, a member of the United States Congress, had described the way in which the resolution on partition had been adopted in the General Assembly. On two occasions the voting had been postponed in order that the necessary number of votes might be obtained, in particular the votes of Haiti, Liberia and the Philippines.

8. Israel had often boasted of its influence in the United States, and Mr. Ben Gurion had admitted that his Government had been able to make the United States Government reverse its earlier decisions through contacts with the Press and certain relations. Mr. Truman himself, on being warned by United States Ambassadors in the Near East of the dangers of his policy on the Palestine question, had told them bluntly that he did not have hundreds of thousands of Arabs among his constituents. It was against that situation that Senator Fulbright had uttered a serious warning. Until such time as the United States liberated itself from the political pressures of a minority group, and until such time as Zionism was outlawed, no United States politician could be neutral or free in his judgements on the Palestine question. That was clear from Mr. Johnson's report (A/4921/Add.1), in spite of the foreword (para. 2) by the Conciliation Commission, full of factitious optimism. What "excellent work" had been done, when not a single refugee had been repatriated in fifteen years? General Assembly resolutions 1456 (XIV) and 1604 (XV) requested the Commission to make new efforts to secure the explication of operative paragraph 11 of resolution 194 (III), not to begin talks. There was no merit in establishing useful relations, as no one had ever refused to talk with the Conciliation Commission. The Commission suffered not from a lack of information or discussion, but from a lack of action. In spite of its promise, it had made no suggestion likely to bring a solution of the problem closer. In submitting a summary of the Palestine question, Mr. Johnson had misinterpreted resolution 1604 (XV), which had entrusted no one with such a task. The Assembly was familiar with the problem, and it was unnecessary to add another survey to the records of the United Nations, which were already full.

9. The report itself (A/4921/Add.1) contained many irrelevant observations. It was strange that Mr. Johnson should say that in paragraph 11: "There is no agreement on what happened or why it happened, or on the interpretation, significance, or validity of the basic United Nations resolutions and other United Nations documents". Israel was the only Member State which had voted against the seventeen resolutions relating to the refugees. There was no difficulty in interpreting those resolutions, since they all called

for repatriation, one of the few expressions about which there was no international controversy. In rejecting repatriation, Israel was showing defiance. Nor could Mr. Johnson's observation that the Protocol of Lausanne ^{2/} had become "a subject of contention", that its meaning and status were in dispute, withstand criticism. The Protocol had been signed by the Arab delegations and by the delegation of Israel. It was unambiguous, and was still valid although Israel had ignored its own signature. Mr. Johnson's observation was therefore an act of sabotage and a subversive act directed against the United Nations by a representative of an organ of the United Nations. Mr. Johnson acted with design. By throwing doubt on the resolutions of the Assembly and on the Protocol of Lausanne, he had wished to reduce the refugee question to nothingness and to persuade the Assembly to take the same view. But Mr. Johnson had gone still further in his paragraph 42 when he had said in his report that the refugee problem related directly "to fundamental policies and conceptions of national interest in all the host countries and in Israel". The delegation of Saudi Arabia protested against that statement. Strictly speaking, there were no "host" countries—the term was used only for reasons of convenience—and the Arab States did not relate the refugee question to any conception of national interest. It was true that the Arab States defended the cause of the refugees, that they were all deeply concerned about the Palestine problem and that their attitude was the same, but that attitude was based on the brotherhood and solidarity of all Arabs, on the unity of the Arab fatherland and on their sense of justice and equity. The Director of the Office had referred more than once to that unity of feeling in his report (A/4861), particularly in paragraphs 2, 9 and 10. In spite of what Mr. Johnson had implied, the national interests of the host countries were not involved in any way. Yet it was clear from paragraph 50 of his report that Mr. Johnson had based his whole approach to the situation on that assumption.

10. The Governments of the Arab countries, just like the Arabs of Palestine, whether refugees or not, had but one hope: to see the Palestine Arab refugees resume possession of their homes and their homeland.

11. Closely allied with that misconception of the situation was Mr. Johnson's erroneous understanding of paragraph 11 of General Assembly resolution 194 (III). That was apparent from paragraph 59 of his report, which was open to criticism: it was wrong to draw a distinction between the letter and the spirit of paragraph 11 of the resolution, for the text was clear and the spirit was in perfect conformity with the letter. To seek the spirit elsewhere than in the letter was to distort the real meaning of the text, and give it the meaning one wished it to have. Both the letter and the spirit of paragraph 11 meant first and foremost the repatriation of the refugees who wished to return home; the "economic and social rehabilitation of the refugees" was but an ancillary objective, and subsequent to repatriation. Furthermore, Mr. Johnson had manifestly erred in anchoring the repatriation of the refugees on the economic development of the Middle East and the possibility of converting them into useful and active members of the human family. Such an approach was alien to the provisions of paragraph 11. It was true that paragraph 10 of the resolution referred to "economic development of the area",

^{2/} *Ibid.*, annex B.

but in the context the word "area" referred to Palestine and not the Middle East. Economic development of the Middle East, welcome as it might be, was in no way linked to the problem of the refugees and was not within the competence of the United Nations. To use resolution 194 (III), which dealt solely with the Palestine problem, as a pretext for intervening in the economic development of the Middle East would be an encroachment on the sovereignty of the States of that area. Such an interpretation was the more serious since it emanated from the representative of a United Nations body. Economic development should be focused on Palestine only, since it was there that the refugees should be repatriated. According to the aforementioned resolution, first the refugees should be repatriated, and then the economic and social rehabilitation of the repatriated refugees should be ensured within a scheme of economic development. Any other interpretation of General Assembly resolution 194 (III) constituted interference in the affairs of the Middle East.

12. The repatriation of the refugees was a political question rather than an economic one. To attach the refugee question to the economic development of the Middle East was, consciously or unconsciously, to adopt Israel's solution which advocated resettlement of the refugees in the host countries. That was the position Mr. Johnson had adopted in paragraph 51, and it had led him to state that there would be "Palestine Arab Refugees for at least a decade" and that there was no prospect of an early solution. If that was so, there was no reason why the Conciliation Commission should not be abolished. The question of the Palestine Arab refugees, which was already in its fourteenth year, would thus last for a quarter of a century. It was paradoxical that persons who had homes and a homeland should have to live in exile and await repatriation for twenty-five years, while Jews from all corners of the globe were immigrating to Israel, dwelling in homes they did not own and farming lands that belonged to others. Those were questions which the Conciliation Commission had never answered or even considered.

13. The Conciliation Commission should be, in fact, if not abolished, at least reconstituted. Its present composition disclosed a Western influence, and it was no secret that Western policies had led to the establishment of the State of Israel. The Commission should either have an equitable geographical and ideological representation—in which case the countries of Eastern Europe, Africa, Asia and Latin America should be included—or else be composed entirely of representatives of neutral countries. Either alternative was acceptable on its own merits, but the constitution of a neutral Commission appeared to be preferable. The refugee problem was a consequence of imperialism, and its solution called for courage, conscientiousness and independent thinking.

14. The situation of the Palestine Arab refugees was unique in the history of man: in the past, refugees

had been the inevitable consequence of religious, political or ideological conflicts; never before had the expulsion of part of the population been the main target and the very essence of the conflict. The people of Palestine had lived in peace and religious freedom until European imperialism had found in Zionism an adequate movement to establish a spearhead of colonialism at the crossroads between Europe, Asia and Africa. Those imperialist designs had found expression in the Balfour Declaration of 1917.^{3/} The question of the Palestine Arab refugees was a colonial affair, and it would be solved in the same manner in which all colonial issues had so far been solved. The vestiges of colonialism were disappearing one after another, and the oppressed peoples were one by one rising to statehood. The situation could only be solved on the basis of right and justice, by the repatriation of the refugees to their homes. That was the desire of the Palestine Arab refugees, who refused resettlement in countries other than their own. The report of the Director of UNRWA (A/4861) had made that situation clear. The Arab peoples and States would not abandon their cause until Palestine was restored to its rightful citizens—Christians, Moslems and Jews alike. All peace-loving and freedom-loving people supported the cause of the Arab refugees from Palestine.

15. The question must be solved by peaceful means, and for that reason the United Nations must intervene. For thirteen years, the Palestine refugees had applauded the recognition of their rights in the resolutions of the Assembly, but they had regretted the Organization's inaction. The United Nations must emerge from that inaction, in order that the Palestine Arab refugees might not be compelled to exercise their recognized rights by their own means, through the use of force.

16. Mr. RAFAEL (Israel) said that he would reply at the next meeting to the Saudi Arabian representative's allegations with arguments based on fact. He wished to state immediately, however, that the information broadcast by a radio and television network—and quoted by the representative of Saudi Arabia—to the effect that Israel automatic weapons were in the possession of the Katangese forces had been formally denied by the Israel delegation to the United Nations. No Israel arms of any sort had been sold, directly or indirectly, to the Government of the province of Katanga. Since the proclamation of the Congo's independence in July 1960, Israel had recognized only the Central Government in Leopoldville, and maintained relations exclusively with it. Israel had had no contact with the Government of the province of Katanga or with any of its representatives.

The meeting rose at 5.45 p.m.

^{3/} Official Records of the General Assembly, Second Session, Supplement No. 11, vol. II, annex 19, p. 18.