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Chairman: Mr. Yordan TCHOBANOV (Bulgaria).

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; A/SPC/L.79 and Corr.1 and 2, L.80, L.81) (continued)

1. Mr. PAPAGOS (Greece) considered that of the many terrible consequences of the two World Wars the situation of the Palestine refugees was one of the most tragic. Such a situation was fundamentally of a humanitarian nature and demanded the special attention and constant solicitude of the whole civilized world. If the question were viewed from a political standpoint it would perhaps be possible to choose from among a number of solutions. But from a humanitarian standpoint, however, the United Nations was under a solemn obligation to search only for the best possible solution, one which would be in accordance with the desire of the refugees to secure through their own free choice the proper conditions for a decent life for themselves and their children. Any political solution must take that fundamental consideration into account.

2. His delegation was pleased to find that the report of the Director of UNRWA (A/4861) reflected its own views, which it had repeatedly stated in the past. He had in mind particularly the Director's acknowledgement that little progress had been made during the past thirteen years, that the lack of opportunity for young refugees to develop their abilities was one of the most serious sides of the question and that the refugees continued to insist that paragraph 11 of General Assembly resolution 194 (III) should be applied. As Director of UNRWA Mr. Davis had proved his integrity and he congratulated him on behalf of his delegation. The success of the three-year vocational training programme undertaken by the Agency was most satisfactory. Its execution entailed financial difficulties, since it depended on contributions from government sources which lacked the requisite elasticity. For that reason the success of the Agency in raising funds from extra-budgetary sources was particularly to be commended.

3. Unfortunately, none of the United Nations resolutions to allow the refugees to choose between repatriation and compensation had been applied. The refugee situation therefore remained unsolved and a source of

unrest in a very sensitive area at the junction of three continents, where his own country, as a close neighbour, had a special interest.

4. Of the two draft resolutions before the Committee, that submitted by the United States delegation (A/SPC/L.79 and Corr.1 and 2) was the more in conformity with his delegation's views.

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

5. Mr. BENABUD (Morocco) observed that Palestine, a peaceful land where peoples of different faiths had lived in harmony for generations, had been subjected to foreign domination which had deprived it of its rightful nationhood. Paragraph 2 of the report of the Director of UNRWA, in a summary of the main reasons why the tragedy of the Palestine refugees had found no solution in thirteen years, rightly stated that rehabilitation had proved to be a difficult task because resettlement projects were in principle unacceptable to the refugees, to the Arab people generally and to the Arab Governments, which maintained that such projects contravened paragraph 11 of General Assembly resolution 194 (III) concerning the refugees' right to repatriation or compensation. Earlier annual reports of the Director of UNRWA and other authoritative reports had clearly demonstrated that the refugees continued to express their desire to return to their homes; the current report confirmed that desire and stressed the fundamental fact that the solution of the situation depended on the application of paragraph 11 of resolution 194 (III). The Agency had been established on an emergency basis to supply food, shelter and medical care to the refugees pending their repatriation and the final settlement of the entire Palestine question; its continuation was due to Israel's defiance of all the General Assembly's resolutions and its refusal to comply with its international obligations. The uprooting of the entire nation of Palestinian Arabs was an example unique in history of the violation of international law, human dignity and morality. True, Jews had been persecuted in some parts of the world but it was not just to drive the Arabs of Palestine from their homes in order to make room for people who were aliens in that land.

6. His delegation wished to express its gratitude to the Director of UNRWA for his ceaseless efforts to alleviate the sufferings of the Palestine refugees, whose numbers were increasing every year. Those responsible for the situation claimed that the refugees born in exile could not be considered to have refugee status. That was an entirely false and misleading allegation, for they were the children of refugees and it was no fault of theirs that they had been born outside their own country. The laws of many countries, including the United States, would uphold him in that contention. With the passage of time the needs of the refugees in the way of food, housing, medical care and education were bound to increase and more funds

would consequently be needed. At the time when the partition resolution 181 (II) had been adopted the Arabs of Palestine had owned about 94 per cent of the land in addition to their personal possessions and bank accounts worth many millions of dollars. The value of that property was sufficient to enable them to provide for their own needs without having to beg for international charity. His delegation therefore supported the proposal to appoint a United Nations custodian to administer the refugees' property in Israel-occupied Palestine, that would protect the legitimate rights of the refugees and ease the financial burden of the United Nations.

7. With reference to the addendum to the nineteenth progress report of the United Nations Conciliation Commission for Palestine (A/4921/Add.1 and Corr.1), the Special Representative's instructions had not been clear, for there was no evidence that his mission had produced any positive results and his report failed to take into account the General Assembly's request to ensure the application of paragraph 11 of resolution 194 (III). The United Nations ought to consider whether the Commission should continue to exist in its present form. In any case, that body should immediately concentrate its efforts on reaching an agreement with the parties concerned for the appointment of a United Nations custodian.

8. The well-documented statements of the earlier speakers representing Arab States left no doubt that Zionist immigration, which was the cause of the refugee tragedy, had been organized not for humanitarian reasons but to serve imperialistic purposes. The division of Palestine had been the result of many years of plotting by the colonialists, who had realized that the tide of liberation was irreversible and wanted to retain a foothold in the Middle East by any means. The Balfour Declaration of 1917^{1/} had left the door wide open to a wave of immigration which had culminated in the forced replacement of the rightful inhabitants of Palestine by aliens systematically gathered from all corners of the earth. Throughout the period of the United Kingdom Mandate, the Arabs of Palestine had emphatically demonstrated their opposition to that immigration scheme, struggling courageously to regain their independence and maintain their human dignity and fundamental rights, only to be overpowered in the end by the armed might and formidable resources of colonialism. The United Nations bore the responsibility for the decision which had resulted in the partition of Palestine and must carry the increasingly heavy burden and the resulting dangers to peace and security. The United Nations fully realized that the division of States was an obstacle to their progress and a threat both to their stability and to world peace, as its action to preserve the unity of the Congo (Leopoldville) indicated. Yet that same United Nations had in 1947 adopted resolution 181 (II) that had divided Palestine into a larger part for the Jewish minority and a smaller part for the Arab majority, the division being imposed by force of arms against the will of the people concerned, who had not even been consulted on the matter. The Middle East had ever since been in a state of turmoil which on at least two occasions, in 1948 and 1956, had threatened to plunge the whole world into war. It was high time that the United Nations realized the error it had committed in partitioning Palestine and took steps to re-

dress that injustice. Although the situation in the area appeared relatively calm it was an explosive one and a just solution must be found if the future of the United Nations and world peace were to be safeguarded.

Mr. Tchobanov (Bulgaria) resumed the Chair.

9. Mr. ROBERTS (New Zealand) said that it would be well for the Committee to remember that the item before it was the Report of the Director of UNRWA (A/4861), for at times the discussion had continued with scarcely a passing reference to that document. It seemed to him that controversy had been sought for its own sake and that political advantage had been seized at the expense of a great human situation. It was true that the Committee was a political one and that the question had political implications but its solution would not be facilitated by intemperate charges that could only harden existing attitudes and make the task of the Agency more difficult. His delegation realized that the Agency by itself could not solve the question. It was also convinced that a reduction in the number of refugees must of necessity be a gradual process which could come about only with the co-operation and good will of the parties directly concerned. The Assembly's task was therefore to assist the parties to co-operate and not to endorse the thesis of one side at the expense of the other. Otherwise the refugees would continue to live on international charity and constitute an unstable element whose misery could be exploited in any political interest.

10. General Assembly resolution 194 (III) was the key declaration of principle in relation to the refugees. Paragraph 11 had frequently been quoted in the course of the Committee's deliberations. The resolution should, however, be considered as a whole, since it included also the important paragraphs 5 and 6, requesting the Governments and authorities concerned to seek agreement by negotiation and instructing the Conciliation Commission to assist them in achieving a final settlement. Failure to apply that resolution was attributable to intransigence on both sides. It could not be attributed to the Conciliation Commission, for it could only be enforced after conciliation and no conciliation body could make progress if each of the parties insisted that all the right was on its side and all the wrong on the other. The precise wording of that resolution was less important than the element of justice to which it sought to give expression, namely, the right of the refugees to be able to return to a normal way of life through some form of choice between repatriation and resettlement with compensation. Should repatriation become a practical proposition it would have to be realized that those choosing that alternative were going to return to the State of Israel, where they would have to live, in the terms of paragraph 11 of resolution 194 (III), at peace with their neighbours. For that reason his delegation considered that an equally important directive was to be found in General Assembly resolution 512 (VI), which recognized that the Governments were primarily responsible for reaching a settlement.

11. Whatever some might regard as Israel's transgressions, it was a State, which had virtually been created by the General Assembly, and its extinction as a State could not be tolerated by the United Nations. The Arab States accordingly had an obligation to recognize the State of Israel. Conversely, the State of Israel had an obligation to make itself acceptable to its Arab neighbours. There were certain practical steps by which the parties could contribute to an im-

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

provement in the situation of the refugees. The Arab States could encourage the refugees to establish UNRWA self-support projects without prejudice to their ultimate choice of repatriation or compensation; they could also consider initiating and supporting, in co-operation with the Agency, resettlement programmes within the Arab States themselves for those refugees who did not wish to live in Israel. Israel, for its part, could demonstrate its good intentions by making provision for the full compensation of such refugees and by allowing a number of others, likewise in co-operation with the Agency, to return to their homes, on the understanding that repatriation would remain subject to the normal requirements of national law.

12. He expressed the gratitude of his delegation, both as a Member of the United Nations and as a contributor to the Agency, for the work done by Mr. Davis and his staff. The most disquieting feature of the report was the statement that the number of refugees was constantly growing and that as the younger refugees reached adulthood they were unable to support themselves. Almost all the young refugees who had received specialized training had become self-supporting, but their number was small—about 3,000. His delegation noted with great satisfaction that the three-year training programme was moving ahead according to plan. Much more could, however, be achieved if the Agency's funds were increased. The contribution of his Government, which had supported the Agency from the outset, now amounted to over \$1,200,000 per year, making New Zealand the third or fourth highest donor per caput. In addition, the New Zealand people had given clothing, equipment and cash to a total value of over \$2,000,000 through non-government channels. The help given by both the Government and the people of New Zealand had been prompted by humanitarian considerations. Taking into account the distance separating New Zealand from the Middle East and the amount of its contribution, he thought that his Government had the right to urge those States which had not so far contributed to UNRWA to consider the importance of doing so. Whatever the political differences existing among the members of the Committee, they could surely all co-operate for the purpose of improving the lot of the refugees. Perhaps in so doing they would find that international co-operation in that practical field could lead to co-operation in other and broader issues.

13. Mr. ZABARAH (Yemen) said that after the statements which the Committee had heard his delegation felt that its duty was less to submit further evidence concerning the question of Palestine than to call for recognition of the importance of that evidence and to analyse the statements made by Israel in the course of the debate. Israel was attempting to make every delegation share its responsibility for dispossessing a peaceful nation, despoiling it of its property and replacing it by a horde of invaders who were entirely foreign to the country. Israel's explanation of that aggression was similar to the apologetic explanations offered by the colonial Powers for applying the law of the jungle rather than the law of civilized nations. It would not long be able to continue deceiving world opinion, however, for the many nations which had only recently been freed from colonial rule would stand on the side of justice. By General Assembly resolutions 1514 (XV) and 1654 (XVI), the United Nations had decided, without opposition, that all forms of colonialism must be brought to an end and it could

accept no excuse for the continuance of colonialism in any part of the world. Yet the aggression against Palestine exceeded the evils of colonialism in its ruthlessness. In liquidating an entire nation Israel had committed a crime worse than any committed in the name of colonialism. Many delegations had called for the expulsion of South Africa from international organizations and requested all Member States to boycott its Government on account of its treatment of the African inhabitants of that country. How, then, could they condone the infamous crimes committed by Israel against the Palestine nation, crimes which surpassed genocide or any other crime in history? The United Nations had decided to support the right of the Congo (Leopoldville) to safeguard its unity and territorial integrity. It was illogical not to apply the same rule to the invading army of foreign settlers in Palestine who, with the aid of the imperialists, had expelled a whole people, but, instead, to permit the aggressors to occupy the lands, property and homes of the lawful population.

14. The United Nations must take steps to remedy the situation and to put justice in the place of illegality. He appealed to the nations of Latin America, Asia and Africa and to those Western countries that were familiar with the value of the principles of law and equity, in favour of self-determination and the liberation of peoples and against aggression, to assist the United Nations to restore their usurped rights to the people of Palestine.

15. Members were witnessing a strange combination of forces against the sacred rights and principles that the United Nations had striven to preserve. The Western Powers had mobilized their forces in order to prevent the United Nations from administering the property of the Arab refugees, although if those properties were put under a United Nations Custodian, the income from them could help to support the refugees, reduce their dependence on international charity, mitigate some of their hardships and also lessen the burden on the Agency's budget.

16. When a colony attained independence, the populations were left to live in their homes and enjoy their property. None of the atrocities, exploitation, discrimination and subjugation inflicted by the colonialists on peoples under colonial rule could compare with the oppression, massacre and brutality inflicted by Israel upon the people of Palestine.

17. Responsibility for Israel's aggression against Palestine, which was unique, fell upon the United Nations which the imperialist Powers had used as a tool in order to create Israel. He might ask if the United Nations which had been used to serve the cause of imperialism could be utilized to end Israel's colonial domination. The Zionist imperialists, not content with their other misdemeanours, planned to divert the Jordan River and deprive the Jordan Valley of its waters. Israel was illegally diverting the river in order to irrigate lands under *de facto* Israel control. That was a further instance of Israel's disregard for legitimate Arab rights and called for an urgent investigation.

18. Yemen could not understand that the great Western Powers should increase assistance to Israel and encourage it to continue its hostility which threatened international peace. It was incomprehensible that the Western Powers, in the atomic age, the era of liberation and freedom, should turn a deaf ear to the Arabs, who had tried for the last thirteen years to elicit

sympathy for the sufferings of the people of Palestine which were the result of Zionist conspiracy and control in the Western countries and countries under their influence. Their behaviour was an insult to the Arabs and to all people of the Moslem faith. Apparently, the Western brand of democracy allowed those Powers to condone and even help in Israel's crimes. All those who were still doubtful of the organized conspiracy and complete collaboration between Israel and the Western Powers should examine the records of the Palestine question carefully; he was confident that they would reach his own conclusion.

19. The Yemen delegation had given careful consideration to the report of the Special Representative of the United Nations Conciliation Commission for Palestine (A/4921/Add.1 and Corr.1). Any report coming from that body must be examined in the light of the fact that the Commission was composed of Israel's allies and main supporters. Paragraph 15 of the report contained the phrase "in a time of upheaval and rampant rumour many factors operated, ... to cause the flight of the refugees". Mr. Johnson, for whose personal qualities the Yemen delegation had great respect and admiration, made no reference to the sufferings of the Palestine Arabs before their flight, or to the massacres perpetrated by Zionist terrorists in carrying out the plan to expel the Arab population in order to make room for more Jewish immigrants. In paragraphs 45 and 46, Mr. Johnson stated that both Israel and the Arab States wanted peace, but he failed to mention Israel's rejection of resolution 194 (III) calling for the repatriation, resettlement and compensation of the Arab refugees, or its intransigent position in the Palestine controversy. Yemen could not agree that Israel wanted peace. Israel had repeatedly refused to abide by the United Nations resolutions or to carry out the Lausanne Protocol.^{2/} The Arabs, on the other hand, had made great efforts to achieve peace. They had made many concessions and compromises, while Israel had categorically refused to apply all the resolutions on the refugees, Jerusalem and other aspects of the Palestine question, including even partition resolution 181 (II) of 1947 on which its very existence was based. Although the Arab States permitted the United Nations police force to be stationed on their territories, Israel had refused to accept the presence of UNEF even in the demilitarized zones. The Arab States had co-operated with the Mixed Armistice Commissions but Israel had boycotted their meetings. The Arab States had also co-operated with the Conciliation Commission and with other missions sponsored by the United Nations or by individual States.

20. In paragraph 50, Mr. Johnson had made an error in saying that the Arab States and Israel alike had expressed humanitarian interest in the refugees. Israel's humanitarian interest, if any, was not reflected in its official actions. The Israel Government not only refused to agree to the return of the Palestine Arabs to their homeland but was intensifying its campaign to bring more than a million new Jewish immigrants to Israel.

21. The Arab request to the General Assembly to appoint a United Nations custodian to safeguard the property rights of the refugees did not constitute a precedent; it was based on established principles of international law including those set forth in the Con-

vention respecting the Laws and Customs of War on Land, signed at The Hague in 1907, and the provisions of General Assembly resolution 394 (V).

22. Attempts had been made to present the dispute as one between the Arab States and Israel; it was a dispute between Palestine and Israel. The people of Palestine had requested protection for their property rights. It was time for the United Nations to offer the refugees something more than pity and empty words. It should offer them self-respect, encouragement and hope by setting up a machinery to protect their property rights and thus help to relieve them of the necessity of living on international charity while others enjoyed their wealth.

23. Mr. MAHMUD-GHAZI (Afghanistan) deplored that the General Assembly resolutions had not been applied and thus no progress had been made.

24. The Palestine issue was in danger of becoming a routine item. Once the debate was over, delegations tended to forget that those whose fate they had been discussing could not return to their homes, and had been deprived through their inaction of their fundamental rights. The work of UNRWA or the generosity of the contributing States must not be belittled, but the Agency was a relief measure and relief could only be effective if positive steps were taken for a permanent solution.

25. The sufferings of the Palestine refugees were not unlike the sufferings of the Jews and it was a shock to find the past victims of discrimination and persecution adopting those same evils. There had been attempts to justify the use of a new form of fanaticism, but that extremist policy had created over a million Palestine refugees and a continuous state of tension in the Middle East.

26. The United Nations should recognize its mistake in regard to Israel and act accordingly. The perpetuation of injustice generally led to violence. The victims in the case of Palestine were not only the desperate refugees but also the people of the other Arab States whose pride and dignity had received a severe blow.

27. There had been a tendency during the debate to treat the Palestine refugee item as mainly a financial problem. The Afghan delegation felt that the question had always been and remained essentially political. If the Committee continued to concentrate on the financial aspect, it would be underestimating the gravity of the situation.

28. A number of draft resolutions had been put forward, including one sponsored by a certain number of African, Latin American and European States (A/SPC/L.80). His delegation appreciated their efforts, for the Government of Afghanistan had always maintained that straightforward talks and exchanges of views, carried on in an atmosphere of friendship, constituted the best approach to a solution in all disputes. The suggestion, however, was not entirely acceptable to both parties. A spokesman for the Arab delegations had made it clear that it was not the Arab States, individually or collectively, which were parties to the dispute but the refugees themselves. The draft resolution did not take that fact into account. It also seemed to ignore the resolutions previously adopted by the General Assembly. Those resolutions remained valid and they should be applied. The draft could serve as a starting point, provided that it was amended so as to become acceptable to the parties directly concerned. His delegation was unable to support it as drafted. The fact

^{2/} Ibid., Fourth Session, Ad Hoc Political Committee, Annex, vol. II, document A/927, annexes A and B.

that Afghanistan was a co-sponsor of amendment A/SPC/L.81 to draft resolution A/SPC/L.79 and Corr.1 and 2 was an indication of its position.

29. The common effort to find a just solution should be guided by a recognition of the fact that an injustice had been committed against the refugees, which should be rectified, and that a resolution could only be worthwhile if provisions were made for its application. It should also be recognized that no progress could be expected unless the principles of justice, which remained valid at all times and in all circumstances, were kept fully in mind.

30. Mr. HASAN (Pakistan) said that the debate had not been confined to the report of the Agency (A/4861) but had ranged over the whole Palestine question. The Director himself, in his admirable report, had made it plain that the refugees demanded to go back to their homes and that not only the older refugees but also the generation growing up rejected the idea of settlement in neighbouring Arab countries. It was not that the Arab countries were wholly unwilling to absorb the refugees, for a number of them had found employment in those countries. But, as Mr. Davis pointed out, because of the restricted resources of the Arab countries, opportunities for earning a livelihood were few. The Government of Israel, however, refused to allow the refugees to return to their homes, or to recognize that they had any title to their property in Israel or to the income from it.

31. The Israel delegation's arguments were not altogether easy to follow. In building up its case, it based itself upon certain beliefs which were a part of the Jewish religion. The basic argument seemed to be that the Jews had lived in Palestine some 2,000 years ago. They had unfortunately been turned out of their country and had spread into various parts of the world, including Europe, where they had not always got on well with the Christians. In modern times, the Jews, along with many Christian communities, had been cruelly treated by the Nazis. The Israel delegation contended, therefore, that in 1947 the Jews had been entitled to come to and take possession of the country of Palestine, although other people had been living in it for 2,000 years. Clearly, there was no support for that mystical proposition in international law or in the Charter of the United Nations. That had been the view of the Pakistan delegation from the beginning of the controversy. The plan to partition Palestine regardless of the wishes of its people had been pushed through the General Assembly in 1947 by the United States and the Soviet Union. The Soviet Union had been following a well-calculated policy, but there was no evidence that the policy of the United States had been based on any long-range calculations. Indeed, it had been warned at the time by Sir Mohammad Zafrullah Khan,^{3/} the leader of the Pakistan delegation, against alienating its allies in the Middle East. Sir Mohammad had also prophesied, and rightly, that partition would remove any chance of reconciling the Arabs and the Jews. The advocates of partition had been able to muster the required two-thirds majority by manoeuvres to which it was better not to refer, for in a court of law they would invalidate any transaction founded upon them. All the Muslim Member States of the United Nations had voted against partition resolution 181 (II). The Jews claimed that their sentiments should be respected by the United Nations. They might remember that

there was another intercontinental religious community whose sentiments were also entitled to some respect.

32. The delegation of Israel refused to deal with the issues fairly and squarely but skilfully diverted the Committee's attention towards irrelevant matters. For instance, it called on the Arab States to make peace with Israel, thus giving some delegations the impression that Israel really had peaceful intentions. The real issue was the rights of refugees, which had nothing to do with peace between Israel and the Arab States.

33. Israel had made repeated references to the partition resolution of 1947. Supposing the State of Israel to be based upon that resolution, it might be asked whether Israel had observed all its provisions. It was contended that the Arabs had rejected the resolution, but that did not entitle Israel to flout it and by force of arms occupy areas that had not been allotted to it and eject the Arab inhabitants of Palestine. As a Member State, Israel had a responsibility to the United Nations regardless of any putative sins of the Arab States. If Israel based its case on the partition resolution, it must recognize that certain areas were designated in it for the Arabs of Palestine and that Israel's occupation of those areas was aggression and defiance of the United Nations. If Israel did not base its case on the partition resolution, it presumably based it upon the right of conquest. There were well recognized rules of international law applying to conquest which could be summarized as follows: occupation through conquest did not confer sovereign rights on the occupant; conquest or occupation did not extinguish a nation; the occupant was not entitled to set aside the inhabitants and was under an obligation to protect their property rights; after the end of hostilities, every citizen was entitled to go back to the place in which he had been. In fact, the Israel delegation appeared to base itself on the partition resolution but to refuse to abide by those parts of it which related to the Arabs. That was a position which the General Assembly could not accept and never had accepted.

34. The representative of Israel had devoted considerable time to an attempt to show that the Arab States were responsible for the exodus of the Palestine Arabs. That claim was now losing validity in the light of expert historical research. Even if the Arab States had been responsible for the exodus of the Arabs, it did not give foreign Jews a right to take possession of their property and withhold it from its rightful owners. The Israel delegation had not given one good or honest reason why the refugees should not return to their homes, particularly since there was nowhere else for them to go, or why they should not be allowed to exercise the choice between repatriation and compensation promised to them under General Assembly resolution 194 (III).

35. The Israel delegation blamed everything on the Arab States, but the accusations it made against them had nothing to do with the merits of the case. Even if the Arabs of the neighbouring countries had been guilty of all that the Israel delegation charged, it did not affect the rights of the refugees to return to their homes or absolve the Israel Government from its obligations. Even if Israel's claim that the refugees had left Palestine voluntarily was true, there was not a single precedent in international law to justify the driving out of other people from their homes and taking possession of their property and refusing to restore it. The only precedent that could be found was in the

^{3/} *Ibid.*, Second Session, Ad Hoc Committee on the Palestinian Question, 30th meeting.

action of the white settlers in America and Africa. The African delegations might ponder that point.

36. The representative of Israel claimed that the Committee should recognize the fact that the State of Israel existed and was a Member of the United Nations. That State of Israel was keeping 1,200,000 people out of their homes, and had confiscated their property. Moreover, there were six resolutions of the Security Council condemning Israel. The representative of Upper Volta had referred to the progress that had been made in Israel. That, too, was irrelevant. Perhaps Israel had made the desert bloom, but in some parts of Africa also there were flourishing European plantations on land that had been illegally and forcibly taken away from the Africans, side by side with pathetic indigenous farms.

37. The representative of Israel had said that under the partition plan, the Arabs were to have had self-determination in their State. In fact, the Jews had been in a minority all over Palestine, except in one of the fourteen sub-districts of Jaffa. Self-determination for the Jews would have meant giving them a State confined to that district.

38. At the 314th meeting, the representative of the Ivory Coast had made an eloquent appeal for peace negotiations. However, when Israel talked of negotiations with the Arab States, its purpose was to avoid discussing the rights of the Arab States and the rights of the Arab refugees, which were enforceable not against the Arab States but against Israel. That fact had been recognized in a number of United Nations resolutions and those resolutions could serve as a basis for negotiations. If there was any doubt about that fact, it could be referred to the International Court of Justice for an advisory opinion under Article 96 of the Charter and Chapter IV of the Statute of the International Court.

39. If the Israel delegation followed its usual pattern, it would reply to Pakistan's charges with abuse. Pakistan, no doubt, had faults, but it could make one claim: its problems too had been discussed in the Security Council and Pakistan had implemented every one of the resolutions adopted, even though it had meant in some particulars the sacrifice of important national interests. Unfortunately, all Member States did not act likewise, and it was perhaps time for the United Nations to take steps and devise machinery to enforce the observance of its decisions.

40. Mr. COOPER (Liberia) stated that his delegation had read the documents with great attention and believed that there was no more heart-rending topic before the General Assembly than the sad situation of the Palestine refugees. It merited the Assembly's urgent and compassionate attention. There were 1,200,000 human beings in the Near East, who lacked permanent homes and, in large measure, the skill to earn a living; international charity alone enabled them to exist. Their past had been bitter and their future was bleak. Saddest of all, 300,000 young persons had come to maturity, without having had the chance to learn the trades of their fathers; they were living as homeless, workless and hopeless refugees.

41. It was lamentable that, all through the years, the fate of the unhappy Palestine people should have provoked the bitterest debates, in the most violent language ever heard in the United Nations, rather than the evocation of the humanitarian principles of the Charter. And the Palestine refugees were the one

group that would surely lose as a result of the bitterness between the Arab States and Israel.

42. The Organization had utilized almost every means at its disposal in its endeavours to solve the question. It had tried mediation, conciliation and inquiry; yet, after thirteen years, those closest to it estimated that the situation would persist for another ten years at least. Past failures, however, did not justify any abdication of responsibilities. The Agency's record of accomplishment, which was most praiseworthy, warranted continuation of the programme, for it provided an element of hope. His Government's appreciation was demonstrated by its response, to the utmost of its ability, to the call for funds to finance that work.

43. Yet two hopeful signs were recorded in the annual report, namely, the host Governments had co-operated splendidly with the Agency, which he hoped would continue in the future, and the educational and vocational training programme had been expanded. It was to be hoped that a political settlement would be effected in the near future so that the trainees would be able to put their acquired skills to use. Mr. Johnson, in paragraph 49 of his report (A/4921/Add.1 and Corr.1, noted that both sides had expressed a willingness to consider a step-by-step process that might lead to progress on the refugee issue, thereby furnishing additional reason for pursuing that goal with added vigour. In fulfilling its humanitarian task the world had a right to expect that the parties most directly concerned should make every effort to find a true solution.

44. It was not his intention to judge the merits of the positions taken by the parties nor the motives of national interest whereby they were moved. Nevertheless, the lot of the Palestine refugees aroused the deepest compassion and should induce the Arab States and Israel to make renewed efforts to reach a settlement.

45. Mr. NORIEGA (Colombia) said that a pessimist might contend that the best way to render a problem more complex was to submit it to the United Nations. At first sight, the agenda item before the Committee might be thought to arouse the pessimist's worst fears; but careful study of the annual report of the Director of UNRWA (A/4861) immediately revealed how wrong and exaggerated was such an approach. The Agency had been set up under the stimulus of a feeling of human solidarity; no one could fail to acknowledge the ability and the high sense of responsibility with which the Director and his staff had carried out the mission entrusted to them. The annual reports made it possible to follow in detail their efforts to bring help to thousands of people who depended on external aid for virtually every necessity of life.

46. In his delegation's opinion, there were two aspects of the report which were of outstanding interest. In the first place, there was the expansion of vocational training and the growth in the number of university scholarships, while the improved basic elementary and secondary education programme was "moving ahead about on schedule", to quote from paragraph 16 of the report. There were encouraging figures which revealed how much progress had been made in that sphere, and references to the efforts made by the Director—efforts which his delegation regarded as being well conceived—to obtain further financial contributions and to utilize funds in such a way as to

strike a reasonable balance between relief expenditure, which was essential if the basic purpose of the operation was to be accomplished, and expenditure on education. The importance of providing opportunities for the training of young refugees needed no emphasis: it was gradually laying the foundations, however slight they might be, for a solution of the problem.

47. In the second place, the reference in paragraph 27 to the good relationships between UNRWA and the host Governments seemed to his delegation to give solid grounds for hoping that further progress might be made in the future.

48. All that he had referred to justified the appreciation expressed to the Director of the Agency and the countries and organizations which had helped him.

49. In the light of the many factors which aggravated the situation, such as the population increase among the already numerous refugees, the Agency's endeavours might be described as precarious and inadequate. It was obvious that there was much to be done and that not all was being done. Nevertheless, the Agency's activities aroused such wide sympathy that it was not too much to hope that the number of those contributing to its efforts would appreciably increase.

50. With regard to the political aspects, the difficulty of expressing a constructive opinion was vastly increased by the bitterness of the dispute and of the feelings involved. In such a medley of claims and counter-claims, the most innocent statements were regarded as aggressive, while attempts to find a solution rarely met with any appreciation. Nevertheless, such an effort had to be made; his delegation did not share the pessimistic views about the inefficacy of the United Nations. However strong the views expressed by those who regarded themselves as wronged parties, such views should not affect those whose duty it was to find a moderate and objective solution, which could not be achieved without recourse to the peaceful means referred to in the Charter.

51. If such a solution was to be found, certain facts had to be taken as a starting point: the fact that Israel existed as a sovereign State; the fact that there were refugees whose fate had to be decided; and the fact that the various steps taken by the United Nations had been imbued with due respect for all the parties concerned and with the specific purpose of bringing them peace with justice. His country would support any attempt to find a solution to so grave a situation; but, while it regarded it as unwise to overlook the positive suggestions made that year by the Conciliation Commission, it was not in favour of making changes in procedures or institutions which might exacerbate an already emotional situation.

52. His delegation's vote on any draft resolutions would be guided by the principles to which he had referred.

53. Mr. LAPIAN (Indonesia) remarked that during the thirteen years since the item had first been brought up, mankind had witnessed remarkable changes, the most significant of which had been the shift in balance of power. A comparison of the situation at the end of the Second World War, when the United Nations was founded, with the contemporary situation showed that shift in balance. The Asian and African countries, whether or not under colonial rule, had been helpless and defenceless in the face of Western domination and had too often been victims of unilateral decisions made by the Western Powers. The history of atomic weapon

research and experiment—and even the practical application of the atom bomb—furnished a vivid example. The newly-founded United Nations had even been a predominantly Western body, controlled by the European countries and their supporters.

54. At that time people throughout the world were stirred by accounts of the terrible persecution undergone by the Jews, and public opinion had, understandably, been greatly influenced in favour of the Jewish people; hence, the desire to help them in some way. That feeling had found expression in the assistance given to the Jews in establishing a Jewish State, whose formation had been accelerated with Western aid.

55. But that Jewish State had been established in Asia, not in Europe, where so many Jews were homeless and destitute. The attitude taken by the Western Powers was seemingly that it was laudable to establish a Jewish State so long as it was situated where it would cause them no problem. That attitude was typical of the Western Powers; suffice it to recall that the atomic bombs designed to put a speedy end to the Second World War had been exploded in Japan, not in Germany.

56. As might have been foreseen, the intended solution of one problem had merely created another. Public sympathy was now stirred by the plight of the victims of that action and the United Nations was now called upon to assist the Palestine refugees, whose uprooting had been brought about by one of its own decisions.

57. But the United Nations of today was a very different body from the one that had first considered the question. The many Asian and African States that had become Members did not view the world through the same eyes as their former colonial oppressors. The present balance in the Organization offered an opportunity for rectifying injustices perpetrated as a result of the original pro-Western composition.

58. The annual report painted a picture that could not fail to stir the world's conscience, a picture of an uprooted people longing to resume normal lives. Their need for an occupation that would help them to overcome the lethargy and indifference caused by the aimless lives they were forced to lead in the refugee camps must be realized. It was not surprising therefore that representatives of the Arab States who had doubtless shared the rising hopes of the refugees at the United Nations affirmation of their rights and their subsequent despondency when the long years failed to bring any further step towards a final settlement, had expressed their emotion on the subject. At the 307th meeting, the Saudi Arabian representative had spoken at some length on the theme that emotion and passion were at the root of the questions confronting the United Nations. The feeling and understanding he had shown concerning the plight of the refugees must surely have evoked some response in his hearers.

59. There was much to be gained from a careful study of the personal views of the Agency's Director, as expressed in the introductions to the annual reports of 1959^{4/} and 1960,^{5/} since they were wholly uninfluenced by political or national pressure and, hence, must be generally acceptable. The chief among them were: that the Palestine refugee problem was being aggravated by the fact that maturing refugees were being given so little opportunity to develop the latent productive talents they possessed, and that that de-

^{4/} Ibid., Fourteenth Session, Supplement No. 14.

^{5/} Ibid., Fifteenth Session, Supplement No. 14.

ficiency was a major contributing cause to the continuous increase in the number of refugees dependent on the Agency; that 75 to 80 per cent of the original refugees had failed to find employment because they had moved into areas already saturated with farmers and unskilled labourers and that those groups now formed the bulk of the refugees dependent on the Agency; that the relief afforded by the Agency had been a strict minimum dictated by budgetary limitations; that the life of enforced idleness had inevitably affected the outlook and morale of the refugees; that their lot had been one of frustration, uncertainty, disappointment and hardship over all the years they had been living on international charity; that the loss of self-respect consequent upon loss of the opportunity to be self-supporting had been even greater than the physical privation.

60. Consequently, it was not surprising that the refugees, in their embitterment and resentment over the loss of their homes and homeland, still demanded the right of choice between repatriation and compensation held out to them by the United Nations, under paragraph 11 of General Assembly resolution 194 (III); that the promise made in that paragraph continued to be the one acceptable long-term remedy for their distress; that the feeling of the refugees regarding the Palestine issue was the feeling of the Arab people generally; that little difference of attitude was to be seen as between old refugees and the oncoming generation; that the danger for the future inherent in the build-up of an increasingly large body of unskilled and consequently unemployed, restless and frustrated youth needed no emphasis; that it seemed clearly unrealistic to assume that the major responsibility for solving the refugee problem should now rest with the host Governments, given the problems confronting them in their struggle for development and progress; that the host countries were doing much to help the refugees, both by direct assistance and by helping the Agency, apart from bearing all the economic, social and political repercussions of having the refugees within their borders; and, lastly, that the host countries were bearing those burdens with patience and courage and had demonstrated deep fraternal sympathy for the refugees.

61. That was a plain summary of the situation, stripped of its financial and statistical accompaniments. It was a picture of more than a million people in need of assistance to regain the rights the United Nations had repeatedly recognized as their due. Thirteen years in a refugee camp was hard to envisage. Yet on the very brink of the end of 1961 the repatriation promised by resolution 194 (III) of December 1954 had not yet commenced. Nor had compensation been paid for the property of those who chose not to return. In those circumstances, the General Assembly had been compelled each year to reiterate and reaffirm the basic provisions of that resolution, the only paragraphs that had been implemented being those concerned with the establishment of the necessary authorities and facilities to carry out the main purpose of the resolution. It was thus that the United Nations Conciliation Commission, consisting of France, Turkey and the United States of America, had come into being, and the sum total of its work had been nineteen progress reports, reporting nothing but progressive failure.

62. The membership of the Conciliation Commission had been decided upon in accordance with Western policies rather than with a view to its effectiveness. It had no representatives of the parties to the dispute

nor was it composed of non-aligned Member States able to consider the question objectively and take the requisite constructive action without danger of having their motives misconstrued; nor was it sufficiently representative of the Organization as a whole to enable it to obtain due universal recognition. His delegation shared the view that the Commission's composition was one of the chief causes of its poor record of achievement and that, to be able to function effectively, it must be truly representative of the United Nations of today. That was a matter of the greatest urgency and importance, since the Conciliation Commission was the organ of the United Nations responsible for putting into effect the crucial provisions of resolution 194 (III). It was the Committee's duty therefore to ensure that the Commission should be as effective and authoritative as possible, both to accelerate application of the resolution and to strengthen confidence in the Organization.

63. No matter how speedily it might act in that regard, however, repatriation and compensation dating back over a period of thirteen years would obviously be a time-consuming task, and justice, humanity and plain common sense argued the need for interim measures. The United Nations affirmed the right of the Palestine refugees to restoration of their property, and that property should be supervised and safeguarded until such time as restoration was made or compensation arranged. That alone warranted the appointment of a custodian to protect the interests of the refugees. In view of the plight of the rightful owners and the financial difficulties confronting those trying to alleviate their distress, it was no more than justice that such a custodian should also supervise revenues from refugees' properties and ensure that those revenues reached the people to whom they were rightfully due. Tension and resentment among the refugees would undoubtedly be lessened by such a measure, hope for ultimate justice would be revived and the task of the United Nations and of its Relief and Works Agency would be considerably lightened.

64. In conclusion, he thanked and congratulated the Agency's Director and his staff on their efforts and achievements. He was sure that the limited funds available were being used as effectively and purposefully as possible. The understanding shown by the Director and his assistants was bound considerably to lessen the resentment of the refugees at having to accept international charity which would not be needed if their rights were restored to them. It was to prevent the exhaustion of the refugees' patience and confidence in the United Nations that his delegation supported the proposal for a radical change in the membership of the Conciliation Commission and for the immediate appointment of a custodian or body to represent the interests of the Palestine refugees in their homeland.

65. Finally, he would comment on draft resolution A/SPC/L.79 and Corr.1 and 2 and amendment A/SPC/L.81 thereto at the appropriate time, but would take the opportunity now to appeal to the sponsors to withdraw draft resolution A/SPC/L.80, since one of the parties to which it was directed had already indicated that it was unacceptable, on grounds which he considered valid and, hence, it would achieve no purpose.

66. He called upon them to preserve the unity that might be needed in regard to other problems in the days that lay ahead.

The meeting rose at 6.20 p.m.