

C O P Y

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STATE OF ISRAEL
PROVISIONAL GOVERNMENT
MINISTRY OF FOREIGN AFFAIRS

Hakirya
1st August, 1948.

Count Folke Bernadotte,
United Nations Mediator.

Sir,

The Provisional Government has duly considered your note on the question of the return of Arab refugees and has authorised me to convey to you the following reply.

2. As I mentioned in the course of our interview on Monday, July 26th, we are not unmindful of the plight of the Arabs who, as a result of the present war, find themselves uprooted from their homes and cast adrift. Our own people has suffered too much from similar tribulations for us to be indifferent to their hardships. If, nevertheless, we find ourselves unable to agree on their re-admission to the Israel-controlled areas, it is because of over-riding considerations bearing on our immediate security, the outcome of the present war and the stability of the future peace settlement. We feel convinced that any measure of repatriation undertaken solely on humanitarian grounds, in disregard of the military, political and economic aspects of the problem, would prove to have been falsely conceived; it would defeat its purpose and result in graver complications than those which already exist.

3. The Resolution of the Security Council of May 29th, the terms of which were renewed by the Resolution of July 15th, specifically provided that the truce should not prejudice the rights, claims and position of either party. You interpreted this principle as meaning that no advantage should accrue to either side, at the expense of or as compared with the other. There can be no doubt that the return during the truce of thousands of displaced Arabs to the State of Israel - which is still beset by enemy armies, forms the target of violent political attack and may yet again become the object of a renewed military onslaught - would, in fact, gravely prejudice our rights and position. It would relieve the aggressor States of a large part of the pressure exerted on them by the refugee problem, while,

on the other hand, it would most seriously handicap the war effort and war-readiness of Israel by bringing into its territory a politically explosive and economically destitute element and by saddling its Government with responsibility for all the ensuing complications.

4. Against this background, your reference to the return of Arab refugees as being one of the questions under dispute which it is the duty of both parties to try and settle peacefully, appears to us to miss the main point at issue. The root cause of the present conflict - of which the mass flight of Arabs and their consequent suffering are mere corollaries - is the refusal of the Arab League to accept the State of Israel either as a matter of right or as an accomplished fact. As long as this intransigence persists, any attempt to tear the problem of Arab refugees out of its context and treat it in isolation can only, as already stated, aggravate the issue: it will render rightful defence more difficult and lend further encouragement to wanton aggression.

5. Nor do we feel that the issue is met by your argument that the present truce is of indefinite duration and that, therefore, the security aspect of Arab repatriation should not present a special problem. To begin with, once a large-scale return is authorized, it may be found difficult, if not impossible, to keep it within bounds. Even if formally men of military age are excluded, the practical result may well be the increase of irregulars inspired by the Mufti, who know no truce. Moreover, the Arab States themselves, in their joint communication to the Security Council, have hedged their acceptance of the present truce with several conditions. They have thus reserved to themselves the right to terminate the truce whenever it suits them to resume the fighting. They continue to maintain an attitude of obstinate intransigence and defiance of the Security Council and the Mediator in regard to such basic provisions of the truce as the Jerusalem water supply and the opening of the Jerusalem-Tel Aviv highway. Not a day passes without some prominent Arab spokesman threatening the resumption of hostilities. In these circumstances, the mere fact that the Security Council has ordered the truce to be of unlimited duration is not a firm enough foundation on which the Provisional Government could build so far-reaching a measure as the re-admission en masse of Arab refugees.

6. The difficulty is not minimised if the return is limited to the former residents of Jaffa and Haifa, for whom you enter a special plea. Both these cities constitute vulnerable points, on the peace and stability of which the well-being of Israel in the present delicate stage very largely depends. Both were centres of grave menace to Jewish security, and the re-creation of a situation pregnant with potential trouble in areas such as these is the last thing that any State still engaged in a struggle for its existence could contemplate. Incidentally, we fail to appreciate why on purely humanitarian grounds the former residents of Jaffa and Haifa have been singled out for special treatment and found, as a class, to be more deserving than those of any other town or village.

7. On the economic side, the reintegration of the returning Arabs into normal life, and even their mere maintenance, would present an insoluble problem. The difficulties of accommodation, employment and ordinary livelihood would be insuperable. You will, we feel sure, readily admit that the international assistance which you envisage is for the time being purely hypothetical. On the other hand, the Provisional Government would resist as utterly unjust an attempt to impose on its limited and heavily strained resources any part of the financial liability for the relief and resettlement of returning Arabs. Far from being ready to shoulder responsibilities on behalf of Arabs whom the Jews never intended to harm - with whom they were, indeed, anxious to live at peace - the Provisional Government considers itself entitled and is indeed determined to claim compensation from the Arab States for all the havoc and destruction, the loss of life, property and livelihood, which the criminal folly of their armed intervention in Palestine has wrought.

8. Arab mass flight from within Israel and Israel-occupied areas is a direct effect of Arab aggression from outside. In justifying their invasion the Arab Governments claimed that they had responded to the call for rescue addressed to them by the Arabs of Palestine. The plain fact is, however, that but for the intervention of the Arab States there would have been an overwhelming measure of local Arab acquiescence in the establishment of the State of Israel, and by now peace and reasonable prosperity would have reigned throughout its territory, to the enjoyment of Jews and Arabs alike. If the war has brought in its wake a mass exodus, mostly spontaneous, and the exodus has resulted in great suffering, the responsibility for it rests on those who fomented and have carried on the war, as well as on those who aided and abetted them. The Arab Governments and the Great Power which espoused their cause cannot have it both ways: do everything they can to undermine and destroy the State of Israel, and then, having failed, require the State of Israel to take over the liability for the results of their own reckless action.

9. For the political, economic and security reasons stated, the Provisional Government is not in a position, as long as a state of war exists, to re-admit the Arabs who fled from their homes, on any substantial scale. The Palestinian Arab exodus of 1948 is one of those cataclysmic phenomena which, according to the experience of other countries, change the course of history. It is too early to say exactly how and in what measure the exodus will affect the future of Israel and of the neighbouring territories. When the Arab States are ready to conclude a peace treaty with Israel, this question will come up for constructive solution as part of the general settlement and with due regard to our counter-claim in respect of the destruction of Jewish life and property. The long-term interests of the Jewish and Arab populations; the stability of the State of Israel and the durability of the basis of peace between it and its neighbours; the actual

position and fate of the Jewish communities in the Arab countries; the responsibility of the Arab Governments for their war of aggression and their liability for reparations, will all be relevant to the question of whether, to what extent and under what conditions the former Arab residents of the territory of Israel should be allowed to return. For such a comprehensive and lasting peace settlement the Provisional Government is ever ready, but it holds that it cannot in fairness be required to carry through unilateral and piecemeal measures of peace while the other side is bent on war.

I am,

Yours faithfully,

(sgd.) M. SHERTOK

Minister of Foreign Affairs.