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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. The CHAIRMAN recalled that at the previous meeting considerable time had been spent in debating the request to have copies of the statement of Mr. Ghory distributed to the members of the Committee. In order to avoid further argument, he suggested that the statement, of which Mr. Ghory had sufficient copies, should be distributed as it was and not as a Committee document. His suggestion did not in any way affect the basis on which Mr. Ghory had been granted a hearing by the Committee at its 306th meeting.

It was so decided.

2. Mr. PACHACHI (Iraq) said that he was happy to abide by the Chairman's ruling. In his view the request for a hearing of Mr. Ghory and his colleagues had been granted, as the Chairman himself had said, on the basis of the request placed before the Committee, signed by ten Arab delegations (A/SPC/58 and Add.1).

3. Mr. COMAY (Israel) urged the representative of Iraq not to attempt to interpret the Chairman's remarks. The Israel delegation accepted the Chairman's ruling at its face value without further comment, but would repudiate any additional comment made on it.

4. Mr. ZUAYTER (Jordan) said that he would confine his comments to the report of the Director of the Relief and Works Agency (A/4851). He reserved the right to speak on the United Nations Conciliation Commission for Palestine's report (A/4921 and Add.1 and Add.1/Corr.1) at a later stage. Jordan, as a member of the Arab community of States, regarded the situation in Palestine as its most important problem; it would support any measure taken by the Arab nations with respect to any part of the affair. More than half the Palestine refugees lived in Jordan and constituted one-third of its population. The Government of Jordan was profoundly grateful to the Director of the Agency and his staff, and to all who provided assistance to the refugees, for their efforts to improve the situation of

the refugees. The essence of the problem however, was not the material plight of the refugees. A matter of principle was involved, namely, the wrong done to a people driven from its homeland and dispossessed of its property contrary to law and justice. The patriotism and national pride of the refugees would continue to strengthen their determination to regain the homes taken from them. That was the general attitude which Mr. Davis had found among the refugees and noted in his report. It was essential to know the causes of the refugee situation in order to appraise it correctly. He would not dwell on Zionism, which manifested itself by invasion and aggression, nor on the Balfour Declaration,^{1/} the legality of which was open to serious question. But he thought it would be useful to cite some of the main facts.

5. When the United Kingdom in 1922 had assumed the Mandate for Palestine, about 50,000 Jews and 700,000 Arabs were living there. In thirty years of British occupation, the Jewish population had increased to 650,000 as a result of mass immigration supported by the Government of the Mandatory Power. The Arabs had fought heroically against the combined forces of colonialism and Zionism to ensure their national survival and over 10,000 of them had sacrificed their lives in that struggle. When peaceful means—such as the six-month general strike in 1936—had failed, the Arabs had been compelled to resort to military revolt. They organized nine revolutions, at great sacrifice, to prevent the Zionization of their homeland. In one prison, 138 Arabs had been hanged in a single year for the possession of arms. The inquiries conducted at the time by British committees had resulted in a finding, ignored by the United Kingdom Government, that the policy of establishing a Jewish national home had been the reason behind those revolutions. The Zionists had rewarded their benefactors by a campaign of terror directed against the British authorities. The inextricable situation in which the United Kingdom had found itself in Palestine as a result of its policy had caused it to lay the matter before the United Nations.^{2/} There were fifty-six Member States when the disastrous partition resolution (181 (II)) was adopted. Only thirty-three, that is, less than one-third of the present membership, had voted in favour of that resolution.^{3/} If the Assembly had been constituted at that time as it was now, the resolution would not have been adopted. The admission of forty-seven new States had altered the attitude of the United Nations towards colonial questions. For the Palestine problem might be described as a manifestation of colonialism in its worst form, because there was no other instance of a country whose entire population had been uprooted and dispossessed. In the circumstances, there was reason to

^{1/} Official Records of the General Assembly, Second Session, Supplement No. 11, vol. II, annex 19.

^{2/} *Ibid.*, annex 1.

^{3/} *Ibid.*, Plenary Meetings, vol. II, 128th meeting.

hope that the United Nations today would redress the injustice it had committed yesterday.

6. Under the partition plan, 56 per cent of Palestine's territory had been allotted to the Jewish State although the Jews of Palestine owned only 5.6 per cent of all the land. The resolution had left less than 44 per cent of Palestine to the Arabs. To add to that injustice, the Zionists had occupied a large part of the area allotted to the Arabs. The acts of terrorism and the atrocities committed by the Zionists, which the great British historian, Arnold Toynbee, had not hesitated to condemn,^{4/} had been the major cause of the flight of the refugees long before the Arab armies had entered Palestine. The withdrawal of British forces had been the signal for letting terrorism loose among the defenceless Arab population. It was to save their fellow Arabs from an organized Israel army estimated at more than 60,000 men, according to the report of the Anglo-American Committee,^{5/} that the Arab armies had rushed in. Contrary to the claims of Israel spokesmen, the Arab inhabitants had never been encouraged to abandon their homes. The writer, Erskine Childers, who had made a study of all the radio broadcasts of the Arab States during the hostilities, had clearly established that fact. Moreover, the late Count Bernadotte had been one of the first to draw attention to Israel atrocities. In some instances, the Zionists had given the Arab inhabitants only one hour to leave their homes.

7. It could not be denied that Israel had created the refugee situation. But it had gone even further. The small Arab minority subject to Israel administration suffered racial discrimination, restrictions and harassments in violation of the partition resolution. The precarious position of that minority, exposed to brutality and massacre, had been described in Press reports, particularly in *The New York Times*. The practice of ignoring the rights of the Palestine Arabs and their deep feelings might have serious consequences, and he wished to warn the Committee against them. In his report, Mr. Davis stated candidly that the false position which had compelled the refugees to live on international charity for thirteen years could not help but leave scars. The relief they received and for which they were, of course, grateful, could not be regarded as a substitute for a solution of the question. They looked to the United Nations for that solution, for it had created Israel and was in duty bound to exert the necessary pressure to cause it to respect its resolutions, particularly resolution 194 (III). While the United Nations was reaffirming that resolution, the Knesset was announcing that no Arab refugee would be repatriated, which did not prevent Israel spokesmen from declaring their readiness to negotiate with the Arabs. It might legitimately be asked what there was to negotiate.

8. The United Nations Conciliation Commission for Palestine which was to put resolution 194 (III) into effect, had contented itself with submitting reports and thirteen long years had elapsed without any concrete step having been taken. Yet, Count Bernadotte had said, even in 1948,^{6/} that it would be a serious injustice to

deny those innocent victims of the Palestine conflict the right to return to their homes. Unfortunately, the Conciliation Commission had not acted in that spirit and had completely failed in its task. The passage of time would merely make it more difficult to solve the problem, which was becoming ever greater and more complex, as the Director of the Agency had said himself. The total number of registered refugees was increasing by 30,000 to 35,000 every year. Moreover, more than two-thirds of the refugees aided by the Agency were farmers, and therefore difficult to absorb into the economy of the host countries, which had an excess of farmers.

9. The United Nations, which had taken a firm stand against the Republic of South Africa for practising racial discrimination, must ensure the implementation of the resolutions it had adopted on the refugee problem. Nearly half of the refugees came from the territory which Israel had seized in defiance of the partition resolution, and they must immediately be authorized to return there. In offering them a choice between compensation and repatriation, the United Nations would be condoning the forcible occupation of their lands. The adoption of a resolution calling upon Israel to evacuate the excess territory which it was occupying would make it possible to solve half of the problem. There was, moreover, a precedent for such action, namely the evacuation of the Gaza Strip and the Sinai Peninsula by the Israel forces in 1956. While the refugees who had been deprived of their property in violation of article 17 of the Universal Declaration of Human Rights were awaiting repatriation, they should receive the revenue from that property. If that was done, the Agency's responsibilities would be greatly reduced. The task should be entrusted to an impartial and experienced legal custodian; a possible choice would be Mr. Davis. Finally, the United Nations should prevent Israel from continuing to encourage Jewish immigration. In conclusion, he wished to emphasize that the suggestions he had made with regard to the refugee problem did not in any way prejudice his Government's stand on the basic question of Palestine, which was essentially a matter of rights that had been violated, and of a homeland that had been usurped. The problem would not be solved until its causes ceased to exist, and it would have to be solved on the basis of justice, morality and humanitarian principles.

10. Mr. DAOUDY (Syria) observed that, since the fifteenth session of the General Assembly, there had been three new developments relating to the problem of the Palestine Arab refugees: the Director of UNRWA had submitted his annual report (A/4861), the nineteenth progress report of the Conciliation Commission (A/4921) had appeared, accompanied by Mr. Johnson's report as an addendum (A/4921/Add.1 and Corr.1) and the Israel Parliament had given Mr. Ben-Gurion a vote of confidence after he had flatly and finally declared himself opposed to the Arab refugees' return to their country.

11. He paid a tribute to UNRWA, and in particular to Mr. Davis, its Director, for the remarkable work which the Agency was doing for the benefit of the Palestine Arab refugees. In his report, the Director of UNRWA brought out certain facts. In paragraph 2, he stated that the one overwhelming desire of the refugees was to be repatriated. In paragraph 9, he provided a very accurate description of the position of the refugees and of their state of mind and concluded that it was hardly

^{4/} Arnold J. Toynbee, *A Study of History*, vol. VIII (London, Oxford University Press, 1954) p. 290.

^{5/} See *The Anglo-American Report on Palestine* (S.DOC.NO.182) (Washington, D.C., United States Government Printing Office, 1946), p. 20.

^{6/} *Official Records of the General Assembly, Thiru Session, Supplement No. 11, Part One*, chap. V, para. 6.

a matter for surprise if they showed embitterment and resentment over the loss of their homes and homeland, and if they constantly clamoured to return to them; he added that it was not surprising that the refugees demanded the right of choice between repatriation and compensation held out to them by the United Nations under operative paragraph 11 of General Assembly resolution 194 (III)—a right which had never been implemented. As paragraphs 9 and 10 of the report indicated, there was no question that the refugees' demands had an impact in political circles, that their feelings were shared by the Arab peoples, and that, among the latter as well, bitterness and resentment were strong. Those observations by the Director of UNRWA provided irrefutable proof that it was not the Arab countries which were encouraging the refugees to take an intransigent position, as Zionist propaganda continued to maintain. The Palestine question primarily affected the people of Palestine, who had been driven from their country by Zionist aggression backed by those Powers, including in particular the United States, which blindly supported Israel. Paragraph 27 of the report, which described what the host countries had done for the benefit of the refugees, refuted another Israel allegation, i.e., that those countries were doing nothing to aid the refugees temporarily in their midst. Finally, whereas Israel and, at times, even some public figures in the United States contended that it was the responsibility of the Arab countries to integrate the Palestine refugees into their economic life, the Director of UNRWA wrote in paragraph 8 of his report that the host countries had definite limitations in terms of known resources which could be readily developed and that for that reason, in considering projects for refugee settlement within those countries, responsible persons must consider first the capacity of those countries to absorb their own population increase during future decades. In paragraph 12, Mr. Davis stated that it seemed clearly unrealistic to assume that the major responsibility for solving the refugee problem should now rest with the Arab countries. His delegation was grateful to the Director of UNRWA for having the courage to emphasize those basic truths, which demonstrated conclusively that the refugee problem could be solved only by the application of paragraph 11 of resolution 194 (III), dealing with repatriation and compensation. Any attempt by Israel and its Western friends to deny the refugees their sacred right to return was certain to fail.

12. In its nineteenth progress report (A/4921), (paragraph 3) the Conciliation Commission stated that, following the adoption of General Assembly resolution 1604 (XV), it had considered how it might best proceed further with its work. It had decided, as reported in paragraph 4, to appoint a Special Representative, Mr. Joseph E. Johnson, to explore with the host Governments and the Israel Government practical means of seeking progress on the Palestine Arab Refugee problem. Reporting on his mission, Mr. Johnson had informed the Commission, according to paragraph 7 of the latter's report, that high officials of the host countries and of Israel had expressed the view that it might be possible to take practical steps with regard to the refugee problem without prejudice to the positions of the Governments on other aspects of the "Palestine question". Faithful to its policy of evading all responsibility, the Commission added that, while it clearly would not be possible at the present stage to develop an acceptable set of detailed proposals, it hoped, in the light of Mr. Johnson's report, to be able to make suggestions in the near future with respect to methods of

proceeding that might lead to progress. That was virtually the entire substance of the nineteenth report, which had been so eagerly awaited after the adoption of General Assembly resolutions 1456 (XIV) and 1604 (XV), since the rest of the report was devoted, as had been the Commission's previous reports for the most part, to the efforts made to settle the question of providing compensation for the refugees. Although that question admittedly came within the scope of paragraph 11 of resolution 194 (III), it was purely secondary. The main objective of paragraph 11 was repatriation, concerning which the Commission had said nothing whatever, finding it more convenient to deal with the technical problem of the identification and valuation of the refugees' property. That attitude coincided curiously with the views of the Israel authorities, who sought to reduce the refugee problem to a simple matter of compensation and to solve it by integrating the refugees into the economic life of the host countries. The Commission was apparently trying to suggest solutions that would be acceptable primarily to the Israelis.

13. The decision to send a Special Representative to the Near East was presumably a result of the exhortations contained in General Assembly resolutions 1456 (XIV) and 1604 (XV), which had shaken the Conciliation Commission out of its torpor. The Commission thought that Mr. Johnson had done excellent work in carrying out his mission, and had approved his conclusions. He wished to pay tribute to Mr. Johnson's intellectual qualities and integrity, and to make it clear that the reason why he disagreed with the views which the Special Representative had expressed in his report A/4921/Add.1 and Corr.1 was that the instructions given by the Conciliation Commission to its Special Representative were not consistent with General Assembly resolutions, particularly resolutions 1456 (XIV) and 1604 (XV). The Special Representative's instructions should have been essentially to begin negotiations with the Israel authorities, who were responsible for the implementation of operative paragraph 11 of resolution 194 (III). Questions such as the economic recovery of the Middle East were wholly outside the scope of his mission. The Conciliation Commission was thus to blame for having put its Special Representative on the wrong road. The report made only a very ambiguous reference to the substance of the question, stating that the parties had expressed their willingness "to consider the possibility of a step-by-step process without prejudice to positions on the other related issues" (paragraph 53). Only one party, namely Israel, was responsible for the non-execution of the provisions concerning the repatriation of refugees; the point in issue was not the willingness of the two parties, but the implementation of General Assembly resolutions. In any case, Mr. Johnson would not have made that reference in his report unless he had received certain assurances from the Israel side. Yet on 11 October 1961, a few weeks after Mr. Johnson's return, Mr. Ben-Gurion had made a statement to the Israel Parliament in which he had categorically rejected any idea of the repatriation of the refugees. Since Mr. Johnson had not submitted his report until after that statement had been published, he should have pointed out the inconsistency in the official position of the Israel authorities. That omission was serious, since the hopes expressed in paragraph 53 of the report had been frustrated by later events.

14. In the circumstances, the Committee must consider whether the alleged effort made by the Conciliation Commission deserved to be continued. If the Com-

mission had tried to use its influence to persuade Israel to carry operative paragraph 11 of resolution 194 (III) into effect, it would have acted more in accordance with the decisions of the United Nations. In reality, it had again tried to evade its mandate, and he regretted that a person of Mr. Johnson's integrity had been persuaded to undertake a mission which was outside the clearly defined limits set by the General Assembly resolutions. The Arab countries had for some time hoped that the Conciliation Commission would eventually become a neutral and objective organ, but their hopes had been disappointed. With its composition, the Commission could never be either neutral or impartial. It was enough to remember the attitude to the present question which the United States had taken in the debate at the fifteenth session.^{7/} That delegation had opposed the request of the Arab countries that the refugees' properties should be protected and that an international custodian should be appointed by the United Nations with a vigour that could hardly have been matched by the Israel delegation itself. He also recalled the pressure which Mr. Truman's Government had used in the United Nations to ensure the adoption in 1947 of the resolution (181 (II)) on the partition of Palestine. Those political manoeuvres had shocked not only all impartial people outside the United States, but also many American figures, including Mr. Stephen B. L. Penrose, the former president of the American University of Beirut, who had said in his book *The Palestine Problem: Retrospect and Prospect*^{8/} that they provided one of the blacker pages in the history of United States foreign politics. It was surprising that a Government which had played so great a part in causing that tragedy should have been elected a member of the Conciliation Commission only one year after partition. Since then, the United States Government had always been under pressure from the Zionists, who had established their headquarters in that country, and there was no need to mention the hundreds of millions of dollars which the United States furnished each year to the occupation authorities in Palestine. Without that material and political aid, Israel would not have dared to defy the United Nations. He wished, however, to pay tribute to the praiseworthy attitude which President Eisenhower had taken in 1956, in accordance with true American traditions, after the tripartite aggression against Egypt. So far as France was concerned, it was the declared ally of Israel in every field, and collusion between those two countries in the aggression against Egypt spoke for itself. Turkey was trying to restore a certain balance, but, as an ally of the United States and France in the North Atlantic Treaty Organization (NATO) found it very difficult to do so. The Commission therefore represented the Western point of view, which had always been pro-Zionist. The Commission was neither neutral nor impartial. In those circumstances, the continuance of the Conciliation Commission in its present form could only delay the implementation of General Assembly resolutions.

15. He went on to quote from a statement which Mr. Ben-Gurion had made on 11 October 1961 to the Parliament of Israel. Mr. Ben-Gurion had shown how important he considered it by calling for a vote of confidence thereon. In that declaration, Israel categorically rejected the "insidious" proposals to give the

refugees freedom of choice. That constituted defiance of the authority of the United Nations, a challenge to which the Organization should call attention. No one could become indignant and even propose sanctions against South Africa, because it was violating United Nations resolutions, and yet remain silent when Israel did the same thing. With regard to South Africa, the United States had said that United Nations resolutions should be respected, whatever the question to which they referred, and had asked that intolerance should be shown towards intolerance. He wondered whether the United States would take the same attitude with regard to the intolerance shown towards Arab refugees.

16. The defiant attitude of the Government of Israel towards the United Nations had provoked a reaction of disapproval even in Israel. After Mr. Ben-Gurion's statement, the philosopher Martin Buber had asked that his Government should take a more conciliatory attitude, provided that its security was ensured. *A fortiori*, then, must the United Nations be firm, as the responsibility of the Zionists was not in doubt. Not only were they now ignoring the refugees' right to repatriation, but they had themselves brought about the tragedy of the refugees and they alone were responsible for its continuance. The Zionists, with the support of propaganda campaigns, contended that the Arabs had incited the refugees to leave their country. But those charges were inconsistent. Mr. Eban^{9/} had told the Committee in 1957 that the exodus had been encouraged by the leaders of neighbouring countries, while Mrs. Golda Meir, speaking on 18 October 1961 in the General Assembly at its 1039th plenary meeting, had accused the Palestinian leaders of the Arab Higher Committee. Mr. Ghory had already disposed of that charge (311th meeting of the Special Political Committee). The reason for that change of attitude might have been the embarrassment caused by an article by Erskine Childers published in *The Spectator* of London of 12 May 1961. The writer had concluded, after a thorough inquiry, that no primary evidence of those evacuation orders had ever been produced. No document confirmed them, and the alleged statements to that effect made by the Orthodox Archbishop of Galilee had been denied by the Archbishop himself. It was therefore clear, according to the same writer, that official Zionist forces had been responsible for expulsion of thousands of Arabs and for deliberate incitement to panic. In that connexion, he recalled that in 1948, according to a Zionist source, a column commanded by Moshe Dayan had terrorized the people of an Arab town of 30,000 inhabitants and had forced them to flee.

17. The Zionists had only repeated against the Arab people of Palestine crimes which the Nazis had committed against other peoples, including the Jewish minority, in Europe. The historian Arnold Toynbee had found that both had committed the same cold-blooded acts of systematic cruelty.

18. He hoped that the United States delegation, which at the fifteenth session had opposed entrusting the properties of the Palestine Arabs to an international custodian, would now reconsider its position. Not only was that measure necessary because of the contempt for international law shown by the Zionist authorities, but also there were historical precedents for it, since similar measures had formerly been taken to protect the interests of the Jews. The United Nations must

^{7/} Ibid., Fifteenth Session, Part II, Special Political Committee, 247th meeting.

^{8/} Minaret Series, Number Four, 1954, American Friends of the Middle East, Inc.

^{9/} Official Records of the General Assembly, Twelfth Session, Special Political Committee, 70th meeting.

take action to that end. But the implementation of any resolutions the Organization might adopt would depend largely on the attitude of the United States Government. Israel had dared to ignore every resolution adopted on the Palestine question only because it relied on United States support. In the official aid and private subsidies which Israel received from America, the United States had a powerful means of pressure which had already

proved useful on at least one occasion. The United States must cease to act as a spokesman for Israel and must support the United Nations, since otherwise the Palestine refugees would be condemned to live on in the misery of the camps and Israel would impudently continue to defy the United Nations.

The meeting rose at 5.20 p.m.