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Chairman: Mr. Víctor A. BELAÚNDE (Peru).

Former Italian colonies: report of the United Nations Commission for Eritrea (A/1285, A/1374, A/1389); report of the Interim Committee of the General Assembly on the report of the United Nations Commission for Eritrea (A/1388) (*concluded*)

[Item 21 (d) and (c)]*

1. The CHAIRMAN stated that the Committee would interrupt the discussion on the question of the Palestine refugees for a few minutes in order to dispose of the question of Eritrea. He read the text, as follows, of a joint draft resolution submitted by Brazil, Canada, Mexico, Turkey and the United States of America (A/AC.38/L.59):

"The General Assembly, to assist it in making the appointment of the United Nations Commissioner for Eritrea,

"Decides that a Committee composed of the President of the General Assembly, two of the Vice-Presidents (Australia and Venezuela), the Chairman of the Fourth Committee and the Chairman of the Ad Hoc Political Committee shall nominate a candidate or, if no agreement can be reached, three candidates for the post of United Nations Commissioner for Eritrea."

2. He invited the Committee to take a decision on the joint draft resolution.

The joint draft resolution was adopted by 28 votes to 4, with 4 abstentions.

* Indicates the item number on the General Assembly agenda.

Palestine: repatriation of Palestine refugees and payment of compensation due to them (A/1323, A/1324, A/1325, A/1326, A/1346, A/1349, A/1366, A/1367, A/1367/Corr.1, A/1367/Add.1, A/AC.38/L.30, A/AC.38/L.57) (*continued*)

[Item 20 (c)]*

3. Mr. SHARETT (Israel) wished to reply to the accusations of the Arab delegations; he did not, however, intend to recount the whole history of the affair to the Committee, for his delegation had already had occasion to provide all the useful information on the subject.

4. The Arab delegation had dwelt at length on the Deir Yasin incident, the horror of which his delegation was one of the first to recognize. It had been claimed that that incident had occurred before the invasion of Palestine by the Arab armies and that it had been the essential cause of the flight of the Arab refugees and even, in the opinion of some, of the invasion. The Israel community and the Government of Israel had not failed to state how horrified they had been by the event. He himself had personally taken part in the campaigns undertaken against terrorism in the Jewish community. Nevertheless, events must be considered in the light of the concrete facts which formed their setting, and moral indignation should not distort the elementary political facts. It was not sufficient to condemn an outrage; its genesis must be appraised. There had never been a war in which both sides had not committed barbarous acts, particularly during those phases of the conflict in which no central authority, with full powers to ensure discipline, was functioning. It was of no avail to deplore isolated incidents: historically and morally, those who

bore the original responsibility for the struggle would always be to blame. Hence, even if it were assumed that the events at Deir Yasin had played such a decisive part, the question remained of how those events had been brought about. The version given by the Arab delegations was absolutely distorted, and completely reversed the logical order of cause and effect.

5. His delegation wished to recall the essential facts. The day after the General Assembly had adopted its resolution 181 (II) of 29 November 1947, Arab violence had broken out in a number of centres and had soon spread to the whole country. No one had been surprised at those events, for they had been the concrete manifestation of threats uttered at the time with the most brutal frankness. The Arab invasion had in no way been due to the revolting acts which it seemed the Jews had committed; it had been carefully planned in advance. The resolution adopted by the Political Committee of the Arab League at the conference it had held from 16 to 19 September 1947 at Sofar in Lebanon, according to which the Arab League had declared itself determined to resist by every means the implementation of the recommendations of the United Nations Special Committee on Palestine and had threatened to launch a war to prevent their application, left no doubt as to the intentions of the Arabs. The statements made on 23 October 1947 by the Iraq Prime Minister and on 1 December 1947 by the Secretary-General of the Arab League clearly showed that the Arabs had made no secret of their intention of invading Palestine if the United Nations adopted and applied the resolution of 29 November 1947. The Arabs had acted very swiftly, for in January 1948, four months before the end of the United Kingdom Mandate, at a time when British troops and police were still in full control of the situation, large groups of men specially trained and armed for the purpose had invaded Palestine from Syria, Iraq and Egypt.

6. At that time, speaking for the Jewish Agency, he and his friends had submitted to the Security Council all the necessary documentary material and had provided details with regard to the dates and places where the frontiers had been crossed, the names of the commanders of the forces, and so on; it had submitted a large number of documents proving that the Arab governments were directing and fully supporting the action. In addition, during peace negotiations between the towns of Jaffa and Tel Aviv, the Iraqi commander of the Arab forces had ordered the Arab mayor of Jaffa to break off negotiations, his aim being the conquest and ruin of Tel Aviv. Similarly, when the Jews had appealed to the Arab inhabitants of the Sharon Valley asking them to remain in their homes, that appeal had been disregarded because the Arabs had been instructed to flee that country, to which they would return when the area had been completely evacuated by the Jews. The mass flight of Arab inhabitants from the Sharon Valley had occurred well before the events at Deir Yasin. Hence the truth of events could not be disguised. The refugee problem was the result of armed rebellion against the United Nations decision, assisted and intensified by the organized aggression perpetuated by the Arab States; those responsible for that criminal act must therefore bear responsibility for its fearful consequences.

7. Incidentally, the number of refugees had been somewhat exaggerated. In 1947 there had been 1,200,000 Arabs in the whole of Palestine; at present there were

170,000 in Israel. If the number of Arab refugees were taken as one million it would mean that practically all the inhabitants of the large part of Palestine which had been annexed to the Hashimite Kingdom of the Jordan were refugees. It could not be denied that the refugee problem affected a large number of people and that a solution to it was imperative, but it must be emphasized that the Arab States were the party responsible for the prolongation of avoidable sufferings, for they had refused to face the practical consequences of the decisive events in Palestine and to negotiate a settlement.

8. Moreover, Palestine was not the only country in which such vast changes had occurred. After the First World War there had been a mass migration of population between various countries, such as Greece and Bulgaria, Greece and Turkey. After the Second World War similar transfers had occurred from countries such as Poland and Czechoslovakia into Germany. When India and Pakistan had become independent, millions of men had moved from one country to the other. Migration had also affected China, in which it had assumed still greater dimensions.

9. In none of those cases, in comparison with which the number of the Palestine refugees became relatively insignificant, had there ever been any attempt to restore the *status quo ante*. As Sir Raphael Cilento had said, according to the quotation of an Arab representative, the event was a true catastrophe comparable to an earthquake or a flood; but just as the previous aspect of nature could not be restored after a physical disaster, so after the human upheaval which had occurred in Palestine there could be no attempt to reconstruct the former situation. Mr. Sharett wished to emphasize that he did not support a doctrine of fatalism: on the contrary he believed that human blunders and the disasters they entailed could be prevented. The United Nations was based on that faith. However, after human folly had caused a disaster, some consequences were irreparable. Hence, while the sufferings of the victims must be relieved, it was none the less impossible to do away with the far-reaching changes brought about by such events. For all those reasons the satisfaction of individual rights, however sacred, could not be considered the only clue to a solution. To consider the return of masses of uprooted people to their homes as the ideal solution implied either a lack of honesty or a failure to consider the problem with the seriousness it deserved. Moreover, such a procedure distracted attention from the only practicable solution and resulted in the prolongation of suffering and despair: it thus became criminal.

10. He then replied to the comments of the Saudi Arabian representative (62nd meeting) on his statements concerning the protection of Arab property in Israel. Mr. Sharett upheld those statements. They could not, however, be removed from the context in which they had been made: the prior condition that the decision of the United Nations should be executed peacefully and that the Arabs should accept the partition of Palestine and the establishment of two separate States. That condition had not been fulfilled, and so no claim could be made for fulfilment of the promises based on it. The same reasoning applied to the frontiers of Palestine.

11. When the Arabs had rejected the international decision taken in November 1947 in resolution 181 (II), and chosen arms as the means of settling the problem, they implicitly and in advance undertook to abide by the outcome of the combat, thereby relinquishing even

their right to invoke the principle of international settlement. It was to defend that same principle that the General Assembly had authorized the armed forces of the United Nations to cross the 38th parallel in Korea. The Arabs could not trample upon an international agreement in the hope of achieving the desired purpose by force of arms, and then, when that force failed, revert to the international provisions they had flouted.

12. The Committee had heard the Arab delegations say that they were prepared to apply the United Nations resolution. That statement had come three years too late. During those three years, events of fundamental importance had occurred to render certain provisions of the 1947 plan completely obsolete in respect both of territorial limits and of population. The cause was the rebellion of the Arabs and their invasion of Palestine.

13. Similarly, the obstinate refusal of the Arab governments to put an end to the state of war and conclude a peaceful settlement of the whole problem was the reason why the Arab victims of the conflict were still suffering. Even if the Arabs were right in urging the solution of mass repatriation, security requirements would still be of paramount importance: the repatriation of the Arabs as part of a peaceful and lasting settlement between the two countries would be quite different from their repatriation under the present conditions of hostility, the sole cause of which was the deliberate refusal of the Arabs to negotiate a peace. By that refusal alone the Arabs had made the repatriation of the refugees impossible even if it were feasible otherwise; and by obstinately ruling out any other solution they had made no progress with the resettlement of the refugees in their own countries.

14. It was curious that the Arab delegations, which had all voted against resolution 194 (III), adopted in 1948, should now so vigorously support its application. In itself, the resolution attached the same degree of urgency to a general peaceful settlement and the solution of the refugee problem by repatriation, resettlement and the payment of compensation. The two processes were organically connected. Moreover, on the point of expatriation the resolution was not as general and unconditional as some people had wished to make out: it provided for repatriation, but only to the extent to which repatriation proved practicable and on condition that the refugees when repatriated should be prepared to live in peace in the State of Israel. Thus, by refusing to conclude peace, the Arabs were making repatriation impossible, for peace was an essential condition of repatriation.

15. It was very interesting to analyse the refusal to negotiate peace with Israel in the light of certain statements that the Committee had heard. The representative of Iraq (61st meeting) had drawn a menacing picture of a State of Israel spreading beyond its frontiers and invading the neighbouring territories. If that danger was so imminent, it ought to be definitely removed by the conclusion of a permanent peace treaty guaranteeing the inviolability of frontiers and sanctioned by the respect of both parties for the Charter. The fears expressed by the Arab delegations gave the impression of being only a pretext concealing sinister designs. There was an eloquent contrast between the self-styled future victims of aggression who obstinately opposed the conclusion of peace, and the so-called aggressor whose unceasing and indefatigable efforts to initiate peace negotiations to stabilize the situation were known to all.

16. He then considered the proper solution for the refugee problem. Any impartial observer would, he said, have already become convinced that the repatriation of a large number of refugees was impossible, for the population of Israel was constantly increasing because of the vast influx of Jewish immigrants. The exodus of the Arabs was only one aspect of the situation, the other aspect being Jewish immigration.

17. It was futile to argue at that stage the rights and wrongs of such immigration. The establishment of the State of Israel had only one purpose: to give a home to those Jews throughout the world who were in need of it. Jewish immigration was the movement of a people urged by misery and fear towards a country where they hoped to find freedom and the possibility of a normal life. It was one of those waves of migration which in the history of the world had swept over continents and oceans with irresistible force and, by creating new civilizations, reshaped the destinies of countries and peoples. It was a vast process of redistribution of population which would in the long run bring to the area stability and prosperity and ensure the establishment of good relations between the States concerned. Moreover, at the present time Jews were immigrating to Israel from the Arab countries. Thus, the Arab countries were on the one hand protesting against the immigration of the Jews into Israel, while on the other hand they seemed very anxious to get rid of their own Jewish nationals as rapidly as possible.

18. The other factor which must be allowed for in considering the possibility of repatriation was security. The return of the Arabs to Israel would undoubtedly create an atmosphere of mutual suspicion which would conduce neither to the stability of the area nor to the contentment of the inhabitants. The assurances given in the past on the assumption of peaceful co-operation between the two States of Palestine no longer had any meaning in the present setting. It must not be forgotten that Israel had had to wage war to defend its very existence. Moreover, as appeared from a number of articles in the Arab Press, the repatriation of refugees was being urged as a means of creating within Israel a fifth column which would facilitate a future war of reconquest. The governments which refused to make peace with Israel and even refused to recognize it as a sovereign State were urging repatriation in a spirit which would of itself justify Israel in rejecting that solution. For all those reasons repatriation was impracticable, and politically it would be an act of criminal folly.

19. The figures relating to the Arab and Jewish population of Israel allowed no room for doubt. At the time when Israel was established there had been about 650,000 Jews and less than 70,000 Arabs. Since then the Arab population had reached and become stabilized at 170,000, whereas the Jewish population had increased by 480,000 immigrants and was still increasing at the rate of 200,000 persons a year. It had been claimed that the number of refugees was ceaselessly growing because of the expulsions of which Israel had been guilty. That was not true, as the figures just given proved. The infiltration of unauthorized entrants was naturally prevented by the Israel frontier control and forbidden by the four armistice agreements now in operation under the auspices of the United Nations; but no Arab who had stayed in Israel since the beginning of the events that had occurred there or who

had gone to Israel and received permission to remain had been expelled by force. Some Arabs had preferred of their own accord to cross the frontier and live among their people under Arab rule. Transfers of that kind had been executed with the assistance of the authorities of both parties.

20. For all those reasons the Israel delegation was of the opinion that the only solution of the refugee problem was that which the Committee had adopted (A/AC.38/L.52) approving the establishment of a reintegration fund to assist the governments of the Middle East in carrying out programmes for the permanent resettlement of the refugees. In a spirit of conciliation the Israel Government had in that respect agreed to waive its previous requirement that the refugee problem could only be considered as part of a general peace settlement. The Israel delegation had indicated (35th meeting) that its government was prepared to make contributions to the reintegration fund in the form of instalments on account of the compensation which it had always admitted that it owed for the land and property abandoned by the Arab refugees.

21. The Israel delegation could not help opposing some of the provisions of the joint draft resolution (A/AC.38/L.57). In its opinion, the refugee problem had already been dealt with by the resolution already mentioned, and the only outstanding problem was that of peace, with which the Conciliation Commission was dealing. The Commission had recommended (A/1367/Add.1, para. 11) that the General Assembly should address an urgent appeal to the parties concerned to negotiate immediately a settlement of all the questions outstanding between them. The Israel delegation supported that recommendation and was therefore in favour of operative paragraph 1 of the joint draft resolution.

22. It noted, however, an implication in the preamble that the two parties were equally to blame for the lack of a peaceful settlement. The General Assembly and the Security Council had unequivocally indicated who was responsible for that situation, and nothing justified the reticence of the draft resolution in that respect. Furthermore, the preamble singled out the refugee problem as one of urgency, thereby implying that the pacific settlement of the problem as a whole was not so urgent.

23. Operative paragraph 2 did not mention the financing of the resettlement of the refugees through the reintegration fund. The question arose, therefore, whether compensation was envisaged by two quite different methods and through two entirely unconnected channels. The Government of Israel could not consider paying the same compensation twice or undertaking unco-ordinated financial commitments. It should therefore be made clear that, apart from the payment of compensation into the resettlement fund, all other questions without exception would be considered within negotiations for a final settlement, during which Israel would raise its claim to war damages. It would also be advisable to indicate the need for co-ordinated action, of which there was no mention in the present text. Moreover, the office it was proposed to set up could not on its own make such arrangements as it might consider necessary for the assessment and payment of compensation. It could do no more than approach governments with a view to such arrangements.

24. His delegation therefore reserved the right to submit amendments on all the points he had indicated.

25. In conclusion, he said that the Israel delegation was ready to enter into direct negotiations with all the neighbours of Israel in order to conclude a lasting peace. It was convinced that such peace was attainable and saw no reason why it should be delayed. The present attempt to blockade Israel was futile and would fail, just as the military campaign against Israel had failed. It was in the interest of all parties to conclude peace and Israel, far from harbouring imperialistic designs, wished only to live in harmony within an area into which it had been integrated. That integration was only possible if the permanence of the State of Israel were accepted, and that was a matter for the Arab States to decide.

26. Mr. McINTYRE (Australia) expressed his government's sympathy for the Palestine Arab refugees. It was essential to find a realistic and permanent solution to that problem. By a realistic solution his delegation meant a solution coinciding with the best interests of the refugees themselves and not one dictated by expediency. Since the General Assembly had adopted resolution 194 (III), which sought to enable all the refugees to resume normal and useful lives, no progress had been made and the Arab States and Israel had done no more than exchange accusations and denials. His delegation felt that neither side was entirely free from blame; it was more important, however, to find a practical solution than to seek to apportion responsibility. The draft resolution submitted by the United States, France, the United Kingdom and Turkey (A/AC.38/L.57) constituted such a practical solution.

27. He agreed with the arguments put forward by the representatives of the United Kingdom (61st meeting) and the United States (62nd meeting) and felt that, while the return of the refugees to Palestine was desirable from every point of view, it was very possible that in many cases such a return would not be wholly in the interests of the refugees themselves. It might perhaps be better if the refugees were compensated for the losses they had suffered and were permitted to settle in neighbouring Arab countries. His delegation therefore supported the proposal for the establishment of an office which would make the necessary arrangements for the assessment and payment of compensation in pursuance of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948. It was better to establish an office rather than a new specialized agency; and he agreed with the Egyptian representative (62nd meeting) that the details connected with the organization of the office should not form a subject of controversy.

28. He did not agree with the Syrian representative (63rd meeting) that paragraph 11 of resolution 194 (III) should be considered in isolation. On the contrary, that paragraph formed part of a comprehensive scheme for the settlement of the Palestine problem as a whole. A realistic solution of the refugee problem was possible only if both sides agreed to co-operate in seeking a permanent settlement. In that regard he expressed his satisfaction at the statement by the Israeli representative that his government was prepared to admit liability to pay compensation as proposed. He hoped that having reached an understanding on the refugee question, the two sides would be able immediately to settle all other outstanding questions.

29. He stated in conclusion that his delegation would vote for the joint draft resolution, which he hoped would

be accepted by the representatives of the States concerned.

30. Mr. ANZE MATIENZO (Bolivia) said that his delegation wished to co-operate constructively in solving the problem of Palestine refugees; he therefore reserved the right to speak later in the debate if any amendments or new draft resolutions were proposed.

31. Mr. CHENG (China) pointed out that the political aspects of the Palestine problem would no doubt be debated in detail later on, and expressed his anxiety lest discussion of the political aspects of the Palestine question at that time might frustrate the attempt to solve the refugee problem. Unrest in the Near East could work only to the interest of those elements which thrived on disorder and would threaten world peace. It was therefore essential to solve the refugee problem as quickly as possible so as later to reach a satisfactory solution of the political problem. With regard to the draft resolutions before the Committee, he noted that the four-Power draft resolution was apparently not satisfactory to the States directly concerned. He hoped that the Committee would be able to formulate a resolution based on humanitarian principles and easy to put into effect.

32. Mr. AL-JAMALI (Iraq) wished to reply to the remark of the Israel representative that terrorism was a natural phenomenon which occurred in certain circumstances and to which he was always opposed. The Arabs could not be accused of having provoked the wave of terrorism which had swept over Palestine; the collusion which had existed at that time between the leaders of the Jewish Agency and the terrorist organizations had been established by the British White Paper. Terrorism had been the chief cause of the exodus of Arab refugees, and when the Israel representative had inadvertently spoken of "expulsion" he had used just the right word, since for years the strategy of the Zionists had been to expel the Arabs.

33. The Israel representative had also stated that the exodus of the refugees was due to the war. The Arabs were not responsible for the war, the origin of which lay in the Balfour Declaration which had been inspired by colonialist motives; the numerous incidents which had occurred in Palestine between 1920 and 1947 had merely been the logical consequence of that Declaration. The delegations of the Arab States had recommended that the United Nations should not adopt a resolution which might lead to trouble in Palestine. The Arab countries had not been listened to, and it was quite natural that the Arabs should have reacted. They were not, however, responsible in any way for what had happened or for the blood which had been shed in Palestine.

34. The General Assembly did not meet to note events, whether justified or not, and their repercussions, but to act on certain principles. Hence it ought not to sanction a policy based upon *faits accomplis*. If it did so, it would be defeating its own purpose. The General Assembly should not allow one people to attack another and seize its territory and possessions. A policy of *fait accompli* was intelligible when pursued by colonial Powers, but the United Nations could not adopt it, as to do so would be contrary to the purposes and principles of the Charter.

35. The Arab States would never accept the policy of *fait accompli* which Israel intended to impose and which, if applied, would bring about a state of instability

and unrest in the Near East and so endanger peace. Peace in the Near East should rest on respect for human rights and for the decisions of the United Nations. Those were principles which the Israel Government did not wish to recognize, since it refused to abide by the decisions of the General Assembly on Palestine. The Arab States, for their part, wished to live in peace if that peace were just and honourable.

36. The emigration of the Iraq Jews to Palestine resulted from Zionist propaganda. The Iraq Government was proud of its liberal attitude towards those Jews who wished to emigrate.

37. The Israel representative had denied that the number of refugees had increased in the past year. After the signing of the truce, however, tens of thousands of persons had become refugees. Jewish forces had occupied areas which the United Nations had not authorized them to occupy. A new exodus had resulted.

38. The return of the refugees would not create any security problem. When Palestine had been partitioned in 1947 it had been understood that the State of Israel would include 400,000 Arabs. At that time the presence of those Arabs on Israel territory had not been regarded as a danger. The Arabs wished to live in peace in their own homes without being persecuted. He hoped that the United Nations would see that if the refugees were authorized to return home they would be properly treated.

39. He reserved the right to speak again on the question.

40. Mr. SHARETT (Israel) said that he would not reply to the representative of Iraq, but the Committee should not interpret his silence as acceptance of the statements which the representative of Iraq had just made.

41. Mr. ZEINEDDINE (Syria) pointed out that the number of refugees had given rise to disputes in the Committee. The number given in the report of the United Nations Relief and Works Agency for Palestine Refugees (A/1451, A/1451/Corr.1) was much less than the estimate made by the Government of Syria. It would not be an exaggeration to say that the number was nearly one million. It should be noted that the number of refugees had increased considerably after the armistice and was increasing daily. Moreover, there were not only a large number of Arab refugees in the countries bordering on Palestine, but there were still a large number of Arabs in the position of refugees in the territory controlled by the State of Israel.

42. The Israel representative had spoken of the "expulsion" of the Arabs. He might have used that word inadvertently, or it might have been a type-writing error, but in any case it was an admission which was of a certain value. The circumstances in which the Arab refugees had been compelled to leave Palestine were certainly equivalent to expulsion. It was therefore clear that the Government of Israel should be responsible for the damage suffered by the refugees. The report of the late Count Bernadotte¹ had covered that matter.

43. He then gave an account of terrorism in Palestine. The outrages perpetrated by the Zionist organizations had increased to such an extent as to cause the flight

¹ See *Official Records of the General Assembly, Third Session, Supplement No. 11.*

of one million refugees. That disaster had been compared with an earthquake, but it had been a disaster organized by political movements based on racial and religious discrimination.

44. It had been claimed that repatriation was impossible, but repatriation had not been carried out for the simple reason that the State of Israel was opposed to it.

45. It would seem that the Government of Israel was prepared, under certain conditions, to pay compensation, but the mere existence of those conditions was enough to dispel any illusions in that connexion.

46. He denied that the Arab countries, and in particular Syria, had ever attempted to send their Jewish nationals to Israel or any other country. The Zionists often placed the interests of Zion above the interests of the countries of which they were nationals. His delegation had proposed in October 1947 that the matter be referred to the International Court of Justice, but that proposal had been rejected because the Zionist movement was strong enough to influence the decision of the governments of several great Powers. That was why the governments of the Arab countries, like all other governments, were under an obligation to defend themselves against Zionism, and those were the reasons which had led the Syrian Government to control the activity of certain Syrian Jews who belonged to that movement.

47. Mr. CHARI (India) recalled that during its third session the General Assembly had decided in resolution 194 (III) that Palestine refugees who wished to return to their homes and live in peace with their neighbours should be permitted to do so at the earliest possible date. It had also decided that compensation should be paid for the property of those who decided not to return to their homes and for property lost or damaged, in accordance with the principles of international law or equity. The Conciliation Commission had been specially instructed to facilitate the repatriation, settlement and economic and social rehabilitation of the refugees, and the payment of compensation.

48. Unfortunately, little progress had been made in that direction and the report of the Conciliation Commission (A/1367) disclosed the nature of the difficulties with which it had met when giving effect to those decisions; the main obstacle had been the refusal of the Government of Israel to enter into any commitments.

49. In any event it was undeniable that the principles of humanity, fair play and justice demanded that the Arab refugees should receive their due. India had suffered much from similar problems and was therefore bound to feel special sympathy and pity for the trials of the Arab refugees. That was why it had supported the resolution adopted at the third session of the General Assembly. Its attitude had not changed. It now considered, as previously, that the provisions of that resolution should be strictly carried out.

50. It was certainly true that, if Israel agreed to accept the refugees who wished to return to their homes and to compensate those who were not in a position to return, the strained relations between Israel and the Arab countries would be greatly eased, thus paving the way for a general settlement of all the outstanding issues.

51. But it could not be asserted that the rehabilitation of those refugees any more than the assistance to refu-

gees which the Committee had already dealt with during its consideration of sub-item 20 (b) of the General Assembly agenda, should depend on a general settlement of the problem. His delegation considered that the question of rehabilitating the refugees was only a long-term aspect of the general question of assisting the refugees. Consequently it was quite normal that the question should be the subject of a separate resolution of the *Ad Hoc* Political Committee.

52. In those circumstances his delegation considered that the joint draft resolution (A/C.38/L.57) should be amended in certain respects. The draft resolution submitted by Egypt (A/C.38/L.30) did not appear to have met with considerable support in the Committee. Nevertheless, his delegation was glad that the Egyptian delegation was prepared to take into consideration any amendments based on constructive criticism of its draft resolution.

53. At that stage of the discussion his delegation therefore wished to reserve its position in the hope that a new draft resolution acceptable to all parties might be submitted.

54. What was important at that stage was not an overall plan but the setting in motion, even on a limited scale, of initial measures of rehabilitation. Such measures would gather momentum spontaneously and create an atmosphere of good will which would greatly assist the settlement of the question.

55. Mr. MORA (Uruguay) supported the joint draft resolution because it dealt specifically and technically with the repatriation, resettlement and economic and social rehabilitation of the refugees and with the compensation due to them. It also instructed the Conciliation Commission to give effect to the measures advocated.

56. Consequently the joint draft resolution was more complete than the Egyptian draft resolution, whilst being based on the same considerations, and it was in conformity with the suggestions of the Conciliation Commission, whose terms of reference included study of those aspects of the refugee problem. Paragraph 11 of resolution 194 (III) contained, in addition to the provisions cited in the preamble to the Egyptian draft resolution, suggestions to the Conciliation Committee regarding its action in that field. Hence they should take into account the whole of the provisions of paragraph 11 of resolution 194 (III) and the views of the Conciliation Commission, which had concluded that peace and stability could not be ensured in that part of the world until the refugee problem was solved.

57. He understood the anxieties of the delegations most concerned. But the problem could not be finally solved unless negotiations were opened between the parties directly concerned with regard to all the questions affecting their relations.

58. The Egyptian draft resolution also left out of account the recommendations of the Conciliation Commission in its supplementary report (A/1367/Add.1) of 23 October 1950. On the other hand, the joint draft resolution took into account the various recommendations made by that Commission, including the recommendation regarding the need not only for establishing an office to deal with the question but also for urging the governments concerned to engage without delay in direct discussions in order to arrive at a peaceful settle-

ment of all questions outstanding between them, including the refugee problem, which was particularly urgent.

59. The Conciliation Commission had also insisted on the need for payment of compensation without delay to those refugees who should decide not to return to their homes, and had proposed the establishment of a committee of experts to study that intricate problem. Consequently he hoped that the office provided for in the joint draft resolution would not fail to set up such a body.

60. He agreed with the representative of the United States (62nd meeting) that particular stress should be laid on the need for the parties concerned to engage in direct negotiations: that was precisely the object of operative paragraph 1 of the joint draft resolution.

61. For all those reasons the Uruguayan delegation would vote in favour of the joint draft resolution.

62. Mr. AMBY (Denmark) felt that the problem of repatriation of refugees and payment of compensation due to them should be considered primarily in relation to the principles of international law and of human rights. Little could be added to the clear and conclusive statements made by the representatives of Iraq, Saudi Arabia, Pakistan, Egypt, Jordan and Syria, whose views he fully shared. He agreed with them that the United Nations bore the main responsibility for the situation in which the refugees found themselves, and recalled that his delegation also had voted for the partition plan.

63. The humanitarian aspect and the special urgency of the problem were at least as important as the considerations of principle. That fact emerged clearly from the report of the Conciliation Commission, the report of the United Nations Relief and Works Agency, and Mr. Kennedy's statement to the *Ad Hoc* Political Committee (A/AC.38/4). Although the refugees were entering their third winter of suffering, their morale was higher than might be expected. Tribute must be paid to them for that, but it should not be forgotten that their morale was due to their hope not only that their absolute rights would be acknowledged but also that one day they would be able to make use of them.

64. It was possibly true, as the United Kingdom representative had said (61st meeting), that the refugees would be well advised to remain in the Arab countries, but that was a matter which only the individual refugee would decide.

65. As things stood, the refugees had no choice; as long as the question of compensation remained unsolved, at least in principle, they would have no other course than to claim their repatriation. From the practical point of view, therefore, the first step was to solve the question of compensation for the individual refugee so that each refugee could choose freely. Plainly there could be no question of granting all the compensation to one organ which would then distribute it; the matter was one of individual rights recognized by international law.

66. He wondered whether it would not be possible to unfreeze the bank accounts of refugees immediately so as to enable them, if they so desired, to resettle in the Arab countries. That would be a first practical step towards the solution of the problem.

67. Denmark would always uphold the right of any person to return to his home when there was a physical possibility of doing so. Political considerations must not stand in the way. At the same time, the delegation of

Denmark recognized that the resettlement of refugees who did not wish to return to their homes must be considered in a practical way; a just and speedy solution of the problem of compensation would facilitate resettlement and he hoped that the body entrusted with that aspect of the problem would bear that consideration in mind.

68. The delegation of Denmark would vote in favour of the joint draft resolution because it felt that the proposal took into account factors to which Denmark attached special importance. Denmark would be able to vote for other draft resolutions if they recognized the right of the refugees to return to their homes, if they so desired, and the need for practical measures for the resettlement of those refugees who preferred that solution.

69. Although the representative of Israel had recognized in principle the right of refugees to return to their homes, he had said that it was impracticable to allow a great number to exercise that right. The United Nations must, however, take a first step by recognizing that principle and must bear it in mind in seeking to devise practical means of solving the problem. Nevertheless, the first point that had to be solved was compensation.

70. U AUNG KHINE (Burma) said that his delegation was particularly concerned with the position of the refugees and not with the political aspects of the problem. Recalling the tragic position in which 800,000 refugees had found themselves for over three years, he said that he was sure that all representatives were equally desirous of bringing about an early settlement of that distressing problem. The delegation of Burma was of the opinion that the desire of refugees to return to their homes should be respected and satisfied. The problem was an urgent one and could only be considered from the humanitarian point of view, irrespective of the ultimate adjustment of any political issues that might be outstanding between the Arab States and Israel.

71. The exodus of the Arabs from Palestine had been due to factors beyond their control and it was the duty of the United Nations to take the necessary steps to relieve their plight without delay. Further, resolution 194 (III) of the General Assembly clearly laid down that refugees wishing to return to their homes should be permitted to do so and that the United Nations Conciliation Commission should facilitate their repatriation. Nevertheless two years had passed and not a single refugee had been allowed to return home.

72. The delegation of Burma recognized that the joint draft resolution had been put forward with the best intentions and was designed to solve the entire Palestine problem. He wondered, however, whether it was legitimate to make the enjoyment of fundamental rights contingent on the solution of political problems. The delegation of Burma therefore hoped that sub-item 20 (c) of the agenda would be treated as a separate and urgent item. For the same reasons, it would support any draft resolution on the lines he had indicated.

73. MOSTAFA Bey (Egypt) recalled that when he had spoken at the 62nd meeting the Chairman had asked him to confine his remarks to the problem under discussion; he had acceded to that request and had considerably shortened his speech. Many delegations had, however, dealt with the various aspects of the Palestine question in explaining their position with regard

to the refugee problem. The Egyptian delegation therefore reserved the right to return to the subject at a later stage in the discussion.

74. He thanked the representative of Turkey for his generous statement (63rd meeting) and the spirit of conciliation he had shown. Replying to the references of the representatives of France (63rd meeting) and Turkey to the Egyptian proposal for the establishment of a special organ, he recalled that the future of the Conciliation Commission was still undecided; however, as he had already explained, the Egyptian delegation would not object if the Conciliation Commission were entrusted with the measures advocated in the Egyptian proposal. In that connexion, he paid tribute to the members of the Conciliation Commission and its secretariat, and pointed out that the Commission was in no way to blame for its lack of success.

75. The representatives of France and Turkey had also drawn attention to the similarity of the provisions of the Egyptian draft resolution and of the joint draft resolution. In a spirit of conciliation the delegation of Turkey had suggested the possibility of merging the two draft resolutions. In the same spirit the delegation of Egypt was prepared to give favourable consideration to any motion which would attain the objectives it proposed.

76. He paid tribute to the lofty principles which the representative of Denmark had expressed. With regard to the suggestion to unfreeze the accounts of refugees, he pointed out that the Conciliation Commission had set up a sub-committee of Arab and Israel representatives for that purpose. Although it had sat for over a year and reached an agreement in principle, no positive result had been achieved.

77. Mr. EBAN (Israel) noted that certain delegations had questioned the connexion between the restoration of peace in the Near East and the solution of the refugee question. On 11 December 1948 the General Assembly had, however, been completely convinced that those two questions were closely linked; resolution 194 (III) dealt with the refugee question as one element of an international attempt to secure a settlement of the question by negotiation and agreement. The Conciliation Commission set up under the resolution had attempted to reach a settlement of inter-State relations in the Near East and to achieve a solution of the refugee question; its report showed that in its opinion there was an inseparable connexion between the solution of the refugee problem and the restoration of peace to the whole area.

78. The delegation of Israel had therefore been astonished by the laboured attempts of certain delegations to separate those two aspects of the problem. Those delegations might be able to persuade themselves of the connexion between the two aspects of the problem by imagining that their country was in the situation confronting Israel. They should ask what they would do if they, like Israel, were surrounded by more powerful hostile States which had attacked them during recent years and had since consistently refused to recognize or to establish contact with them. Moreover, those States refused to participate in a scheme of refugee absorption

and, on the contrary, asserted their right to force the refugees back, although they were their kinsmen. Their purpose was to threaten the security, legislation and economic stability of a country which had already been the victim of their aggression. That was the setting in which the problem should be considered.

79. In the circumstances the delegation of Israel considered that the General Assembly, bound as it was by the principles of the Charter, would find it difficult to subordinate the maintenance of peace in the Near East to the solution of one of the separate problems connected with peace in that area. On practical, political and moral grounds it was obvious that a radical solution of the refugee problem depended on the restoration of normal relations between the States in the area. It was inconceivable that hundreds of thousands of persons should be allowed to move across the frontiers between States which had no peaceful relations with each other.

80. It was significant that all the governments with direct experience of the problem of the Near East opposed the separation of the refugee question from the problem of peace in the area. The United States, France and Turkey had all naturally considered that both those elements should be incorporated in any resolution adopted by the Committee.

81. The delegation of Israel believed that the Committee should lay the principal emphasis on the need for the restoration of peaceful relations between Israel and the Arab States. Within the framework of those relations there could be no doubt that the parties concerned would be able to solve the refugee problem under the auspices of the international agencies.

82. The delegation of Israel could not participate in any scheme which did not take into account the inseparable connexion between those two aspects of the question, and proposed to amend the joint draft resolution on those lines.

83. Mr. AL-JAMALI (Iraq) remarked that the representative of Israel had introduced a new principle of international law, under which the Arabs must be driven out of Palestine for the simple reason that the Arab States were enemy States and were not on good terms with Israel.

84. The representative of Israel seemed to forget that the Palestine Arabs were citizens of that country and that that country belonged to them. If a Jewish State could not guarantee its own security within its frontiers, its existence as a State could not be justified. In any case, a State could not deprive some of its citizens of their most elementary rights and freedoms on the grounds that it could not maintain its security.

85. The United Nations must realize the full importance of that new principle. It must ask what would happen if, in application of that principle, each country expelled those citizens who were no longer tolerated on grounds of race, origin or culture.

86. The CHAIRMAN noted that he had no further speakers on his list and asked delegations wishing to submit amendments to do so as soon as possible.

The meeting rose at 5.45 p.m.