

501.BB Palestine/5-1649 : Telegram

The Minister in Switzerland (Vincent) to the Secretary of State

SECRET

BERN, May 16, 1949—3 p. m.

741. Palun 151. For the Secretary and McGhee from Ethridge. Your pouched letter of May 3¹ and proposed plan of action dated April 27² will be commented upon specifically in separate telegram and certain revisions suggested. Meantime here are what we regard as important elements of situation at moment :

(1) It is important for political reasons here that French and Turks in Washington also be approached for clearance of plan. They understood at Beirut that conversations would be held in Washington, and Frenchman this morning raised point that nothing had been heard from his government about such conversations. In addition to importance in getting plan through PCC, possibility exists that France might give material help. In discussion Thursday night with Harriman,³ he indicated that under certain conditions ways might be found for French Government to help financially. Conversation at British Foreign Office also opened possibility that McCloy might be able to find way through consortium to underwrite help that is not now bankable. Urge quickest consultations with both French and Turkish representatives in Washington, even though such consultations produce little.

(2) It seems to me still necessary to reconcile our position with British. While they have approved general plan, they apparently still do not want to go through UN. Believe all of us agree that it is preferable that help be given that way.

(3) It is also highly desirable to provide some minor funds as soon as possible to put refugees to work. With small amount of capital new villages built by refugees could be started in Arab Palestine and light public works projects instituted with the idea that they would fit into major projects later. Commission is convinced that unrest among refugees growing and likely to explode if idleness continues. Very little money would be required to start employment and in any case, would be necessary to bridge gap between UNRPR and initiation of any large project. Could private organizations or individuals or oil companies be induced to put up some funds now? Specific projects could be recommended fairly quickly by technical committee which Commission is sending out and by refugee organizations which already have some projects in mind. Would of course need to be closely supervised.

(4) My own idea of procedure would envision skipping one step you have in mind in the plan of action. Instead of creating a survey committee in advance of major board, my feeling is that after proper com-

¹ Copy not found in Department of State files. Possibly it was similar in content to Mr. McGhee's letters of April 29; see footnote 3, p. 938.

² See annex 3, p. 939.

³ W. Averell Harriman, United States Special Representative in Europe for the Economic Cooperation Administration.

mitments from Arabs and Jews, PCC should call for setting up of ME development board which could then set up its own survey committee, using such information as the PCC technical committee now in formation would have assembled in the meantime.

(5) Agree heartily with paragraph 15 of conclusions, particularly first sentence, also with statement that maximum commitments from Israel to repatriate and agreement by Arabs to accept refugees should be forthcoming before major plan is advanced. Situation here is that we have almost arrived at point where both those commitments will be forthcoming. Am convinced that Israel, because of pressure applied by US and UN debate, is willing to take more refugees than she was two months ago. We are still pressing and will press for her to take 250,000 in addition to those already in Israel or final total of 400,000 which is less than number under 1947 partition plan. It is likely that if she agrees to that figure or anything approaching it, she will herself ask for help.

Arabs have already been told and have already admitted in private conversations that they will have to take refugees. My own attitude is that Israel should first take the maximum number possible; that, secondly, as many as possible, depending upon economic factors, should be settled in Arab Palestine and that balance must be distributed between Syria and Transjordan. Am convinced that both Syria and Transjordan are prepared between them to take somewhere rising 400,000, but they naturally do not want to commit themselves until Israel has given her final figure. Even then they will not want to commit until they are assured of outside help. I am unable to give that commitment as matters stand. However, I am sure a secret commitment can be secured from them if they know that in turn help will be forthcoming from the outside. It has therefore become most urgent and imperative for me to have a commitment from the State Department and the President somewhat along this general line:

In the spirit of the President's statement of October 4, 1946,⁴ in accordance with US policy re Palestine as stated at the UN, and in the spirit of point 4 of his inaugural address, the President reaffirms his position that if a final settlement can be found for the Palestine question and a peace concluded between the nations which have recently been at war, he is willing to recommend to Congress a plan for economic assistance for the development of the ME, and in the meantime to make available through UN and other sources such technical and financial assistance in the settlement of economic and refugee problems as may be possible.

If I could have that commitment, I could say to the Israelis that it is conditioned upon their absorbing at least 400,000, to the Arabs that it is conditioned upon their requesting help for resettlement of balance.

⁴ See President Truman's telegram of October 3 to British Prime Minister Attlee, *Foreign Relations*, 1946, vol. VII, p. 701.

Matters here have reached such a state of urgency that it is necessary for us to have some commitment as quickly as possible. It would greatly contribute to peace in the ME if we could have it. [Ethrige.]

VINCENT

867N.01/5-449

*Draft Letter From the President to Francis Cardinal Spellman,
Roman Catholic Archbishop of New York*¹

[WASHINGTON, undated.]

MY DEAR CARDINAL SPELLMAN: Thank you for sending me in your letter of April 29² an account of your conversation with Dr. Weizmann and Mr. Eban on the status of Jerusalem.³ As you know, this is a question which deeply interests me.

I wish to assure you that the United States Government firmly supports the principle of the internationalization of Jerusalem. The United States delegation voted for the General Assembly Palestine resolutions of November 29, 1947, and December 11, 1948. The latter resolved that the Jerusalem area should be placed under effective United Nations control and instructed the Palestine Conciliation Commission to present to the Fourth Regular Session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which would provide for maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area.

In view of your deep concern with the matter, a brief account of some of the basic problems connected with the establishment of an international Jerusalem enclave will be of interest to you. Competent officials of this Government have estimated that the annual cost of a 4,000-man police force to maintain order in Jerusalem would be in excess of \$30,000,000. Such a police force would of necessity have to be a well-organized and efficient body, particularly in view of the

¹ Prepared in the Department of State and transmitted to President Truman by Secretary Acheson in his memorandum of May 17. The President sent the letter to Cardinal Spellman, presumably as drafted, on May 19.

² Not printed.

³ Cardinal Spellman's letter of April 29 to President Truman described his conversation with these Israeli spokesmen, who had been his dinner guests the previous evening. The guests had spoken of a type of internationalization of Jerusalem quite different from the one the President and the Cardinal had discussed at an earlier but undisclosed date. At that discussion, the letter stated, the President and the Cardinal had envisaged creation of an international enclave under United Nations rule, as decreed by the resolution of the General Assembly on November 29, 1947, and confirmed at the Paris session of the General Assembly in December 1948. The Cardinal expressed himself as being somewhat puzzled, therefore, at the information imparted to him by his guests that the Department of State had suggested to them what the Cardinal termed "a mitigated—so called 'indirect'—internationalization" under which Jerusalem would be divided into two parts as trusteeships of the United Nations, with Israel and Transjordan as administering authorities.

fact that a large segment of the inhabitants of Jerusalem is strongly opposed to the established [*establishment*] of an international regime which would [have] complete authority to regulate the daily activities of the populace. It is also of considerable importance that, under the Mandate, Jerusalem was not self-supporting but depended upon revenues from the rest of Palestine, revenues which would not be available to Jerusalem as an international enclave.

Experts of this Government who have appraised the likelihood of the contribution by the different nations of the large sums necessary annually for the administration of Jerusalem as an international enclave conclude that the countries most directly concerned would be unable or unwilling to provide the funds required. The international community is much interested in the status of Jerusalem because of concern for the free access to and protection and preservation of the Holy Places, but there are indications that the nations are not convinced of the necessity of establishing the kind of international regime which would exercise complete control over the day-to-day existence of the inhabitants of Jerusalem.

Under these circumstances, and in view of the fact that the General Assembly resolution of December 11, 1948, states that an international regime for Jerusalem "should provide for maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area", the United States Government has come to believe that it should be possible to work out an arrangement whereby Israel and Transjordan could accept a large share of governmental responsibility in the Jerusalem area under the overall supervision of some representation of the United Nations. This representation would be placed over the entire Jerusalem area, but its primary concern would consist of controlling the Holy Places and providing for their preservation and protection, and free access thereto. The United States Government has not reached a final decision on the question, and its attitude in this regard will in large measure be determined by the proposals to be made regarding the status of the City by the Palestine Conciliation Commission, upon which the responsibility for this task has been placed by the General Assembly.

Officers of the Department of State have, in discussing the status of Jerusalem with representatives of the Government of Israel, mentioned as one possible type of international regime for Jerusalem the establishment of a joint Israeli-Transjordan trusteeship under the United Nations trusteeship system. The discussions in question were, however, general and exploratory, and, as I have stated the final position of the United States Government will not be taken until the recommendations of the Palestine Conciliation Commission on Jerusalem have been made.

I certainly agree with you that there is considerable contrast between

Dr. Weizmann's readiness to admit some degree in internationalization for Jerusalem and Mr. Ben Gurion's reported remarks concerning the City. However, I am sure you will have noted that Mr. Eban, in his statement before the *ad hoc* Political Committee of the General Assembly on May 5, admitted the possibility of an international regime applicable to the whole City of Jerusalem. In view of the attitude taken by Dr. Weizmann and Mr. Eban, it seems to me possible that Mr. Ben Gurion's words may not have reflected the final position of the Israeli Government on this question.

Dr. Weizmann's statement that any Arab refugee who so desired might return to Israel is difficult to reconcile with the position taken by Israeli representatives in discussions of the refugee problem with representatives of this Government. The former have been consistent in maintaining that the best solution of the refugee problem lies in resettlement outside of Israel. This Government believes that agreement by Israel to the repatriation of a good member of the refugees is essential to a lasting peace in Palestine. In his statement at Lake Success on May 5, Mr. Eban seemed to accept the principle of repatriation, and it is my earnest hope that when a final Palestine peace settlement is reached a sizeable number of the refugees will be repatriated.

The United States Government is profoundly indebted to Mark Ethridge for his outstanding patriotism in accepting the difficult assignment as United States Member of the Palestine Conciliation Commission. He has certainly been doing a splendid job.

I am grateful to you for giving me the benefit of your thoughts on the Palestine problem. I am fully aware of the extremely important Christian interest in Jerusalem, and I am, of course, in complete agreement with the desire of the Christian world for assured free access to the Holy Places and for their protection and preservation.

With my most sincere best wishes,

Sincerely yours

HARRY S. TRUMAN

867N.113/5-1749

The British Embassy to the Department of State

SECRET

PALESTINE ARMS EMBARGO

The British Ambassador left with the Secretary of State an informal memorandum dated 27th April setting forth Mr. Bevin's views on the Palestine Arms embargo in the light of British Treaty relationships with certain of the Arab States and of the British Government's concern about internal security in the Middle Eastern countries.

2. Mr. Bevin has now heard that the King of Egypt has told the Egyptian Prime Minister to proceed with military talks with British representatives and that three Egyptian officers have been nominated for the purpose. Simultaneously the Egyptian Prime Minister has again pressed the British Government about the resumption of the supply of arms to Egypt. It is clear that very little progress can be made with the former without the latter.

3. Mr. Bevin also understands that, following the signature of armistices between Israel and the neighbouring countries, the United States Government are informing both Israel and the Arab Governments that they are prepared to accept trainees from the Middle East for training in the United States National Defence Establishment. This might perhaps be regarded as a step in the same direction.

4. Mr. Bevin recognizes that a connection might be made between the supply of arms to the Arab States by the British Government and discussions about a military assistance programme in connection with the North Atlantic Treaty. He has verified that the military equipment which the British Government might supply to the Arab States has long been earmarked and consists of purely British-type equipment. This equipment in no way corresponds with equipment being requested from the United States as a result of the North Atlantic Treaty. The supply of the latter would not enable the British Government to release any corresponding or equivalent types for use by the Arab States, which would in fact be incapable of using such equipment.

5. Mr. Bevin is most anxious to proceed at an early date as proposed in paragraphs 3 and 5 of the British Embassy's informal memorandum of the 27th April and he would therefore be most grateful for Mr. Acheson's views as soon as possible.

[WASHINGTON,] 17th May 1949.

501.BB Palestine/5-1749 : Telegram

Mr. Mark F. Ethridge to the Secretary of State

CONFIDENTIAL

LAUSANNE, May 17, 1949—noon.

Palun 155. During past few days PCC has had further meetings with Israeli and Arab delegations separately. Discussion revolved around emergency steps which Israel was willing to take on basis of PCC memo (re Palun 145¹) and activities of General Committee in relation to Israeli Arab PCC protocol (re Palun 148).²

¹ Telegram 410, May 10, from Geneva, p. 992.

² Dated May 12, p. 998.

Eytan restricted his remarks to general Israeli views on boundaries indicating specific details would be discussed with General Committee. Eytan said re refugees Israel was willing to do as much as it could, but that it could not handle problem alone and that its contribution would depend on extent of final settlement and on character of territorial arrangements. Eytan insisted Israeli view should be presented to Arabs by PCC. Eytan observed that admission of Israel to UN formalized its rights under charter as well as its obligations. Charter is based on premise that UN members settle disputes by peaceful means. Israel would welcome statement to this effect by Arabs and suggested PCC obtain it. Charter is also based on sovereign equality of its members. Israeli admission to UN should thus facilitate Arab problem of working and negotiating with Israel.

Eytan remarked re boundaries that partition was based on independent states in Palestine, but [he] did not mention economic union or internationalization of Jerusalem. Arabs tried to prevent but failed as Jewish state was established and Arab was not. On November 29 GA did not divide Palestine between Jews and Arab states but between Jews and Arabs of Palestine. Arab states have no claim whatsoever on Palestine. Arab states are in temporary military occupation of Palestine. First task of General Committee is to face this situation of unlawful military occupation. Israeli delegation will insist on withdrawal of all Arab states. Principle of self determination should be observed for Arab Palestine. Future of Arab Palestine should be left to its inhabitants.

PCC observed in reply that if its first task was removal of Arab troops from Arab Palestine it might also be argued removal of Israeli troops from Arab Palestine would be required. Eytan conceded logic of argument, but expressed view Israeli occupation was legitimate whereas Arab occupation was not.

PCC also observed that assuming plebiscite for Arab Palestine was necessary or desirable, essential preliminary step would undoubtedly be return of refugees to their homes. Eytan did not reply or expand his remarks re this subject.

Comment: PCC has consistently pressed Arabs to consider refugee question in context of final settlement including territorial arrangement. PCC doubts wisdom of urging Arabs at this early stage in negotiations to issue unilateral statement re settlement of disputes by peaceful means since this objective may be accomplished through their agreement to preamble (Palun 146) and is actually demonstrated by their presence in Lausanne and continuance of talks through PCC.

Re withdrawal of Arab troops and plebiscite in Arab Palestine, GA resolution December 11 is silent on both subjects. Eytan virtually

withdrew Israeli demand re withdrawal of Arab forces when faced with possibility of counter demand re withdrawal Israeli forces. Simultaneous withdrawal, although desirable, is beyond realm of practical possibility at this time. Plebiscite for Arab Palestine also seems impractical. Recent reports indicate, in any event, that Transjordan military administration is gradually being converted into Transjordan civil administration. In final analysis it seems equitable to argue that neither Israel nor Arabs have right to stipulate governmental structure of other, and thereafter to base their remarks re territorial change and other matters on such stipulation.

This morning Arabs vehemently held to their formal collective position that refugees return should be given absolute priority over other aspects of problem. PCC replied it continues press Israelis on refugee issue but, as this is unquestionably bound up with territorial settlement, PCC could not confine discussions purely to refugee matters.

Comment: PCC hopes move Arabs to more practical position when General Committee meetings begin, especially as there will then be opportunity for discussion with individual delegates. At moment Arabs are mainly occupied watching each other.

Israelis too may be induced to adopt more realistic approach when they realize UN debating tactics are of little value here where they are in reality dealing with Arabs only rather than with UN.

We also hope Israelis will realize prejudicial effect their present press tactics may have on progress of Lausanne talks (re Palun 147).³ Following confidential statement to PCC re withdrawal of Arab troops Eytan related substance at press conference. USDel has pointed out to Israelis such tactics will not further negotiations and, if continued, might definitely prejudice them.

ETHRIDGE

³ Identified also as telegram 412, May 10, 11 a. m., from Geneva, not printed.

501.BB Palestine/5-1549: Telegram

The Secretary of State to the Legation in Syria

CONFIDENTIAL

WASHINGTON, May 17, 1949—7 p. m.

217. Ur 281 May 13 third para. Connection possibility US representations re Israeli-Arab armistice agreements. Dept has worked closely with Bunche and, as in case Deptel 209 May 12, has not instructed US reps make representations until so requested by Bunche. Dept appreciates ur suggestion but view fact Bunche has the responsibility for conduct negots desires that question possibility and timing US representations be handled through prior consultation with him as heretofore.

View further revision Bunche proposal Dept concurs representation to Syrian Govt present time not desirable.

ACHESON

501.BB Palestine/5-1149

The Secretary of State to the Israeli Ambassador (Elath)

WASHINGTON, May 18, 1949.

EXCELLENCY: I have received Your Excellency's letter of May 11, 1949, on the occasion of the admission of Israel to the United Nations. The sentiments which you expressed in connection with United States support of your country's application for membership are greatly appreciated. The United States Government, which has consistently advocated the admission of Israel to the United Nations, was gratified at the outcome of the vote in the General Assembly and warmly welcomes Israel to the family of nations.

The Department has noted with interest your statement concerning the effect upon the Israeli Government of the recent conversation between you, Mr. Eban and myself. I am pleased that your Government does not underestimate the importance which the United States Government attaches to the points made during that conversation, especially the questions of the refugees, the status of Jerusalem, and the final boundaries.

Now that the problem of the admission of Israel to the United Nations has been resolved, this Government is convinced that the way has been cleared for positive progress towards a final peace. The question of the refugees seems to be the principal obstacle blocking the way to a Palestine settlement. The United States Government was gratified to note that the Israeli representative's statements before the *Ad Hoc* Committee of the General Assembly gave assurances that Israel will contribute to the solution of the refugee problem and that it accepts the principle of repatriation. With the cessation of hostilities in Palestine, the security problem involved in the return of refugees to Israeli-controlled areas has greatly diminished and this Government sees no compelling reason why the repatriation of a significant number of refugees should not commence in the very near future, particularly to those areas which are outside the boundaries of Israel as defined by the General Assembly resolution of November 29, 1947.

The Arab states have greatly relaxed their previous position on the question of resettlement. Consequently, action by Israel along the lines of our recommendations would in all likelihood give the Arabs concrete proof of Israel's desire for a lasting settlement and provide the impetus to bring the Lausanne talks to a successful conclusion. This

Government firmly believes that a substantial measure of repatriation of refugees on the part of Israel is essential to a solidly-established peace in Palestine, and that, in the interest of the future relations between Israel and its neighbors, the wisdom of such a step is undeniable.

With regard to Jerusalem, it is felt that substantial progress has been made in bringing closer together the views of our two Governments on that problem. The responsibility, however, for formulating proposals concerning the type of international regime to be established has been placed by the General Assembly upon the Palestine Conciliation Commission, and therefore the final position of this Government on the matter will be taken in connection with the work of the Commission.

It is gratifying to note that Israel has pledged itself to a settlement of the boundary question by agreement through negotiations. This Government agrees that concessions will have to be made by both sides if an agreed territorial settlement is to be reached. You are of course well aware of the basic position of the United States on the boundary question.

This Government notes with pleasure your assurances of Israel's acceptance of the General Assembly as the supreme arbiter on outstanding problems, and of Israel's desire to make the utmost effort to bring its policy into conformity with resolutions of the United Nations. This laudable attitude on the part of your country will be of substantial assistance in connection with the final settlement of the Palestine problem. The Israeli Government's policy of seeking the settlement of outstanding questions by agreement with the Arab states under the auspices of the United Nations is fully in accord with that of the Government of the United States.

Accept [etc.]

DEAN ACHESON

501.BB Palestine/5-1649

*Memorandum by the Coordinator on Palestine Refugee Matters
(McGhee) to the Secretary of State*

SECRET

[WASHINGTON,] May 18, 1949.

Subject: Palestine Refugee Problem

1. Ethridge in Palun 151 of May 16 "For the Secretary" urgently requests decision re US financial backing of Palestine refugee program along lines submitted in your Memorandum for the President. Ethridge feels that he has almost arrived at the point where commitments can be obtained from both Israel and the Arab states to take

refugees in the numbers required for satisfactory solution of the problem, if they can be assured of outside help.

2. It would greatly facilitate an agreement on this program if Ethridge could have word of the President's decision before his departure from Geneva, now scheduled for May 24. He has conducted most of the basic negotiations with the Israelis and Arabs personally in private meetings and is in best position to get agreement.

3. If you could mention this to Clark Clifford at lunch today perhaps he could facilitate a decision by the President prior to your meeting with the President tomorrow or the Cabinet meeting Friday, without your having to raise the issue with the President again.¹

¹ In a memorandum of May 19 to the Director of the Office of Financial and Development Policy (Knapp), Wilfred Malenbaum, Chief of the Division of Investment and Economic Development, stated: "I gather the President, who has been shown the attached [telegram 741, May 16, from Bern, p. 1013] by Acheson, is about ready to buy Ethridge's formula. (He is still awaiting reaction from Treasury and the Budget Bureau on our final cost estimates, although I gather that their answer may modify the magnitudes but not alter the basic decision to proceed.) I am worried about the formula Ethridge proposes because of our old fear that it may become too much of a U.S. program. At the minimum, any cable authorizing Ethridge to proceed should make clear the political dangers in other areas of publicity that can in any way be interpreted as a special U.S. assistance program for the Middle East. . . . We are talking with the International Bank and the Eximbank to see how great are their specific interests in projects which might be considered part of this program." (501.BB Palestine/5-1949).

IO Files, A/AC.25

Report Prepared by the Committee on Jerusalem of the Palestine Conciliation Commission

RESTRICTED

[LAUSANNE?], 18 May 1949.

Com. Jer/W.18

PRELIMINARY DRAFT

INTERNATIONAL REGIME FOR THE JERUSALEM AREA

I. GENERAL PROVISIONS

Article 1. The area of Jerusalem shall include the town of Jerusalem, together with the surrounding villages and towns, the most western of which is Ein Karim (including also the built-up area of Motsa), the most northern Shu'fat; the most eastern Abu Dis, and the most southern Bethlehem.

Article 2. The area of Jerusalem shall be divided into two zones defined hereafter as the Jewish zone and the Arab zone. The demarcation line between these two zones shall be as follows: . . .¹

¹ Omission in the source text.

Article 3. The powers of the responsible authorities of the two zones may be exercised in respect of all matters not reserved by the present Plan to the exclusive competence of the international regime.

II. ORGANS

Article 4. The United Nations shall be represented in the area of Jerusalem by an Administrator appointed for five years by the General Assembly. He shall be responsible to the General Assembly and may be dismissed by it. The headquarters of the Administrator shall be "Government House". The General Assembly shall appoint a Deputy Administrator on the proposal of the Administrator.

The Administrator and the Deputy Administrator shall not be residents of the area of Jerusalem or nationals of the State of Israel or of an Arab State.

Article 5. The Administrator and the Deputy Administrator shall be assisted by an Administrative Council. This Council shall be composed of nine members, three of whom shall be appointed by the responsible authorities of the Jewish Zone, three by the responsible authorities of the Arab zone and three by the Administrator. The latter will endeavour to ensure by his choice the representation of the principal communities other than Arab and Jewish in the area of Jerusalem.

Article 6. On behalf of the United Nations, the Administrator shall ensure:

- (1) the protection of and free access to the Holy Places, in accordance with the terms of Articles 12 to 14 below;
- (2) the control of the demilitarization and of the neutralization of the area, in accordance with the terms of Article 15 below;
- (3) the protection of human rights and of the rights of distinctive groups, in accordance with the terms of Article 17 below.

Article 7. The Administrator, assisted by the Administrative Council, shall ensure:

- (1) the coordination of measures for the maintenance of public order;
- (2) the operation of the main services of common interest to the area of Jerusalem;
- (3) the equitable allocation of the contributions of each zone towards expenditure in the common interests.

Article 8. The following matters shall be submitted for the approval of the Administrator, with whom the final decision shall rest: sales, exchanges and all other transactions relating to real estate and to rights connected therewith; the construction and demolition of buildings and alterations thereto; the laying-out of squares and public gardens; the opening up of new roads; public utility works.

Article 9. There shall be established in Jerusalem an International Tribunal composed of three Judges who shall not be residents of the area of Jerusalem or nationals of the State of Israel or of an Arab State. They shall be selected by the President of the International Court of Justice.

The Tribunal shall have jurisdiction with respect to:

(1) cases of jurisdictional conflicts between administrative organs and courts of the one zone and administrative organs and courts of the other zone;

(2) cases submitted either by the Administrator or the responsible authorities of the Jewish or Arab zone involving claims that laws, ordinances, regulations, administrative acts or court decisions applying to the area of Jerusalem are incompatible with the present Plan.

The decisions of the Tribunal in all cases under paragraphs (1) and (2) of the present article shall be legally binding on the Parties;

(3) cases submitted by the Administrator concerning any matter specified in Parts III, IV, VI and VII.

(a) If the Tribunal deems that a dispute submitted under paragraph (3) of this Article is susceptible of decision on the basis of law, it shall decide on that basis, utilizing the present Plan; or any of the sources set forth in Article 38, paragraph 1 of the Statute of the International Court of Justice. Such decisions shall be legally binding on the Parties.

(b) If the Tribunal deems that the dispute is not susceptible of decision on the basis of law, it shall render an opinion *ex aequo et bono*, giving special consideration, where appropriate, to the principles and purposes of the United Nations, to important United Nations resolutions and declarations, and to important multilateral treaties. Such opinions shall be advisory in character.

Article 10. There shall be established in Jerusalem a Mixed Tribunal composed of three Judges, two of whom shall be appointed by the responsible authorities of the Arab and Jewish zones respectively. The third Judge shall be appointed by the President of the International Tribunal and shall assume the chairmanship of the Mixed Tribunal. He shall not be a resident of the area of Jerusalem or a national of the State of Israel or of an Arab State.

The Mixed Tribunal shall have jurisdiction with respect to all civil cases in which the parties involved are not residents of the same zone or in which one or more of the parties involved are not residents of either zone. The Tribunal shall likewise have criminal jurisdiction with respect to all cases of offenses committed in one of the two zones, in which one or more of the defendants is a non-resident of such zone.

Article 11. The Administrator shall be authorised to recruit the number of guards necessary for the protection of the Holy Places,

religious buildings and sites as well as for the protection of his headquarters and his staff and of any other place under his supervision and protection. He shall further be authorized to recruit the auxiliary administrative personnel necessary for the carrying out of his functions. Such guards and personnel may be dismissed by the Administrator.

The expenses of the salaries and allowances of the Administrator, the Deputy Administrator, the members of the International Tribunal and of the Mixed Tribunal, the guards and the administrative personnel shall be borne by the United Nations.

III. HOLY PLACES, RELIGIOUS BUILDINGS AND SITES

Article 12. The Holy Places, religious buildings and sites in the area of Jerusalem and the routes giving immediate access to them, shall be placed under the exclusive control of the United Nations Administrator. The latter shall be empowered to make regulations to assure their protection and free access to them, and to station guards charged with the maintenance of order inside and outside them.

These Holy Places, buildings and sites, and their dependencies shall not be subject to any tax from which they were exempt on 29 November 1947. Their owners and occupiers shall not be subject to any tax which would place them in a less favourable fiscal situation than that which they occupied on 29 November 1947.

Article 13. The Administrator shall ensure for ministers of religion and to pilgrims free circulation throughout the area of Jerusalem. He shall have the power to negotiate and to conclude with all the interested States arrangements destined to facilitate the circulation of ministers of religion and of pilgrims who wish to enter or leave the area of Jerusalem.

Article 14. The Administrator shall decide disputes which may arise between religious communities or within a religious community in connection with Holy Places, religious buildings or sites. His decisions cannot be called in question in any court of the two zones. He shall further have the power to carry out necessary repairs to Holy Places when such repairs are urgently needed and the community or communities concerned, though having been called upon, do not carry out within a reasonable time the repair in question.

IV. DEMILITARIZATION AND NEUTRALIZATION

Article 15. The area of Jerusalem shall be permanently demilitarized and neutralized. There shall be no military or para-military forces or stocks of war material within the area.

The responsible authorities of the two zones shall give formal assurances with respect to the demilitarized character of their respec-

tive zones, and the inviolability of the demarcation line between the zones. These formal assurances shall include the following provisions:

- (a) Both regular and irregular forces will be withdrawn;
- (b) All entrenchments and fortifications of a military nature of any kind will be destroyed;
- (c) All military operations, ground or aerial, within the perimeter of the area of Jerusalem are prohibited as are all military operations, ground or aerial, which originate outside the area but might be capable of affecting places within the demilitarized area;
- (d) The importation, exportation, stockpiling of arms or munitions of any type is prohibited within the area as is the maintenance of passage through the area of military personnel either combatant or auxiliary.

Any violation of the provisions of the present Plan or any attempt to alter the international regime by force shall immediately be reported by the Administrator to the Security Council.

Nothing in this article shall affect the right of the two parties to maintain within their respective zones police forces armed with normal police weapons, for the purpose of maintaining order and security. The number of police in each zone shall not exceed 1,000.

V. ECONOMIC AND FINANCIAL PROVISIONS

Article 16. The responsible authorities of the Jewish and Arab zones shall be called upon to negotiate such arrangements of an economic and financial nature which may be appropriate in the circumstances, taking into consideration the necessity of facilitating commercial relations between the two zones.

VI. HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Article 17. All persons in the area of Jerusalem shall enjoy the human rights and fundamental freedoms set forth in the Universal Declaration of Human Rights of 1948.

If the United Nations Administrator considers that any such rights are being interfered with, he may bring the matter to the attention and submit the case to the Tribunal as provided in Article 9 or, if necessary, bring the matter before the competent organ of the United Nations.

VII. SPECIAL PROVISIONS

Article 18. The Administrator shall determine the conditions under which persons of any origin or of any nationality (including the citizens of the State of Israel or of an Arab State) who are not domiciled in the area of Jerusalem may be allowed to take up residence there. He shall deliver, prolong and suspend the necessary authorizations.

Article 19: The responsible authorities of the Jewish and Arab zones shall maintain in their respective zones only such agents and officials, and shall establish only such administrative organs and public services, as are normally necessary for the administration of municipal affairs.²

² There is available in the files of the Department of State a six-page memorandum sent to Mr. Barco at Lausanne by Durward V. Sandifer, the Acting Director of the Office of United Nations Affairs. It noted that the preliminary draft on Jerusalem had "been examined by officers of UNA, L, and NEA, who have collaborated in the following comments and suggestions."

The memorandum has the date "5/18/49" penned in and it is filed under 501.BB Palestine/5-1849. The editors speculate that the memorandum was actually sent later, inasmuch as the preliminary draft was dated May 18.

501.BB Palestine/5-1849 : Telegram

Mr. Mark F. Ethridge to the Secretary of State

SECRET

LAUSANNE, May 18, 1949—3 p. m.

Palun 157. I understand and accept views expressed in Unpal 98¹ but can hardly be expected to concur in view of commitment recorded in intel of April 28² on which I based my statements in PCC and my talks with both Israeli and Arab delegates at Lausanne.

I agree "Israel is now in position of having received US support on all questions on which they are entitled to support and time has not [*now*] come for them to produce basis for settlement." We shall continue press them to reveal this basis re refugees, territory and Jerusalem. It must be admitted, however, that US sponsorship of admission resolution in absence of assurances at Lausanne requested by us has weakened our position and muffled my voice.

This is demonstrated by past admission intransigence of Israeli delegation forecast in Palun 142³ on subject of refugees and territory. Israeli delegation has not indicated acceptance in any way of US policy re refugees and territory as stated by Mr. Acheson to Mr. Sharrett (reDeptel 208, April 6⁴). Its present approach these problems indicates concentration on resettlement rather than repatriation

¹ Identified also as telegram 619, May 12, to Bern, p. 1004.

² This circular telegram stated "We have informed USUN del New York US not now in position join in sponsoring res for admission Israel to UN. We first want from Israeli reps at Lausanne conference assurances re status of Jerusalem, refugees and territorial settlement, which would create favorable atmosphere for admission Israel." (800.00 Summaries/4-2849)

³ Identified also as telegram 699, May 9, from Bern, p. 988.

⁴ Not printed, but see footnote 2, p. 894.

and acquisition of additional territory rather than exchange. It is difficult furthermore to reconcile this approach with conciliatory responses of Elath to Rusk reported in Unpal 98. We hope, however, Department's views will prevail after further consideration by Israelis, otherwise Arabs may conclude that no solution is good solution pending September G.A. Results would be impasse at Lausanne, maintenance of *status quo* of armistice lines in Palestine and irreparable delay in essential preliminary steps for resettlement of refugees.

ETHRIDGE

867N.48/5-949 : Telegram

*The Secretary of State to the Embassy in Saudi Arabia*¹

SECRET

WASHINGTON, May 18, 1949—7 p. m.

187. Reur 334 May 9² pls express Dept's appreciation FonOff's indication Arab states prepared to contribute to solution of refugee problem by resettlement. You shld seek early opportunity continue discussion this question with SAG, informing it that USG is making every effort urge Israel accept return those so desiring. In this connection USG noted with interest Israeli statements before *ad hoc* Committee GA that it is willing contribute solution of problem and that it accepts principle repatriation. We are now urging Israel give early indication that it will agree repatriate considerable number and that it will commence repatriation near future. Israel has, moreover, announced to PCC and *ad hoc* Committee GA its acceptance of obligations to pay compensation. Re SAG assurances that Arab states will arrange resettlement after refugees fully compensated, every effort will of course be made to speed process compensation. Of necessity, however, latter will be time-consuming legal process, involving detailed determination property rights and examination individual claims. USG therefore hopes that progress towards resettlement those so desiring will not be deferred pending completion this process, and that SAG will use its influence Arab League to bring about realistic and humane appreciation urgent need for commencing solution of problem.

ACHESON

¹ This telegram was repeated to Bern for Mr. Ethridge and to London, Damascus, Beirut, Cairo, and Baghdad.

² Not printed; it described the Saudi Arabian Government's current thinking in the following terms: "(a) USG should insist return to homeland those refugees willing live Israel. (b) Israeli Government should give guarantee obey UN decisions. (c) Refugees unwilling return should be compensated by those who took possession their properties. (d) After refugees fully compensated, Arab states will arrange resettlement." (867N.48/5-949)

.867N.113/5-1949

The Department of State to the British Embassy

SECRET

MEMORANDUM

The Department of State has reviewed the memoranda left by the British Ambassador during his calls of April 27, 1949 and May 17, 1949, relative to the Palestine arms embargo, and before reaching a decision with regard to the questions raised wishes to suggest that immediate conversations be undertaken between the United Kingdom and the United States. These conversations might include the following subjects:

- 1) Role of the United Nations in the matter (i.e., United Nations Resolutions and Mediator, effect on Palestine Conciliation Commission negotiations, et cetera.)
- 2) Basic needs of each country in the area for internal security.
- 3) Needs above those of internal security in connection with both Anglo-United States strategic planning.
- 4) Political objectives which might be achieved by relaxation of the arms embargo.
- 5) Coordination of any programs with the Military Assistance Program proposed by the United States; possible effect on the proposed Military Assistance Program.
- 6) Timing, terms and conditions, including financing, of proposed shipments.
- 7) Possible coordination of any program with the French Government in order to insist that it does not duplicate shipments.
- 8) Decisions as to which country should make shipments to each State and what each country might contribute toward any plans formulated under point two above.¹

¹This undated memorandum was drafted on May 16 but was not handed to the British until at least 3 days later. Mr. Satterthwaite, in a memorandum of May 19 to the Secretary or the Under Secretary, submitted the memorandum for approval and suggested that when it was handed to the British Ambassador, "you orally make clear that in suggesting these conversations we are not making any commitment relative to a change in our own arms export policy, and are particularly concerned with the possible effect of such a program on current negotiations at Lausanne and the military assistance program shortly to be put before Congress." (867N.113/5-1949)

501.BB Palestine/5-1949: Telegram

The Minister in Syria (Keeley) to the Secretary of State

SECRET

DAMASCUS, May 19, 1949—10 a. m.

288. For George McGhee. Mytel 281 May 13. As both parties rejected modified Bunche proposal General Riley informs me negotiations adjourned indefinitely. Meanwhile Vigier and Riley hope work out another proposal that might have more prospect acceptance.

Considering Israeli intransigent attitude as exemplified by Prime Minister Ben-Gurion's uncompromising refusal (Tel Aviv Embtel 342 May 9 to Department)¹ Bunche's invitation that he meet with Prime Minister Zaim (who in advance of invitation volunteered his willingness meet [Ben-]Gurion in effort cut Gordian knot), stalemate seems likely to continue indefinitely. While am convinced Zaim will make generous concessions on other pending matters such as refugees, internationalization Jerusalem and boundaries elsewhere than slight rectification desired in Syrian-Israeli frontier in region of Lakes Hula and Tiberius, Zaim is unlikely yield everything without any *quid pro quo* as Israel seems to demand. To do so could well cost him his job and remove best hope so far of Syrian acceptance compromise settlement Palestine conflict.

General Riley's suggestion (mytel 281) that US Government's support of Mediator's efforts be communicated to Syrians only when Riley and I consider moment propitious was not intended to by-pass Mediator but rather to face realities realistically (Deptel 217 May 17). Experience has shown that Bunche being far from scene of negotiations is often as much as 48 hours behind developments and consequently his recommendations and any diplomatic support requested by him often inapplicable to situation as it exists by time they reach scene of action.

Bunche's departure before conclusion of Syrian-Israeli armistice was generally considered prematurely optimistic by those who understood Syrian internal problem and Israeli appetite. Because of ineffectiveness remote control, Legation believes Bunche should either return to scene of negotiations or relinquish initiative to those on spot. Legation favors Bunche's return believing that only he on spot is likely to be able to force some sort of *modus operandi* for armistice that will permit talks to open for settlement broader problems including delimitation permanent Syro-Israeli frontier.

Those concerned with refugee problem should understand that Zaim expressed willingness (repeatedly reiterated) to accept quarter million or more refugees for resettlement was contingent on and part of general peace settlement.

Everyone who has discussed matter with Zaim is impressed by his sincerity and broadminded attitude toward Israel (far cry from stubborn intransigence previous Syrian Government) but his ardor is cool-

¹Not printed; it advised that Ambassador McDonald had conversed with the Israeli Prime Minister on May 8 on the subjects reported in Tel Aviv's telegram 323, May 2, p. 966. He commented that it was "Evident Israel not now prepared to go in public beyond recent statements on refugees and Jerusalem. Re boundaries it will not publicly suggest possibility yielding territory now held. This does not preclude possible concessions in bilateral talks with Transjordan at Lausanne." (868.48/5-949)

ing in face of evident Israeli insatiability. While Zaim is at least trying to measure up to Kemal Ataturk's stature (mytel 256 April 28)² and is susceptible to moderating influence, it is unfortunately becoming increasingly evident (Tel Aviv 342) that Ben-Gurion is no Venizelos. Yet unless Israel can be brought to understand that it cannot have all of its cake (partition boundaries) and gravy as well (areas captured in violation of truce, Jerusalem and resettlement Arab refugees elsewhere) it may find that it has won Palestine war but lost peace.

Should be evident that Israel's continued insistence upon her pound of flesh and more is driving Arab states slowly (and perhaps surely) to gird their loins (politically and economically if not yet militarily) for long-range struggle that profiting by mistakes of past could make Israel's task far harder than might be case if far seeing Israeli statesmanship were to grasp opportunities of moment to reach negotiated settlement on reasonable terms. Israel and its UN sponsors more than Arab states would stand to suffer most by indefinite prolongation current stalemate.

Sent Department 288, repeated Tel Aviv 33, USUN New York 6, Bern 8, for PCC; pouched Amman, Baghdad, Beirut, Cairo, Jerusalem, Jidda, London, Paris, Ankara.

KEELEY

² Not printed.

501.BB Palestine/5-1949: Telegram

*The Secretary of State to the Legation in Switzerland*¹

SECRET

WASHINGTON, May 19, 1949—1 p. m.

652. Unpal 106. For Ethridge. Fol are comments on your numbered paras Palun 151: ²

1. On McGhee's return neither French nor Turkish Embs had recd instrs re discussions with Dept on Pal refugee program as agreed with PCC at Beirut. Moreover, until decision made re US financial support for program Dept has desired proceed cautiously. Preliminary mtg was held May 9 with Benard of Fr Emb, which had in meantime recd instr to meet with Dept but had recd no substantive instrs. Benard raised no issues re proposed plan of action, and later exchange of technical info was agreed upon. Fol receipt Palun 151 mtg called May 18 with Turk and Fr Emb reps for gen discussion.

¹ This telegram was repeated to London.

² Identified also as telegram 741, May 16, from Bern, p. 1013.

2. Several mtgs have been held with Brit Emb reps and info exchanged. No reply yet recd Dept's *Aide-Mémoire* May 10 mailed you May 11, but AmEmb London in 1620 [1920] May 16³ advises UK generally willing follow Dept's lead. Dept agrees with you approach to refugee problem shld continue to be through UN and expects no difficulty with Brit assuming US and UK can play parts commensurate with their interests in problem and can be relatively free of close UN supervision.

3. Dept agrees desirability initiate limited work projects at earliest opportunity and will be glad receive recommendation PCC Technical Comm and explore all possible source funds including possibilities under UNRPR. It appears unlikely, however, that additional US grant funds can be obtained for this purpose from present session Congress, and other sources believed uncertain before new program agreed.

4. Dept agrees desirability skipping survey group phase if this cld accelerate program. However, until authoritative survey made, program approved and funds obtained there is little that proposed Development Board could do of operational nature. Head of survey group wld appear to require different capabilities than man to carry out program. Moreover, it is essential to get man of greater stature to head short survey and sell program to UN, US public and Congress than can probably be obtained for longer range administration of program. Until program developed it will be difficult ascertain type operating agency required, particularly with regard auspices and degree of centralization to be followed in execution program. Such an agency may require GA approval.

5. Dept pleased at your report that satisfactory commitments expected from Israel and Arab states shortly re repatriation and resettlement, respectively. For your info, all Dept plans call for financial assistance for repatriation as well as resettlement. Dept agrees your proposed allocation of refugees and strategy in gaining acceptance your plan. Dept aware that you need US commitment along lines given urtel before Israel and Arab states will agree accept definite number refugees. You will be advised soon as Pres has made decision.

ACHESON

³ Not printed

501.BB Palestine/5-349 : Telegram

The Secretary of State to the Embassy in Egypt

CONFIDENTIAL

WASHINGTON, May 19, 1949—7 p. m.

507. During call on SecState May 17, Egyptian FonMin¹ expressed disappointment re recent events in UN, but stated Egypt nevertheless desires pursue course of friendship with US on mutually satisfactory basis. Secy stated US reciprocates these feelings and desires encourage good relations between Egypt and US.

Secy then emphasized deep concern of USG re Arab refugees, stating that we are continuing urge Israel accept principles of Dec 11 res. He said our representations had not been as successful as we wished, but that we had made some progress. We believe substantial number refugees shld return Israel but it is evident that a number could not. Latter wld have to be resettled elsewhere.

FonMin replied that Egypt was concerned with this problem, as factor which wld disturb peace entire NE. Expressed hope that all so desiring wld be permitted return. Egypt, as one of world's most densely populated regions, had no room for additional immigrants, he added.

Secy stated he was aware of this, but felt Egypt cld play constructive role in Lausanne discussions. Problem wld require agreement between parties concerned, and USG hopes for Egypt's cooperation. Khashaba Pasha stated in gen terms that Egypt prepared cooperate with US and other countries in helping achieve solution of refugee problem.

Pls take early opportunity pursue subject further with PrimMin, expressing Dept's appreciation FonMin's assurances cooperation as indicated preceding para and PrimMin's assurances (urtel 430 May 3)² that, once principle of repatriation was established, he was confident Arab states wld at once begin to study practical aspects of resettlement problem. USG hopes Egyptian reps Lausanne will be instructed by Egyptian Govt use their influence to bring about similarly constructive and realistic attitude on part of their colleagues.

USG fully appreciates difficulty Egypt wld have in absorbing great number refugees. However, if Egypt were to accept small number, it wld contribute to reduction of problem and make it easier for other states assume responsibility for those which they are able absorb. USG agrees with PrimMin that considerable number refugees will not wish return to Israel.

USG noted with interest Israeli Govt's acceptance of principle of repatriation, in its statements before *ad hoc* Committee GA, and its assurances that it is prepared contribute to solution of problem. USG

¹ Ahmed Mohamed Khashaba.

² Not printed.

will continue use its best efforts induce Israel accept return substantial number and urge early commencement repatriation activities.

USG hopes Egypt will use its great influence in Arab world to urge Arab states adopt cooperative attitude towards this urgent problem, as important means contributing to its early solution.

ACHESON

501.BB Palestine/5-1949: Telegram

*The Secretary of State to the Legation in Switzerland*¹

CONFIDENTIAL

WASHINGTON, May 19, 1949—7 p. m.

655. For Ethridge. Israeli Amb Elath, discussing Arab refugees May 19 with McGhee, stated his Govt is in full agreement with USG that both repatriation and resettlement are required for solution of problem. He stated, however, that Israel not in position define number to be repatriated prior (1) formal conclusion peace and (2) assurances that plans have been made for resettlement fixed number, with necessary financing. If Israel repatriated portion and remainder were not resettled, security problem would be aggravated rather than relieved, and remainder Arabs wld insist on repatriation as well.

McGhee pointed out we consider repatriation substantial number, not merely token number, required to obtain favorable atmosphere for Arab cooperation in resettlement remainder, and to reduce problem to number capable assimilation on self-sustaining basis in Arab states within reasonable period. Only on basis agreement repatriation and resettlement adequate numbers cld PCC formulate plan for resettlement. It is obvious that USG, in responding to any request from PCC or UN, cld not agree extend assistance in support plan which it considers unworkable, and we consider resettlement number approaching 700,000 an unworkable plan.

McGhee agreed with Elath that problem was three-sided consisting agreement by Israel repatriation given number, agreement by Arabs resettlement given number, and formulation resettlement plan involving outside assistance. McGhee stated that agreement re repatriation appeared necessary first step in overcoming present impasse, but to be realistic considered it possible that agreement on all three points might be reached simultaneously at Lausanne. US considers that responsibility for problem rests with UN and PCC. *Comment:* it is believed Elath sought to convey that Israel prepared talk numbers for repatriation as soon as assurance received that Arabs wld agree resettlement remainder and outside financial assistance forthcoming. Financial assistance repatriation not discussed.

ACHESON

¹ This telegram was repeated to London and Tel Aviv.

501.BB Palestine/5-2049: Telegram

The Minister in Switzerland (Vincent) to the Secretary of State

SECRET PRIORITY

BERN, May 20, 1949—10 a. m.

769. Palun 160. From Ethridge. Israel's full territorial demands upon the Arab states were laid on the table today.¹ Back from a day with Sharett in Geneva, Eytan sought me out and in three-hour conversation, told me what Israel has in mind when she gives her position to the Commission, perhaps on Friday.² Far from having modified her position, Israel has stiffened her demands.

I opened the conversation by saying to Eytan that I thought the time had come for frankness and that I hoped he had new instructions from Sharett since the conference here was in a virtual stalemate. He answered that far from having new instructions, Sharett was shocked by the Commission's reaction to Israel's position and that Sharett had instructed him to come back to Lausanne so as to tell the PCC again what should be "self-evident truth" of Israel's position.

That position is this:

On Lebanon, Israel will have no demands at the moment. She is ready to accept the Polish³ armistice lines, which coincide, with however a proviso that if in the future either state desired to open negotiations looking toward border rectification it might be done. Inquiry on my part developed that Israel wants a slice of Southeastern Lebanon which she considers necessary to her development scheme, but is willing in some way not made known to compensate her for it. For the time being, however, no demands would be made and Eytan felt a quick peace could be made.

As to Egypt, Israel's first demand would be for the political boundary between Palestine and Egypt, which would put the Gaza strip in Israel. That demand, said Eytan, would at least force Egypt to talk about the Gaza strip. I gathered that if Egypt says no, the demand will not be pressed. However, Israel is more and more in favor of having the Gaza strip and is willing to take both the refugees and normal population, with, however, the proviso that Israel would have a right to screen out and deport terrorists or Mufti followers. Eytan said he had just been authorized by Sharett to make the demand for the Gaza strip.

¹ The date referred to as "today" may be May 19, inasmuch as telegram 769 was presumably drafted on that day. Note that the Department referred to the date as May 19 in its telegram 682 to Mr. Ethridge on May 24, p. 1051.

² Mr. Ethridge, on May 23, advised from Lausanne that Mr. Eytan on May 20 had informed the PCC of the Israeli position along lines similar to those expounded by him as reported in Palun 160 (telegram Palun 162, 501.BB Palestine/5-2349).

³ An obvious garble; perhaps the words "Palestine-Lebanon frontier lines as" were intended.

As to Syria, Eytan says Israel is not willing to negotiate and will have no demands until an armistice is signed. However, Israelis willing to accept the international frontier providing a second clause makes the same provision for later reopening for the rectification of the border.

As to Transjordan, Eytan repeated legal argument previously made to Commission, that no Arab state has a right to any territory in Palestine and that any Arab state that won territorial addition would be getting a bonus out of the war.

I told him that the Commission was not deluded at all by that argument; that we recognized it as an opening move with Abdullah to divide up the rest of Arab Palestine. Eytan said that of course Israel would have more demands as to territory in Arab Palestine and the new demands would not be based upon military considerations but upon the developmental scheme.

Engineers had been discontented with the Tulkarm triangle line because it still did not put Israel in position to bring water down from the north to the south without having to tunnel under mountains at prohibitive cost. The new demand would be directed toward shortening the waterline. Israel had in mind giving Abdullah a few villages around Latrun and in the south in return for the new strip in Samaria and in return for opening the Latrun road. He said there might be a few other minor concessions here and there on a "mutual" basis.

Eytan made clear that while intending to keep occupied areas such as Western Galilee, Israel has no intention of giving up any part of the Negev. He said that also there were many reasons for that position: (1) Israel was convinced that with water she could develop it; (2) there were psychological reasons and attachments which would make it impossible for any Israeli Government to give it up; (3) public opinion in no case would stand for what would obviously be a concession to the British, not to the Arabs; (4) there was no reason why the Arabs should have it when they could not develop it and put refugees there.

I asked Eytan about Israel's intentions toward Lydda, Ramle and Jaffa. He said she had none except to keep them. Arabs in Jaffa beyond those already there were entirely out of the question and Lydda and Ramle had been filled up with immigrants and there was therefore no place for Arabs.

On the refugee question, I pointed out to Eytan that the Arabs still consider some concession on emergency measures as an evidence of Israel's good faith. He answered that Israel had made concessions already beyond what she should have because Arab Governments are not interested in refugees so much as in exploiting their own interests, which in this case takes the form of forcing Israel into a bad negotiat-

ing position. Therefore Israel would do nothing more about refugees now.

Comment: Eytan told me that he recognizes the stalemate nature of negotiations here and is ready to make his position known to the full Commission. The Arabs are meeting today to determine whether they are willing to do that also. The US Delegation anticipates that when the Arabs know Israel's position the conference is likely to break up. The Arabs feel that the Jews need peace more than they do and are willing to wait it out until September apparently.

Neither side seems to be ready for peace, despite protestations to the contrary. Certainly unless Israel modifies her demands, there is no possibility of peace on any basis heretofore envisioned by the State Department. There seems little likelihood that Israel's demands will be modified. On the contrary, Eytan told me today that Israel is basing her policy upon the knowledge that Egypt and Syria are buying arms in Europe. He professes to know from whom and in what quantity.

Department's comments will be welcome. [Ethridge.]

VINCENT

501.BB Palestine/5-2049: Telegram

*The Secretary of State to the Legation in Switzerland*¹

SECRET

WASHINGTON, May 20, 1949—1 p. m.

658. Unpal 109. For Ethridge. [Re] Palun 153² Dept agrees all suggested changes Proposed Plan of Action Pal Refugee problem except elimination economic survey group which has been implicit in Dept plans and discussions with British since Embtel 128 of Mar 22 from Beirut. See also Deptel 652 (Unpal 106) of May 19. Such a group appears necessary to make authoritative recommendations re distribution of refugees, selection and priority of development projects, cost of program and sources of financing, and to provide an integrated regional economic and development plan. Group would, as indicated proposed plan, have a broader focus than refugees. Members of group, particularly head, must be outstanding in their respective fields and representative proper interests UN member states and Int orgs if their recommendations are to bear proper weight with GA, US Cong and public, other UN states, Int Bank and other Int and private orgs who can contribute to program. Wherever practicable it is envisaged having appropriate Int body furnish technical man, i.e., Int Bank would furnish financial expert. It is doubted if recommendations PCC staff technical group of type now being recruited would carry sufficient

¹ This telegram was repeated to London.

² Identified also as telegram 742, May 16, from Bern, not printed; it suggested various changes in the wording of the proposed plan of action, p. 939.

weight with all concerned to assure acceptance of program. Agree PCC staff technical group might carry to conclusion studies re refugee aspects of problem including initial studies on organization of any permanent refugee agency, if this is decision; however, Dept feels that broader economic aspects could be better dealt with by separate body such as envisaged as survey group.

ACHESON

501.BB Palestine/5-2049: Telegram

The Secretary of State to the Legation in Switzerland

SECRET

WASHINGTON, May 20, 1949—1 p. m.

Unpal 110. For Lausanne. We agree (Palun 153¹) ur proposal France and Turkey join US and UK in concerted program urge Israel and Arabs face refugee problem constructively through repatriation and resettlement. Pls outline to Yalcin and Boisanger genl nature our approaches Israel and Arabs (Depcirtel Apr 29, 5 p. m. and Unpal 85, Apr 28), informing them Dept concurs your view re desirability parallel approaches by French and Turkish Govts and requesting that they so inform their Govts earliest opportunity. In absence instrs this subject to French and Turk missions Washington, we believe approach by you speedier and more effective.

ACHESON

¹ See footnote 2, p. 1038.

867N.01/5-2049: Telegram

The Consul at Jerusalem (Burdett) to the Secretary of State

SECRET

JERUSALEM, May 20, 1949—2 p. m.

370. Dayan called last night to discuss yesterday's special committee sessions. Barco present. Committee meeting ended in complete deadlock and Dayan saw no prospects for agreement or usefulness in further negotiations. Asserted informally felt gloomier re prospects continued peace in Jerusalem than at any time since his arrival last August. Has advised Israeli Government to request UN to return Jewish sections Mt. Scopus to complete Israeli control under terms of agreement signed last July providing for UN protection on Mt. Scopus "until hostilities cease". Then proposes inform Transjordan bluntly Israel intends to have free access by agreement or otherwise. Feels Transjordan bound by Article 8 of armistice agreement to grant free access and if refuses, Israel free take appropriate measures in view breach armistice.

At committee meeting Dayan suggested agreement on following lines: Israel to receive Latrun salient in return for territory in Beit Nabala region, free access to Mt. Scopus; Arabs to receive free access to Bethlehem on main road, electricity for Old City, use Tulkarm-Qalqiliya road until new section in Arab territory constructed. Arabs demanded as essential addition point return of Arab quarters in Israel hands and stated willing allow Jews return Jewish quarter Old City. Dayan argued special committee should consider only questions specified in Article 8 of armistice agreement and territorial changes in Jerusalem should await peace treaty. However, if Arabs insisted on changes now willing consider return of Arab quarters in exchange for equivalent territory northern Jerusalem to connect Mt. Scopus with Jewish sections.¹

Comment—Only thing Israel considers essential Jerusalem in immediate future and determined to have, is free access Mt. Scopus. At least possibility exists will use force rather than wait for peace conference decision. Dayan stated would launch propaganda campaign in US against Transjordan for failure permit free access to cultural and humanitarian institutions after agreeing to do so in principle at Rhodes. Main Arab wish is return Arab quarters and they realize principal bargaining weapon is Mt. Scopus.

During conversation I suggested to Dayan possibility general agreement covering all Jerusalem problems. He definitely preferred leave territorial matters to peace conference but agreed would consider general over-all settlement now provided Arabs make territorial adjustment in north in return for some, but not all, Arab quarters in south. Felt Arabs would maintain present adamant refusal give anything except free access to Mt. Scopus in return for Arab quarters.

Two possible solutions apparently exist, one—general settlement covering all problems affecting Jerusalem area. Might take following lines: Israel to receive Latrun salient, territory north of Jerusalem

¹ Amman, on May 20, advised of information from Hashem Debbas, the King's Chamberlain, that at the special committee meeting at Jerusalem on May 19, which lasted for 4 hours, the Israelis wished to discuss only two points—the Latrun salient and access to Scopus. Regarding the salient, the Israelis were said to be "only willing give in return use Bethlehem road. Transjordan representatives insisted that they would agree to both points only if Israel returned Arab quarters now Jerusalem. . . . Israelis indicated they would not consider any proposal relating to Jerusalem itself." The Chamberlain informed that the next meeting would be held on May 29 but expressed doubt that progress would be made. Mr. Stabler commented that "Transjordan position re committee matters has stiffened considerably and no indication exists they propose modify stand. This due to difficulties caused by triangle agreement and by realization armistice precludes renewal hostilities by Israel to attain its ends. Moreover, government seems convinced it preferable to leave all negotiations this stage to Lausanne Conference and King apparently concurs this policy." (Telegram 212, 867N.01/5-2049)

built up area comprising land included in Hebrew University and Hadassah development plans and connecting with Jewish section of Sanhedriya, permission for Jews to return to Jewish quarter Old City with corridor through Mt. Zion assuring free access, free access to Wailing Wall and Jewish cemetery on Mt. Scopus. Arabs to receive territorial compensation in Latrun area in direction Beit Nabala, free use Nablus-Bethlehem Road, electricity for Old City and following sections southern Jerusalem: Mt. Zion, Deir Abu tor, Bakka, portion German colony, Ramat Rahel, Talpiyot, Allenby barracks, Alamein camp and section Beit Safafa now held by Jews. Exact size territory in both north and south Jerusalem subject to negotiations. Suggestion: uses as starting point areas now held, in belief neither UN nor US will force Israel start on basis areas held at end mandate. Consider above maximum Arabs can now expect receive Jerusalem and Department will note is considerably less than offered by Dayan last January. Israel building up old Arab quarters to increasing extent and populating them with new immigrants. Delay will make return Arab quarters progressively more difficult. Disadvantages proposal is that will take considerable time, involve major changes and exceed in scope task assigned special committee by armistice agreement.

Second—limited agreement to remain in effect only until permanent peace treaty signed. Israel to receive: Free access to Mt. Scopus, free use Latrun road. Arabs to receive: Free use Bethlehem road, electricity, free use Tulkarm-Qalqiliya road now in Jewish hands, free access to Arab College in Government House, neutral zone. Such agreement would meet principal Israeli demand and would conform to Article 8 Rhodes Armistice Agreement. Arabs would obtain considerable benefits but not their main desideratum. Would be simpler and easier to negotiate.

Consul General would appreciate learning which approach Department and USDel PCC consider preferable. Expect call Abdullah el Tel tomorrow with Barco and obtain his views on progress negotiations.²

Sent Department, repeated Amman 29, Geneva 12 (for USDel, PCC).

BURDETT

² Mr. Ethridge advised, on May 31, that the American Delegation at Lausanne "doubts final solution for Jerusalem can be reached while general Palestine question is under discussion at Lausanne. Pending presentation by PCC of Jerusalem plan called for in December 11 resolution, USDel perceives no objection to limited agreement mentioned urtel 370 provided agreed to by both parties and provided they understand it to be interim arrangement pending GA decision on Jerusalem area." (telegram 829, identified also as Palun 179, from Bern, 501.BB Palestine/5-3149)

867N.01/5-2349

Memorandum by the Acting Secretary of State

CONFIDENTIAL

[WASHINGTON, May 23, 1949.]

MEETING WITH PRESIDENT, MONDAY, MAY 23, 1949

ARAB REFUGEE COMMITMENT

The President understands that he has made a commitment in this direction and desires it implemented in a realistic manner. He understands that this problem is a long-term one and that there is no immediately available solution which will remove it from the area of consideration and action for some time to come.

JAMES E. WEBB

867N.01/5-2349 : Telegram

The Consul at Jerusalem (Burdett) to the Secretary of State

CONFIDENTIAL

JERUSALEM, May 23, 1949—1 p. m.

372. Mt. Scopus discussed with Abdullah Tel during call to introduce Barco 21st. Confirmed Dayan statements negotiations in special committee deadlocked but did not appear pessimistic re possible consequences. Indicated Transjordan desired leave question for settlement in peace treaty when could use free access as bargaining weapon in effort regain Arab quarters.

Stated Israeli wished agreement in special committee limited to free movement on roads but this of no real value to Arabs. Could not really use main Bethlehem road since not possible permit Arabs pass down street past their houses occupied by Jews without right enter. Also free access to Mt. Scopus equivalent to return of large Jewish quarters since would allow reestablishment thriving community. Re overall agreement involving exchange land in Mt. Scopus area for Arab quarters said impossible for Arabs give Israel corridor to Mt. Scopus since would cut Arab sections off from north. Admitted might be able cede small area land including police training depot but not connecting Mt. Scopus with Jewish sections except by road under Arab control. Reiterated Arabs given all could in Jerusalem.

Learned Arab Legion headquarters in Jerusalem has protested to UN against new fortifications Israeli reportedly effecting Mt. Scopus.

Comment—almost insurmountable difficulties agreement re Scopus again brought out by two talks. Only possible if work on premise Jerusalem area demilitarized and eliminated from any future conflict thus making military positions of no importance. Land bridge to Scopus from Jewish Jerusalem would place Arab sections at mercy of Israel and at same time would cut off possibility of expansion Arab

quarters towards Ramallah, most logical direction. Would go a long way towards making Jerusalem entirely Jewish controlled city. Yet Israel certainly not willing give up Mt. Scopus and possesses necessary force at moment establish corridor. Also without strong outside pressure which appears most unlikely difficult believe Israel will relinquish any Arab quarters except for territorial gains north Jerusalem.

Sent Department 372, repeated Geneva 13 for USDel PCC; pouched Arab capitals.

BURDETT

501.BB Palestine/5-2349 : Telegram

Mr. Mark F. Ethridge to the Secretary of State

RESTRICTED

LAUSANNE, May 23, 1949—3 p. m.

Palun 165. Re Paluns 148¹ and 162.² On May 21 Arab delegates informed PCC re May 12 protocol as follows:

1. Arab delegates reaffirms Palestine problem concerns all of them equally.

[2.] Arab delegates are confident PCC will spare no effort see certain measures (refPalun 166³) are given full effect without delay.

3. Arab delegates consider refugee question most pressing of all under May 12 protocol. Delay may entail serious consequences for political, social and humanitarian reasons. Solution recommended by General Assembly resolution December 11 must be implemented in entirety soonest.

As first step Arab delegates ask refugees from areas defined May 12 protocol map (western Galilee, Jaffa area of Lydda, Ramle, Beersheba in [and?] area of Gaza) be enabled return their home forthwith. Also those refugees from Jewish Jerusalem.

Arab delegates, anxious personal security and free exercise their rights shall be assured refugees returning their homes until areas mentioned have been evacuated by Jewish troops and authorities request PCC consider and put into effect in name [apparent omission] refugees.

4. PCC will doubtless consider in discussions certain measures taken by Jewish authorities in Jewish Jerusalem which obstruct settlement Jerusalem question.

Particularly important depts and services installed in Jerusalem in disregard General Assembly resolution December 11 shall be transferred elsewhere without delay.

ETHRIDGE

¹ Dated May 12, p. 998.

² Not printed, but see footnote 2, p. 1036.

³ *Infra*.

501.BB Palestine/5-2349: Telegram

Mr. Mark F. Ethridge to the Secretary of State

RESTRICTED

LAUSANNE, May 23, 1949—3 p. m.

Palun 166. RefPalun 145.¹ On May 18 Arab delegates informed PCC as follows:

PCC having decided question of future measures re protection of rights and property of refugees be placed on agenda of General Comite. Arab delegates submit without prejudice to substance of question following demands:

1. Return of orange and fruit [orchards to?] growers, owners and workers.
2. Immediate unfreezing of Arab bank accounts.
3. Abrogation of absentee act and annulment of subsequent enforcing measures.
4. Suspension of all measures of requisition and occupation of Arab houses and lands.
5. Reuniting refugees belonging to same family.
6. Assurance of freedom of worship and respect of churches and mosques.
7. Repatriation of clergy.
8. Freeing of *wakf* property and free use thereof.
9. Assurance to returning refugees of security.

ETHRIDGE

¹ Identified also as telegram 410, May 10, from Geneva, p. 992.

501.BB Palestine/5-2349: Telegram

The Chargé in Egypt (Patterson) to the Secretary of State

SECRET

CAIRO, May 23, 1949—5 p. m.

501. Deptel 507 May 19, 7 p. m. sent via Tripoli received May 22. On preceding day refugee situation touched upon in conversation with Prime Minister, requested primarily to discuss subject matter Depair 227 April 20.¹

On mentioning to Prime Minister my understanding that authorized representative Israeli Government had at Lake Success accepted in principle right of refugee repatriation, Prime Minister rather testily replied that application of acceptances in principle could be and might easily be so long delayed as to be valueless. Acceptance in principle and implementation in practice by Israelis were two entirely different things.

¹ The editors are unable to identify this communication.

On chancing to meet Prime Minister evening 22nd, following receipt Deptel 507, I had opportunity briefly to allude to Khashaba Pasha's discussion of refugee problem with Secretary State and to voice hope that Egypt, as a leader among Arab states, might give lead toward study and solution of refugee problem which, as Prime Minister had some weeks ago informed me, would inevitably involve resettlement as well as repatriation. I trusted Egypt, despite its over-population, might accept at least token number refugees for the inspiration and guidance of other Arab states less burdened with population. Interruption prevented my pursuing subject until at hour departure I again reminded Prime Minister [apparent omission]. I shall seek another opportunity to revive subject.

British Ambassador,² whom I accosted same evening on subject refugees, stated he had called on Prime Minister about 10 days ago but had found him apparently little disposed to admit any responsibility for plight of refugees or for initiative in alleviating such plight.

Prime Minister had informed British Ambassador, on being pressed for statement of his thoughts on handling relief problem, that prior to action by Arab states, Israelis should start repatriating Palestine Arabs to Israel and give compensation to those preferring resettlement. British Ambassador found Egyptians inclined to blame everyone but themselves for existing situation.

Continuing, British Ambassador stated Prime Minister had added expression of his desire that relief agencies should estimate number of refugees insisting on repatriation as well as those willing to be resettled.

It will be recalled by reference mytel 430 May 3 that Prime Minister had indicated to me that as soon as Israel had accepted in principle the Arab refugee right of repatriation the Arab states would initiate plans for breaking down refugee problem into its component parts with a view to solving it. To judge from Prime Minister's remarks to Sir Ronald, Prime Minister is resorting to delaying tactics with new conditions in order stave off disagreeable necessity of spending time, energy and probably money in study of alien Arab problem which he would like to have devolve on others, presumably, UN, US and UK.

Foregoing recital not encouraging from standpoint of supplying evidence of lively Egyptian desire to cooperate in solution refugee problem but perhaps final word yet to be spoken.

PATTERSON

² Sir Ronald Ian Campbell.

501.BB Palestine/5-2349: Telegram

*The United States Representative at the United Nations (Austin)
to the Secretary of State*

SECRET

NEW YORK, May 23, 1949—6:35 p. m.

627. When sounded out at Department's request re his return to Near East for Syrian-Israeli negotiations (Damascus 288, May 19), Bunche said that if he entered negotiations personally it would short circuit his immediate aim of forcing a meeting between Ben-Gurion and Zaim. He thought there was little use in further discussions between present Israeli and Syrian representatives; that the question needed to be taken to higher level.

Bunche, together with Riley, who came to New York today, is drafting a new set of proposals which will be available to USUN May 24 for comment prior to their dispatch to Vigier.

His plan is to send these to the field with a suggestion that Ben-Gurion and Zaim negotiate on this basis. Bunch will inform both parties that if his proposal for such negotiation is not accepted, he will turn the matter over to the SC. He will point out to Israelis that they will be in a very weak position in that event.

Bunche reiterated that Zaim must have a *quid pro quo* from Israelis because of his domestic situation. As Bunche recently informed Sharett, Israelis cannot expect Syrian withdrawal unless they are willing to make some concessions.

AUSTIN

501.BB Palestine/5-2349: Telegram

The Acting Secretary of State to the Legation in Switzerland

RESTRICTED

WASHINGTON, May 23, 1949—7 p. m.

673. Unpal 113. For Ethridge. Fol exploratory suggestions put forward for your comment re composition proposed PCC Survey Group. Group would consist nine men as follows:

1) *Chief*: Outstanding US businessman with top level govt experience, not connected any partisan NE movement and with great prestige with US Govt, Cong, public, financial community and private organizations.

2) *Deputy*: Outstanding Brit national, preferably with long NE, but nonpartisan experience, possibly top civil servant who has received high honors.

[Here follow the remaining seven suggestions, comprising outstanding persons in the fields of finance, industry, and trade; agriculture; construction and public works; community services; administration; refugee problems and legal problems.]

Of substantive principals at least one shld be French. Other experts can be utilized as desired on loan or consultant basis from US (some possibly under Point 4), UK (some from BMEQ), UN, and other member govts and int. orgs. Group would not be created, of course, until Israelis and Arab states assume appropriate responsibilities re repatriation and resettlement, respectively, and agreed to cooperate fully with Group. In connection with comments request your suggestions as to candidates, which also under consideration by Dept. Proposed terms of reference will follow.

WEBB

501.BB Palestine/5-1649 : Telegram

The Acting Secretary of State to the Legation in Switzerland

SECRET US URGENT

WASHINGTON, May 23, 1949—7 p. m.

NIACT

674. Unpal 114. (For Ethridge eyes only.) Ref ur Sec 5 para 2 Palun 151 May 16, US cannot, of course, give general commitment for development program in Near East in connection with refugee problem. Following shld, however, provide you support requested. Pres has made decision to recommend Cong that this Government will within UN framework support program for repatriation and resettlement Pal refugees which is satisfactory to US with financial and technical assistance subject to following conditions:

1. Upon plan forthcoming from PCC or UN that has reasonable chance for success at reasonable cost.
2. Upon full acceptance by Arabs and Israelis of responsibilities involved and upon their active cooperation in carrying out agreed plan.
3. Upon appropriate assistance from int and other sources. In this connection you should make clear to Arabs and Israelis and other PCC members that such US financial assistance as may be forthcoming will be contingent upon satisfactory contributions by other interested parties.

New approach to Cong for funds for refugee problem not possible this session; however, executive will put request before Cong at earliest opportunity following development satisfactory overall UN program, and informal agreement with other countries as to what their financial contributions will be. You are authorized utilize foregoing in effort obtain agreements by Israel and Arab states to repatriate and resettle respectively, number of refugees specified in Palun 151. You should, however, keep US commitment in as general and informal terms as possible and make no commitment as to specific US contribution. It should be clear that program contemplated by Pres consists for most

part in relief and wage payments for refugees and cost of refugee resettlement projects, which will of course benefit countries concerned, but contains only limited development projects not associated directly with refugees. Dept desires not make any more formal undertaking or public statement at this time, but wld prefer oral commitment if possible. If, however, in your judgment written commitment becomes necessary, form of commitment shld be cleared with Dept.¹

WEBB

¹ This telegram was repeated to London as No. 1789. It was also sent, on May 27, to Arab capitals and Tel Aviv "for background info only." (circular telegram, 501.BB Palestine/5-2749)

The Department, on May 27, authorized London to inform the Foreign Office of the substance of No. 1789 but directed the Embassy to "make clear to Brit that Pres' decision does not prejudice or predetermine respective contributions to such program by US, UK and other interested parties. Dept believes question of principles to govern contributions by UK and other sources shld form subject early discussion between US and UK, perhaps in Washington." (telegram 1846, 501.BB Palestine/5-2749)

867N.48/5-2449

*Memorandum by the Assistant Secretary of State for Congressional Relations (Gross) to the Acting Secretary of State*¹

[WASHINGTON,] May 24, 1949.

Subject: Discussion with Senators Connally and Vandenberg Regarding the Palestine Refugee Problem.

George McGhee and I met with Senators Connally and Vandenberg² on the afternoon of May 23 to outline the problem which was discussed with you on Friday. McGhee made a good presentation. The reaction of the Senators was, however, far from enthusiastic and it is quite clear that we may expect to have tough sledding with the proposition when it is ready for submission.

I told the Senators that this was simply a "reporting mission" on our part and that we were not contemplating the submission of any further Palestine refugee program for action at this session. Senator Vandenberg was somewhat more outspoken than Senator Connally in questioning the validity of the program, but both repeatedly asked how we could justify action which in effect underwrote the situation brought about by the taking of houses and land away from the Arabs by the Israelis. This line of questioning suggests the great importance of making certain that in working out any arrangements involving the granting of funds by the United States, we must insist that the Israeli

¹ Secretary Acheson was at Paris attending the Sixth Session of the Council of Foreign Ministers, which met from May 23 to June 20.

² Tom Connally, Chairman of the Senate Committee on Foreign Relations, and Arthur H. Vandenberg, ranking Republican member of the same committee.

government does its full part and makes appropriate contribution to the solution of the problem.

867N.01/5-2449 : Telegram

The Chargé in Transjordan (Stabler) to the Secretary of State

SECRET

AMMAN, May 24, 1949—2 p. m.

215. Situation now developing with respect to special committee talks has many of earmarks which characterized "negotiations" on Arab triangle. Israelis are presenting strong and irrevocable demands as well as insisting on what Arabs should agree to receive in return. At same time Israelis are indicating that if their demands are not satisfied, they will obtain them by other means. Thus Israelis, in hope of intimidating Transjordan into acceptance, are starting familiar pressure treatment, including veiled threat of force. It cannot be doubted that Dayan's visit to Jerusalem (Jerusalem telegram 370 to Dept¹) was calculated attempt to have word conveyed to Transjordan that Israeli patience nearly exhausted.

It is true that at Rhodes Transjordan accepted in principle solution to matters mentioned in clause 2 Article 8 of Transjordan-Israel armistice agreement. (No mention need be made at this time of fact that Israeli refused discuss question of cease-fire until Transjordan had given agreement in principle to these points.) Such acceptance in principle still exists and Transjordan still willing to make agreements on these points provided Israel will satisfy certain Transjordan demands. It is one thing for Transjordan to state what it wishes to receive as compensation; it another for Israel to state what Transjordan should be willing to receive. (For example, Israel seems intent on providing electricity for old city and on giving Arabs free use Bethlehem road. Israel does not appear interested in fact that Arabs have no particular desire for either.) Agreement on basis latter could hardly be defined as having been reached by negotiations, and consent in genuine meaning those terms.

Transjordan has been subjected to much criticism for giving in to Israeli demands in triangle area for it has been argued that if Transjordan resisted and Israel had resorted to force, world opinion would have been shocked and UN would have instituted measures to restrain Israel. However, it cannot be said that US response to Abdullah's plea for assistance gave any such hopeful indication. As result this storm bitter criticism by Palestine Arabs and many others, both King and Governors, have been badly frightened and all indications point to

¹ Dated May 20, p. 1039.

fact they will refuse acquiesce in any further attempts at "blackmail". It can be said that Transjordan would prefer Israelis to make good their demands by force rather than meekly submit to threat of force. Only possibility for reaching agreement now would be for Israel to curb its voracious territorial appetite and show some signs of "negotiations and consent in genuine meaning those terms."

In adopting above policy there is no doubt Transjordan has support and encouragement from certain non-Arab quarters. I also feel that Transjordan would run grave risk, from Arab viewpoint, in submitting further to Israeli demands, notwithstanding blandishments regarding "final territorial disposition". However it would not be surprising if Transjordan were even now subjected to criticism by some quarters for not being "reasonable" and for not giving in to Israeli demands in interests of "peace".

Basically, Arab demands boil down to return of certain Arab quarters Jerusalem now held by Israelis and it is unlikely these demands can be altered. Much has been said to effect that it would be in Israel's own interests to make some conciliatory gesture toward Arabs. Discussions regarding Jerusalem would seem to offer good opportunity to make this gesture, but so far Israel has not accepted this friendly advice nor has any power shown itself disposed to press Israel in this respect. If it is still not possible for Israel to consider return certain Arab quarters Jerusalem to Arabs without making unreasonable counter demands, then it would seem preferable to bring adjournment special committee, leave *status quo* in Jerusalem and permit Lausanne conference to deal with Palestine question, including Jerusalem, as whole.

It would appear impractical to adopt courses of action suggested by Jerusalem in its telegram 370. First proposal on overall settlement could hardly be carried out without participation of UN which is precluded from special committee talks by armistice agreement. Moreover, on third party mediation there would seem little chance either side would agree on division of territories concerned. Probably Israel would request areas in northern Jerusalem far in excess what it is prepared give Arabs in southern Jerusalem. Consequently another deadlock would ensue.

Agreement on basis second proposal would appear to be difficult if not impossible to reach as Transjordan would be giving up its principal bargaining point in return for those concessions in which it is not particularly interested. Once having given up this point there would be little, if any, chance of ever obtaining satisfaction its main demand. Israel on other hand would obtain desired free access to Mt. Scopus which it would gradually turn into its own definition of "free access". Since at this time there appears to be little possibility

that special committee, which seems to be operating in vacuum, can reach any peacefully arrived-at agreement, it would in my opinion be better to adjourn it *sine die* and without prejudice and hand over matters under its jurisdiction to PCC at Lausanne. In order to achieve this, however, it will be necessary for PCC and US to put pressure on Israel, which is at all times out to achieve its ends regardless of means. It would seem unfortunate, after all work which has been done to bring about peace in Jerusalem, to permit developing situation to imperil that peace.

Sent Department, repeated Bern 6 for USDel PPC, pouched Arab capitals, London, Jerusalem.

STABLER

501.BB Palestine/5-2449 : Telegram

The Acting Secretary of State to the Legation in Switzerland

TOP SECRET US URGENT

WASHINGTON, May 24, 1949—6 p. m.

682. Unpal 116. Eyes alone for Ethridge from Rusk. Fol is draft note developed by Dept's staff along lines to be handed Israeli Amb. in Washington. Text has not been considered by Acting Secy nor by Pres. To expedite matters, however, we would greatly appreciate your comments, to include (1) accuracy, (2) underlying policy, (3) your estimate whether note of this sort would strengthen your hand in Lausanne discussions, (4) any suggested modifications. For obvious reasons request utmost security this draft text. Dispatch of note presupposes basic decision to take specific steps, initially in the economic field, to demonstrate US determination to modify Israeli attitude.

"Excellency: I have the honor to inform Your Excellency that the Pres. of the US has instructed me to inform the Govt. of Israel as follows:

The Govt. of the US is seriously disturbed by the attitude of Israel with respect to a territorial settlement in Palestine and to the question of Palestinian refugees, as set forth to Mr. Mark Ethridge by Dr. Eytan on May 19, 1949 at Lausanne upon instructions of His Excellency the FonMin of Israel.¹ According to Dr. Eytan, the Israeli Govt. will do nothing further about Palestinian refugees at the present time. In connection with territorial matters, the position taken by Dr. Eytan apparently contemplates not only the retention of all territory now held under military occupation by Israel, which is clearly in excess of the partition boundaries of Nov. 29, 1947, but an additional acquisition of further territory both within and outside Palestine.

As a mem. of the UN PCC and as a nation which has consistently striven to give practical effect to the principles of the UN, the US Govt. has recently made a number of representations to the Israeli

¹ See telegram 769, May 20, from Bern, p. 1036.

Govt. concerning the repatriation of refugees who fled from the conflict in Palestine. These representations were in conformity with the principles set forth in the resolution of the GA of Dec. 11, 1948, and urged the acceptance of the principle of substantial repatriation and the immediate beginnings of repatriation on a reasonable scale which would be well within the numbers to be agreed in a final settlement. The US Govt. conceded that a final settlement of the refugee problem must await a definitive peace settlement. These representations, as well as those made concurrently to the Arab States concerning the resettlement outside of Palestine of a substantial portion of Palestine refugees, were made in the firm conviction that they pointed the way to a lasting peace in that area.

In the interests of a just and equitable solution of territorial questions the US Govt., in the UN and as a mem. of the PCC, has supported the position that Israel should be expected to offer territorial compensation for any territorial acquisition which it expects to effect beyond the boundaries set forth in the res. of the GA of Nov. 29, 1947. The Govt. of Israel has been well aware of this position and of the view of the US Govt. that it is based upon elementary principles of fairness and equity.

The US Govt. is deeply concerned to learn from Dr. Eytan's statements that the suggestions both on refugees and on territorial questions which have been made by it for the sole purpose of advancing prospects of peace have made so little impression upon the Govt. of Israel.

The US attitude of sympathy and support for Israel has arisen out of broad Amer interests and principles, particularly out of its support for the UN and its desire to achieve peace and security in the Near East on a realistic basis. The US Govt. and people have given generous support to the creation of Israel because they have been convinced of the justice of this aspiration. The US Govt does not, however, regard the present attitude of the Israeli Govt. as being consistent with the principles upon which US support has been based. The US Govt. is gravely concerned lest Israel now endanger the possibility of arriving at a solution of the Palestine problem in such a way as to contribute to the establishment of sound and friendly relations between Israel and its neighbors.

The Govt. of Israel should entertain no doubt whatever that the US Govt. relies upon it to take responsible and positive action concerning Palestine refugees and that, far from supporting excessive Israeli claims to further territory both inside and outside Palestine, the US Govt. believes that it is necessary for Israel to offer territorial compensation for territory which it expects to acquire beyond the boundaries of the Nov. 29, 1947 res. of the GA.

The Govt. of Israel must be aware that the attitude which it has thus far assumed at Lausanne must inevitably lead to a rupture in those conversations. The US Govt. must state in candor that it considers that the Govt. of Israel must provide a basis for a continuation of such talks under the auspices of the PCC and that a rupture arising out of the rigid attitude of the Govt. of Israel would place a heavy responsibility upon that Govt. and people.

If the Govt. of Israel continues to reject the basic principles set forth by the res. of the GA of Dec. 11, 1948 and the friendly advice

offered by the US Govt. for the sole purpose of facilitating a genuine peace in Palestine, the US Govt. will regretfully be forced to the conclusion that a revision of its attitude toward Israel has become unavoidable."

[Rusk]
WEBB

501.BB Palestine/5-2549 : Telegram

*The United States Representative at the United Nations (Austin) to
the Secretary of State*

CONFIDENTIAL PRIORITY NEW YORK, May 25, 1949—1 p. m.

639. Following is note Bunche proposes to send Zaim on May 26 together with his draft proposal on armistice demarcation lines from Syrian-Israeli discussion. A somewhat similar note will be sent to Ben-Gurion at the same time. Bunche intends that this new compromise should be discussed by the existing delegations under Vigier's chairmanship. If, as he expects, no progress is made at this level, he will address a renewed appeal to Ben-Gurion and Zaim to negotiate the armistice agreement personally, offering UN assistance for this purpose.

Bunche would appreciate US support for his proposal. Support will be particularly needed in Tel Aviv.

"1. Following personal consultation with General Riley who has just returned to Lake Success for this purpose, cable communications with M. Vigier, and a careful study of the negotiations thus far conducted, I have the honor to submit for the consideration of your government the following suggested draft article on the armistice demarcation line in the Israeli-Syrian draft armistice agreement.

2. In submitting this draft article as a compromise proposal, I realize that it does not fully meet the desires of either party as thus far expressed in the negotiations. But you will agree, I am sure, that no agreement is possible unless each party is willing to make some concessions and accept some compromises.

3. I am confident that this draft article is consistent with the basic purpose of the SC resolutions on Palestine, and particularly the resolution of 16 November 1948. It will separate the forces, thus reducing to a minimum the possibility of friction and incident. It will require some withdrawal by the armed forces of each party. It is purely a temporary arrangement, for the duration of the armistice and pending territorial settlement. The provision for a demilitarized zone, subject to the authority of the Chairman of the Mixed Armistice Commission and the observers attached thereto, fully safeguards the territorial claims, positions and interests of both parties for the final settlement. Neither party, therefore, can validly claim to lose advantage by accepting the provisions of this draft article, unless it be argued that there is no substitute for force and armed possession in the protection of a claim. As a representative of the UN, I cannot endorse any such view,

and more particularly so since our experience with UN demilitarization of such highly strategic areas as Government House and Mount Scopus in Jerusalem, and the El Auja sector in the Negev, gives convincing proof that such arrangements work well and give full protection to the rights and claims of the interested parties.

4. I would emphasize that although vital interests of both parties are admittedly at stake in this agreement, it is an armistice and not a peace treaty we are negotiating. Neither party, therefore, is entitled to insist on final arrangements which must properly await the peace settlement, or which would clearly prejudice such settlement. The Israeli-Syrian armistice negotiations must not, in any way, impinge upon the settlement discussions now being conducted by the Conciliation Commission at Lausanne.

5. In formulating this draft, I have had in mind the stated fact that the armed forces of the Arab states entered Palestine for the sole purpose of protecting the rights and interests of the Arabs of Palestine. I can well understand that the desperate plight of the vast number of Arab refugees and the extensive territory now under the control of Israeli forces gives you grave concern and is a strong factor in determining your position as regards Palestinian territory now occupied by Syrian forces. But I submit that the provision for UN responsibility over the territory in the proposed demilitarized zone gives more than adequate protection to your interests and is much more consistent with the letter and spirit of the SC resolutions.

6. I earnestly appeal to you to give this draft your most serious and sympathetic consideration. It is my intention to call upon the delegations of the two parties to reconvene at an early date in order to continue their negotiations with this draft as a working basis."

Following is draft article on armistice demarcation lines:

"1. In view of the fact that the question of territorial settlement is one of the matters being dealt with in consultations with the UN Conciliation Commission now taking place at Lausanne, it is emphasized that the following arrangements for the armistice demarcation lines between the Israeli and Syrian Armed Forces are not to be interpreted as having any relation whatsoever to ultimate territorial arrangements affecting the two parties to this agreement.

2. The armistice demarcation line herein defined is in response to the request of the SC in its resolution of 16 November 1948, and without prejudice to the rights, positions, interests and claims of either party to this agreement. In pursuance of the spirit of the SC resolution, the armistice demarcation line has been defined with a view toward separating the armed forces of the two parties in such manner as to minimize the possibility of friction and incident.

3. The armistice demarcation line shall be delineated on the map attached to this agreement as annex (blank). Where the existing truce lines as certified by the UN truce supervision organization run along the recognized international boundary between Syria and Palestine, the armistice demarcation line shall follow the boundary line. Elsewhere, the armistice demarcation line shall follow a line midway between the certified truce lines for the Israeli and Syrian forces.

4. The armed forces of the two parties shall nowhere advance beyond the armistice demarcation line.

5. *a.* Where the armistice demarcation line does not correspond to the international boundary, the area between the armistice demarcation line and the boundary, pending final territorial settlement between the parties, shall be established as a demilitarized zone from which the armed forces of both parties shall be totally excluded, it being understood that the Ein Gev and Dadara sectors shall also be included in the demilitarized zone.

b. The purpose of the demilitarized zone shall be to safeguard the territorial claims, positions and interests of both parties pending final territorial settlement and to separate widely the armed forces, while providing for the gradual restoration of normal civilian life in the area of the zone without prejudice to the ultimate settlement.

c. Any advance by the armed forces of either party into any part of the demilitarized zone, when confirmed by the UN representatives, shall constitute a flagrant violation of this agreement.

d. The chairman of the Mixed Armistice Commission established in article (blank) of this agreement and United Nations observers attached to the Commission shall be responsible for ensuring the full implementation of this article.

e. The withdrawal of such armed forces as are now found in the demilitarized zone shall be in accordance with the schedule of withdrawal annexed to this agreement and in any case shall be completed within ten weeks from the date on which this agreement is signed.

f. The chairman of the Mixed Armistice Commission shall be empowered to authorize the return of civilians to villages and settlements in the demilitarized zone and the employment of limited numbers of locally recruited civilian police in the zone for internal security purposes, and shall be guided in this regard by the schedule of withdrawal referred to in sub-paragraph (*e*) of this article."¹

AUSTIN

¹ New York, on May 27, advised of two revisions in the draft article on armistice demarcation lines, as follows: In paragraph 5*a*, the words "between Syria and Palestine" were to be added to the first sentence after the words "international boundary"; and a new paragraph 6 was to be added, reading "On each side of the demilitarized zone there shall be areas, as defined in annex _____ to this agreement, in which defensive forces only shall be maintained, in accordance with the definition of defensive forces set forth in annex _____ to this agreement." (Telegram 652, 501.BB Palestine/5-2749)

501.BB Palestine/5-2549: Telegram

The United States Representative at the United Nations (Austin) to the Secretary of State

SECRET

NEW YORK, May 25, 1949—7:05 p. m.

644. Bunche and Riley were both of opinion last evening that disclosure of Israeli territorial aspirations to PCC will result in breakdown of Israeli-Syrian armistice negotiations. They also agree that

this disclosure will probably wreck PCC talks and might also threaten armistice agreements.

AUSTIN

501.BB Palestine (E)/11-2349

Memorandum by the Acting Secretary of State

SECRET

[WASHINGTON, undated.]

MEETING WITH PRESIDENT, THURSDAY, MAY 26, 1949

PALESTINE REFUGEE PROGRAM

I informed the President of the Congressional reticence about the Palestine refugee program. He instructed me to carry the program forward in spite of this and arrange for its submission.

867N.01/5-2649: Telegram

The Chargé in Transjordan (Stabler) to the Secretary of State

SECRET

AMMAN, May 26, 1949—noon.

216. British Minister informed this morning that King had received other message from Sassoon through Transjordan Minister Paris to effect that as Lausanne Conference not appear to be making progress toward peace settlement it would be desirable for Transjordan and Israel to undertake separate negotiations immediately. Prime Minister has taken line in which King apparently has acquiesced that separate negotiations while Lausanne Conference proceeding undesirable and Sassoon has been so informed. If Lausanne Conference fails, then matter of separate negotiations can be discussed again.

Kirkbride also told me that he had received personal note from King stating that postponement separate negotiations all very well but what would he do if Israelis attacked him. HM did not understand how French could supply arms and ammunition to Syria which not only did not have treaty with French but also did not have armistice, while UK refused give arms to Transjordan which had both treaty and armistice. Kirkbride commented that "Man in street" in Transjordan beginning grow restive about this situation. He has put matter up again with British Foreign Office. *Comment*—King has on numerous occasions mentioned to me possibility lifting arms embargo as result signature armistice. There is also some apprehension amongst people as to future if Israelis should choose use aggressive

means to satisfy their demands. While criticism of US and UK continues, no increase in intensity has been noticed recently. *End comment.*¹

Sent Department 216; repeated London 40, Bern for USDel PCC 7; Jerusalem 103, Damascus 41.

STABLER

¹ Mr. Wright of the British Foreign Office discussed the question of ending or relaxing the arms embargo in the Middle East with Messrs. Hare, Kopper, and Jones at London on May 24. He noted that "Defense talks with Egyptians have begun but latter insist on early arms supply and it is abundantly clear UK cannot hope make progress with Egypt without some arms deliveries. Since Syria getting arms from France, and Israel from various sources, Foreign Office believes continuance strict US-UK observance embargo is becoming more and more futile and damaging to vital US-UK interests in Egypt. Both Transjordan and Iraq are also pressing for arms and Trevelyan of British Embassy Baghdad, coming London present Iraqi case for arms." (Telegram 2043, May 25, 8 p. m., from London, 867N.113/5-2549)

Editorial Note

On May 26, the Chargé in Transjordan, Wells Stabler, reported that after drafting telegram 216(*supra*) he received a personal letter concerning the Palestine situation from King Abdullah, the text of which he transmitted to the Department in telegram 217, May 26, 4 p. m. from Amman (867N.01/5-2649).

King Abdullah reviewed his position vis-à-vis Palestine in a conversation with Stabler on May 28 and made a "strong plea that US should take solution Palestine problem into its hands and should bring about imposition settlement based on partition or on aid [*other?*] plan equitable to both Transjordan and Israel." (Telegram 222, May 30, 3 p. m., from Amman, 867 N.01/5-3049)

865C.01/5-2649 : Telegram

The Secretary of State to the Acting Secretary of State

SECRET

PARIS, May 26, 1949—5 p. m.

2164. From Secretary. Bevin called on me this morning.¹ [Here follow sections on Cyrenaica, printed in volume IV, page 557, and on Greece, printed in footnote 2, page 342.]

Bevin then took up question of shipment of arms to Egypt and other Arab states noting Israel gets all it wants and Arabs can buy from

¹ Messrs. Acheson and Bevin were attending the Sixth Session of the Council of Foreign Ministers which met at Paris beginning May 23.

Czechs if British do not fulfill existing contracts. He said they were planning to go ahead with *de jure* recognition of Israel and then announce they would fulfill their arms contracts with Arabs. He dwelt particularly on troubled situation in Egypt, and their need to train Egyptian air force. I suggested they should take up propriety particular shipments with Bunche and informed him concerning our general thinking this problem. Bevin then took up situation of Arab refugees, hinting that Israeli intransigence might be due our encouragement. I told him about my talks with Sharett and of my and President's talks with Weizmann stating emphatically we had taken strong lines on refugees and frontiers in which we had been far from encouraging them. Bevin said that they had rumors of possible renewed Jewish aggression. He then handed me elaborate paper on possible settlement Arab refugees in various Arab states which I am forwarding air pouch. He said he would not put this forward officially but hoped their thinking could be combined with ours. I told him we also had detailed plan under consideration in Washington.

I indicated to Bevin we would communicate our views to him on these several points.

[ACHESON]

501.BB Palestine/5-2649: Telegram

Mr. Mark F. Ethridge to the Secretary of State

TOP SECRET

NIACT

LAUSANNE, May 26, 1949—7 p. m.

Palun 167. Consult Rusk for distribution. Reference Unpal 116.¹ I consider underlying policy accurate. Note of this character would strengthen my hand at Lausanne. It may not be as effective now as it might been at earlier date as Israeli views regarding refugees and territory have crystallized such extent, both privately and publicly, that it may be difficult for them to change. I strongly recommend its despatch nevertheless, if we are to attempt to achieve a peace in theme which will not subsequently come apart at seams. I have several suggested changes:

1. First paragraph, first sentence: Omit "as set forth to Mr. Mark Ethridge by Dr. Eytan on May 19, 1949 at Lausanne upon instruction of His Excellency, the Foreign Minister of Israel" and substitute "as set forth by the representatives of Israel at Lausanne in public and private meetings". Palun 160² correctly reports Eytan's views and views of his colleagues. There is no doubt they are views of Israeli

¹ Identified also as telegram 682, May 24, to Bern, p. 1051.

² Identified also as telegram 769, May 20, from Bern, p. 1036.

Government but to avoid technical evasion we suggest substitute phrase.

2. First paragraph, second sentence: Add at end "although it has under consideration certain urgent measures of limited character". Israeli Delegation recently informed PCC it had sent Tel Aviv for consideration urgent measures listed in Palun 166.³ Department is doubtless aware general Israeli approach to urgent measures of this character from Palun 145.⁴

3. First paragraph, third sentence: Omit "but an additional acquisition further territory both within and out Palestine" and substitute "but possibly an additional acquisition of further territory within Palestine". Israeli Delegation May 26 revealed Israeli views regarding frontier with Transjordan which are being reported separately. In essence, Israeli Delegation proposes political boundary shall be boundary between former mandate and Transjordan; i.e. 1) southern end Lake Tiberias to junction armistice line with Transjordan border, east of Jenin and 2) middle of Dead Sea to Gulf of Aqaba. With regard to Central Palestine, present armistice lines from junction of armistice line with Transjordan border east of Jenin to middle of Dead Sea would be allowed to stand until it was determined whether Transjordan, independent government, international authority or some other form of government was in control. Modifications between Israel and that government might subsequently arise for discussion and its attitude would be determined by character of government. Meanwhile, Transjordan was in military occupation with which military changes might be discussed. Israeli Delegation stated it had not included Jerusalem area in its proposal.

Reference to Israeli acquisition outside Palestine would not strengthen note and would cause controversy. Israel desires small parts of Lebanon and Syria and possibly in Transjordan for economic reasons but will undoubtedly have to approach on exchange basis as international frontiers are involved.

4. Sixth paragraph, first sentence: Omit "both inside and outside" and substitute "within".

Undoubtedly Department has considered question of reference to Jerusalem problem in note. I agree no reference should be made because PCC plan will be considered by GA in September. I suggest, however, that Department might orally suggest to Israeli Ambassador that final settlement Palestine question would be facilitated if meanwhile, Israeli Government were able to take such conciliatory steps regarding Jerusalem as action indicating Israeli Government was temporary trustee for Arab land and property within Jerusalem area and postponent transfer Israeli Government functions to Jerusalem.

ETHRIDGE

³ Dated May 23, from Lausanne, p. 1044.

⁴ Identified also as telegram 410, May 10, from Geneva, p. 992.

867N.01/5-2749

Memorandum by the Acting Secretary of State to the President

TOP SECRET

WASHINGTON, May 27, 1949.

Subject: Representation to Israeli Government on Territorial Settlement in Palestine and Question of Palestinian Refugees.

1. Israeli Position toward Final Settlement

Mr. Mark Ethridge, United States Representative on the Palestine Conciliation Commission, reports in a telegram dated May 20 (Tab A)¹ that Israel has now put forth its full territorial demands upon the Arab States. Under authorization from the Israeli Foreign Minister, the Israeli representative at Lausanne has stated as follows: (1) While Israel makes no demands upon Lebanon at present, it would later like a portion of southeastern Lebanon considered necessary to Israeli development plans. The Israeli delegate said Israel would be willing to compensate Lebanon for this territory, but he did not specify in what way this would be done; (2) Israel desires to acquire from Egypt the Egyptian occupied Gaza strip, allotted to the Arabs under the partition resolution of November 29, 1947; (3) Israel makes no demands upon Syria at present, but will accept the international frontier with the proviso, also to be applied to Lebanon, that if either state desires to open negotiations in the future for border rectification, this may be done; (4) Israel will make further demands upon Transjordan for territory in Arab Palestine considered necessary to Israeli development plans. Israel has in mind giving Abdullah a few villages in return; (5) Israel will retain occupied areas such as Western Galilee and Jaffa, Lydda and Ramle allotted to the Arabs under the partition plan; (6) Israel will relinquish none of the Negev. The Israeli delegate subsequently, however, indicated to Mr. Ethridge the possibility that Israel might make some compensation in the Negev in return for the Gaza strip.

The Israeli delegate further stated that Israel will do nothing more concerning the Arab refugees at the present time.

2. United States Position

In the interest of achieving an equitable territorial settlement for Palestine, this Government has consistently supported the position that Israel should offer territorial compensation for any territorial acquisition which it expects to obtain beyond the boundaries allotted to Israel in the resolution of November 29, 1947. Moreover, since the General Assembly resolution of December 11, 1948 calls for the re-

¹ Not found attached; the telegram referred to is presumably No. 769 from Bern, p. 1036.

patriation of those refugees desiring to return to their homes and live at peace, and in view of the impossibility of resettling the total number of refugees in the Arab States within a reasonable period of time and at a reasonable cost, this Government has recently made representations to the Israeli Government urging its agreement to repatriation of a substantial number of refugees and the immediate commencement of repatriation of some portion thereof. Despite the emphasis upon repatriation in the resolution of December 11, we have urged upon the Arabs the necessity for their agreement to the resettlement in the Arab States of a substantial portion of the refugees, in view of the fact that the return to their homes of all the refugees desiring to go back would be difficult because of the continuing arrival in Israel of large numbers of European displaced persons.

Our representations on these two questions have thus far met with no success with the Israeli Government. Israeli officials have in fact informed our representatives in Palestine that they intend to bring about a change in the position of the United States Government on the above points, through means available to them in the United States. There are also indications that the Israelis are prepared to use the implied threat of force to obtain the additional territory which they desire in Palestine.

3. *Efforts of the Palestine Conciliation Commission*

The Conciliation Commission has vigorously endeavored to persuade the Israelis and the Arabs to withdraw from their extreme positions concerning a final Palestine settlement. With respect to refugees, the Commission has succeeded in persuading the Arabs to give up their previous insistence upon repatriation as a prerequisite to negotiations on other outstanding issues, and in persuading certain of the Arab States to give favorable consideration to resettlement of a portion of the refugees. The Commission has failed to obtain any concessions from the Israelis on a territorial settlement or the refugee question. It is now the considered opinion of Mr. Ethridge that the conference at Lausanne is likely to break up when the Arabs learn of the present Israeli position toward a final settlement and that there will exist no possibility of peace on any basis heretofore envisioned by the United States Government unless Israel modifies its demands. Mr. Ethridge believes that such modification is unlikely.

4. *United States Interest*

The United States interest in the security and stability of the Near East has been a principal motivation of our efforts, both in the United Nations and on the diplomatic level, to urge both parties to the Palestine dispute to take measures leading to a sound and equitable peace. The strategic interests of the United States demand early termination

of the present conditions of instability and mutual suspicion, which provide such a favorable atmosphere for Soviet penetration and exploitation of the Near East. The present instability will certainly continue if the Lausanne talks break down as a result of the new Israeli position, which is susceptible of interpretation by the Arabs as confirming their constant fears of Israeli territorial expansionism. Failure of the Israelis to modify their present demands will inevitably aggravate Arab distrust of Israel and bring about renewed Arab charges that the United States remains passive no matter how unreasonable the demands of Israel. The Department of State is firmly convinced that the Israelis as well as the Arabs must therefore be prepared to make some concessions, and that, if Israel will modify its present demands, a solution can be achieved which will be both advantageous to Israel and acceptable to the Arabs.

5. *Recommendations*

(a) The Department believes that the time has come to make a basic decision concerning our attitude toward Israel. The United States has given generous support to the foundation of the Jewish State, since we believed in the justice of this aspiration. We are convinced that there is no reason why the Jews and the Arabs cannot live together in peace in the Near East, providing they each adopt a reasonable attitude toward the other.

In the light of all the foregoing, the Department considers that it is now essential to inform the Israeli Government forcefully that, if it continues to reject the friendly advice which this Government has offered solely in the interest of a genuine peace in the Near East, this Government will be forced with regret to revise its attitude toward Israel. There is attached a draft note to the Israeli Government for your consideration (Tab B).² This note has been discussed with Mr. Ethridge, who believes that it would strengthen his hand at Lausanne and strongly recommends that it be sent.

(b) If the Israeli Government does not respond favorably to this proposed representation, it will be necessary to take measures designed to convince Israel of the importance to this Government of a revision of Israel's present policy. Such measures, in addition to a generally negative attitude in the future toward Israel, might include (1) refusing the request of the Israeli Government for United States technical advisers and for the training of Israeli officials in the United States; (2) withholding approval of the \$49,000,000 as yet unallocated of the \$100,000,000 earmarked by the Export-Import Bank for loan to Israel.

² Not found attached; for note as actually sent, see telegram 322, May 28, to Tel Aviv, p. 1072.

(e) Although the Department of State is convinced of the necessity of carrying out this plan of action in the light of our national interest in the field of foreign policy and strongly recommends that you approve this suggested course, the matter involves other important considerations, since the proposed course of action would arouse strong opposition in American Jewish circles. It is therefore suggested that you may wish to ask your advisers to give careful consideration to the possible implications of the above procedure.

The Department hopes that it will receive your reply on a most urgent basis if this Government is to achieve a modification of the Israeli attitude in time to save the Lausanne meeting. Mr. Ethridge informed the Department by telephone on May 23 that he does not believe the meeting can last much longer than a week under the present circumstances. Dr. Bunche and General Riley concur.

[JAMES E. WEBB]

501.BB Palestine/5-2749: Telegram

The Acting Secretary of State to the Embassy in the United Kingdom

SECRET

WASHINGTON, May 27, 1949—2 p. m.

1844. Urtel 2037, May 25.¹ You may inform FonOff substance paras 1 through six inclusive of Tab A attached to memo to Pres dated May 9, but not para 7 or covering memo. You shld make clear to FonOff that financial estimates therein were obtained through analysis best US-UK technical info available to USG; that figures do not constitute in any sense an approved US program or specific US financial commitment and that figures are susceptible of reduction or expansion in light of number of obvious variables. We hope discuss foregoing soonest with Brit Emb Washington.

Reur para 1, we are aware of urgency formulating plans continuing refugee relief. We are sending you today by separate tel our suggestions re frame of ref for proposed Economic Survey Group, for FonOff's comments. Functions of survey group would include determination number refugees unable receive direct or indirect support on wage payment basis and estimated costs direct relief for this category. Assuming political situation permits activation survey group near future, it could complete its overall recommendations to PCC, including action which wld be required by GA re continuing relief program, by Sept 1. Unless it becomes clear within few weeks that group cannot

¹ Not printed; it advised that Messrs. Hare, Kopper, and Jones discussed the refugee question with officers of the Eastern Department of the British Foreign Office on May 24 and sought the Department's permission to advise the Foreign Office of the contents of telegram 1789, May 23, to London, and the memorandum of May 9 to the White House (501.BB Palestine/5-2549). Telegram 1789 was a repeat of 674 to Bern, p. 1047.

be activated near future, Dept wld not wish prejudice survey group's conclusions by formulating independent plan for relief program outside context of overall plan for solution refugee problem.

WEBB

501.BB Palestine/5-2749 : Telegram

The Acting Secretary of State to the Legation in Switzerland

RESTRICTED

WASHINGTON, May 27, 1949—4 p. m.

704. Unpal 119. For USDel, Lausanne. Herewith Dept's suggestions for terms of ref proposed Econ Survey Group (or such designation as may be decided upon) in form of draft res:

"PCC

Desiring to implement paras 10 and 11 of GA res Dec 11 and to obtain info which will serve as basis for recommendations for further action by GA, member states, appropriate specialized agencies, and int orgs, and

Having noted declarations of reps of Israel and Arab States with respect to repatriation, compensation, and resettlement of refugees:

1. *Hereby establishes*, pursuant to authorization granted under para 12 of foregoing res, an Econ Survey Group to examine the econ situation in countries affected by the recent hostilities, and to make recommendations which will enable govts concerned to further such measures and development programs as are required to overcome econ dislocations created by the hostilities; to reintegrate refugees from the hostilities into econ life of area on self-sustaining basis within minimum period of time; and to promote econ conditions conducive to maintenance of peace and stability in the area;

2. *Instructs* Econ Survey Group to recommend an integrated program to achieve the foregoing objectives, including an operational plan for carrying out program recommended together with estimated costs and methods of financing;

3. *Appoints* fol persons to constitute Group (Unpal 113);

4. *Requests* SYG to furnish such staff and services as Group may require;

5. *Authorizes* Group pursuant para 14 of GA res of Dec 11 to invite assistance those Govts, specialized agencies and internatl orgs which may be able facilitate its work through provision of expert personnel and technical info;

6. *Requests* Group to submit report to Comm not later than Sept 1, 1949."

For your info, Dept believes Econ Survey Group might approach its task along fol lines:

In collaboration with govts concerned

(a) Explore measures which can be taken by govts concerned without outside financial assistance to achieve objectives para 1 above;

(b) On basis existing plans and surveys, examine proposals submitted by govts concerned for econ development and settlement projects requiring outside assistance which would make possible absorption of refugees into economy of area on self-sustaining basis in minimum time and with minimum expenditure;

(c) Examine other econ projects which can, with outside assistance, provide temporary employment for refugees not employed on development and settlement projects (b);

(d) Examine such other development and settlement projects requiring outside assistance which, though not associated directly with employment and settlement of refugees, would serve to achieve objectives of para 1;

(e) Estimate number of refugees who cannot be supported directly or indirectly through employment envisaged under paras a-d, together with estimated period during which direct relief will be required and cost thereof;

(f) Study problem of compensation to refugees for claims for property of those who do not return to their homes, and for loss of or damage to property, with special reference to relationship of such compensation to proposed settlement projects;

(g) Study the problem of rehabilitation of refugees including matters concerning their civil status, health, education, and social services.¹

Dept feels Commission discussion on compensation should be postponed pending report of Group (para f). Analysis problem compensation being made by Dept, will be forwarded next week.

Your comments requested re foregoing, which is being discussed with Brit.²

WEBB

¹ The Department, on August 11, added a paragraph h, which read as follows: "Propose organizational structure to achieve objectives para 1 within UN framework to coordinate, supervise and facilitate measures for relief resettlement, econ development and related requirements such as community service facilities bearing in mind interests of all govts concerned and probable sources available funds from within and without area." (telegram 1097 to Bern, 501.BB Palestine/5-2749)

² This telegram was repeated to London as No. 1848 and to New York, the latter for information. London, on June 2, advised that the British generally agreed with the suggested terms of reference and the Department's interpretation of them (telegram 2157, 501.BB Palestine/6-249).

501.BB Palestine/5-2849 : Telegram

The Minister in Switzerland (Vincent) to the Secretary of State

RESTRICTED

BERN, May 28, 1949—10 a. m.

818. Palun 168. From Ethridge. Eytan on May 25 wrote PCC members individually along following line:

(1). Israelis Delegate has informed PCC that two memorandums (summary of information contained in Palun 145¹ and that contained

¹ Identified also as telegram 410, May 10, from Geneva, p. 992.

in Palun 166²) were being studied Tel Aviv. Meanwhile Israelis have duty to draw PCC attention to basic misconceptions. Pity and mistake to derive conclusions from false premises and to attempt to find refugee solution on unrealistic assumptions.

(2) Important Arab Delegates understand war which their governments brought to Palestine had much of evil aftermath they must have been able to foresee. Fleeing Arabs abandoned property and homes precipitately. Whole villages fled including orange grove workers. Bank accounts were left intact. Clergy departed.

(3) Vacuum resulted. Urban and rural property destroyed. Armies moved in. War was bitter and destructive. It would be doing refugees disservice if refugees persist in belief that return would find homes, shops or fields intact. Difficult in certain cases to identify village sites.

(4) During war large numbers Jewish immigrants entered and now continues totalling over 250,000 in 1948. Intention of Israel to continue admittance as many as wish to enter.

(5) Shelter was difficult. Impossible if Arab houses were not empty. Israel took advantage of vacant houses. Jaffa, Lydda, Ramle, Beer-sheba, Safad, et cetera, are today almost wholly occupied by Jewish residents. War and refugee flight have changed face of country. Arab reference to suspension of requisition measures and occupation of Arab property is unrealistic. If sincere Arabs lack information re conditions in Israel. Foregoing is general but will be [made?] specific on request.

(6) Israel considers itself in no way responsible for fact refugees are refugees. Cause was war launched to kill Jewish state. Arab States are now attempting wash hands of evil created by them and to foist responsibility on intended victim. Tone of Arab memorandum referring to principles of humanity and justice ill befits representatives of only states that have ever taken up arms in attempt undo UNGA will. Tone suggests Arab Delegates perhaps unconsciously are deceiving themselves in approach Palestine problem.

(7) Important appreciate responsibility for constructive solution of refugee problem rests upon those responsible. In so far as Israel is prepared contribute within framework general peace settlement contribution can only be on lines applicable to solution elsewhere. Any Arab state offering resettlement will claim right to decide where and how, will not recognize right of individual refugee to particularize and will offer resettlement where and how consonant with domestic condition. If in eventuality envisaged Israel finds it possible to contribute toward refugee resettlement its terms will be same.

(8) No return to *status quo ante* since war and subsequent immigration have decisively and unalterably transformed aspect of country. Clock cannot be turned back. If resettlement in Israel at all, it will be on basis of existing economic and security situation. If Arab expects to return to house, trade or field, illusion should be dispelled. They no longer exist. If they exist they are probably occupied. Even if not occupied, Israel could not for security and many other reasons bind itself to restore. Resettlement in Israel would have to be on basis planned scheme devised for refugees as group and unrelated except for compensation to any proprietary rights claimed by individuals.

² From Lausanne, dated May 23, p. 1044.

(9) Problem facing Arab Delegates and PCC is refugee question on basis existing situation in Israel and Arab States. Certain situation exists and only in context is any hope of workable solution. Attempt to recreate previous conditions of 1947 or 1948 is profitless and doomed failure.

(10) Frankness based on conviction success at Lausanne depends on full understanding of facts. Wishful thinking by Arab Delegates and failure realize actual situation will delay progress and ultimately lead collapse negotiations. Israeli Delegate does not suggest Arabs Delegates are deliberately blinding themselves. More likely lack of information causes misapprehension. Israeli Delegate does not suggest transmittal this letter to Arab Delegates but feels, however, it would be helpful if PCC negotiators with Arabs bear in mind possibility Arabs unaware revolutionary changes in abandoned refugee property. Israeli Delegate also feels it may be useful to explain present situation and consequences thereof.

Comment: USDel has summarized information contained this telegram to give Department indication present thinking Israeli Delegate re refugees. Eytan lectured PCC privately May 26 in same vein. With PCC agreement I told and wrote Eytan some of his assumptions and conclusions outlined this telegram at variance my views and no useful purpose in discussion. I regretted he considered it inadvisable transmit his views to Arab Delegates. Heretofore PCC endeavored assist parties to final settlement by transmittal views of each. Mutual understanding would facilitate settlement. PCC could not be expected embrace views of either for purpose of persuading other. I conceived GA resolution to assist Israel is to negotiate with Arabs rather than UN.

As result Eytan plans redraft letter for transmission to Arab Delegates. I consider important development for psychological reasons. It is hoped Israeli views drafted with Arabs rather than UN in mind will be more temperate and persuasive. [Ethridge.]

VINCENT

501.BB Palestine/5-2849: Telegram

The Minister in Switzerland (Vincent) to the Secretary of State

RESTRICTED

BERN, May 28, 1949—10 a. m.

819. Palun 169. From Ethridge. Reference Palun 165.¹ Eytan on May 25 wrote PCC re Arab memorandum along following line:

(1) Wide gulf separates views of Arab and Israeli delegates. Latter has taken wide view. Outstanding problems are organically linked. Piecemeal approach is impossible. Israel is willing to cooperate in solution of refugee problem if solution is seen organically as part of final settlement between Arab States and Israel.

¹ From Lausanne, dated May 23, p. 1043.

(2) Arab Delegates have refused to talk overall settlement and have concentrated attention on one problem. This narrow view has led to no results. Arab memorandum proposes return to homes of refugees from certain areas. Memorandum is particularist and unrealistic, characteristic of whole Arab approach and fails take account of present situation in Palestine or of aim of peace.

(3) Israeli Delegation has instructions to make every effort towards final liquidation of Palestine conflict, establishment of sincere peace and normal relations and stability of ME. Ultimate objective at Lausanne must be permanent peace. Within this context Israelis still prepared to cooperate with Arab Delegates in finding refugee solution. Arab Delegates appear, however, to have authority to discuss only one question. Their instructions seemingly disregard everything else as has been clear from start and is confirmed by Arab memorandum.

(4) Israeli Delegation suggests to PCC that determined effort should be made to persuade Arab Government to face problems at issue in spirit greater realism. Israeli Delegation is convinced peace is ultimate objective of parties and that PCC can demonstrate to Arab Delegates that present course has brought goal no nearer. Continued unrealistic demands cannot advance Arab or refugee cause. Proposals in Arab memorandum offer no sort of basis for negotiation.

(5) Israeli Delegation trusts PCC will find way to turn present talks into useful and realistic channels toward peace. [Ethridge.]

VINCENT

501.BB Palestine/5-2849 : Telegram

The Minister in Switzerland (Vincent) to the Secretary of State

RESTRICTED

BERN, May 28, 1949—10 a. m.

820. Palun 173. From Ethridge. Israeli representatives on May 26 informed general limits of [to?] PCC of Israeli proposal re frontier between Israel and Transjordan. Israeli representatives considered frontier should be considered in two categories: (1) Northern and southern sections; (2) Section east of "triangle" and Hebron.

Re first category Israel suggested frontier between Israel and Transjordan should be political boundary between Transjordan and Palestine under British mandate, i.e., from junction point of Transjordan-Syrian frontier in north to El Fatur in south and from middle of Dead Sea to Gulf of Aqaba.

Re second category Israel did not propose to discuss at present time as no determination had been made as to disposition of central Palestine. Israel would, however, accept present armistice line as boundary

whether central Palestine was governed by Transjordan or independent authority. Israel had no ambitions in central Palestine. Israel planned to propose certain modifications in armistice lines but could only discuss with final established authority in central Palestine. Israeli attitude re modifications will change in accordance with character of governing authority, i.e., whether Transjordan, independent state or other authority. Israel did not wish to advance suggestions re its disposition. Israel wished give all interested including Arab states, Arab inhabitants and refugees opportunity to decide re future status of central Palestine.

Israeli proposal does not include Jerusalem area.

Meanwhile Israel regards Transjordan as occupying authority in central Palestine and will be able discuss military changes in armistice lines with Transjordan. [Ethridge.]

VINCENT

501.BB Palestine/5-2849 : Telegram

The Minister in Switzerland (Vincent) to the Secretary of State

SECRET

BERN, May 28, 1949—11 a. m.

821. Palun 174. From Ethridge. Consult Rusk for distribution. In three hour closed meeting with Commission yesterday Eytan advanced idea that stalemate here could be broken to which his letter referred (reference Palun 169¹) only by "imaginative broad plan" for resettlement of refugees, in which international responsibility as to finance would be chief factor. He suggested Commission advance proposal to both sides which would in effect lift refugee problem out of context of Lausanne meetings. He obviously had in mind program on which Department has been working.

I pointed out to him that in effect what he was proposing was that somebody else relieve Jews and Arabs of their responsibilities and pick up the check for it. He agreed that my remark was true if crude but said there was nothing reprehensible about it as it had happened a good many times before in world history. I replied that of course there was nothing reprehensible about it but any such aid should have proper base. I told him he knew very well US had been considering such aid but we felt there must be number of conditions attached to it.

First must be that Israel must satisfy US and other nations which might participate in such scheme that she had accepted her full responsibility as to number of refugees who would return as to civil

¹ Identified also as telegram 819, May 28, from Bern, p. 1067.

rights guarantees to them, as to assurance of fair and just compensation to those who did not return and even to those who did return but in much less favorable circumstances. I pointed out President must go to Congress to ask for appropriations if he decided to make commitment (at no time indicating that any had been made) and he would certainly not make any recommendation that was not based upon what he conceived to be fair and permanent settlement in Middle East.

Second point I made was that Arab delegates must agree in principle they would accept refugees left over and that the Arabs had made it clear they would not make any such commitment until Israel herself had made some commitment on refugee problem beyond any she has made. Therefore, Arab position was in Israel's hands also.

Third condition must be that such plan would be workable and acceptable to UN. Israel could not expect member nations of UN to accept plan which they did not regard as having been based upon acceptance by Israel and Arabs of their full responsibility toward refugees and bona fide intention their part to make settlement of refugees material factor in peace settlement.

Fourth condition is that other nations must participate, including Israel. If Israel looked at that condition she must realize other nations likely to contribute would be Britain and perhaps France. Even if US brought itself to sponsoring plan without exacting from Israel fulfillment of its duty he could not expect Britain to look with favor upon it in view of her connection in Arab world. Certainly same consideration would apply to France and Turkey.

I pointed out further that whole key to peace had been in Israel's hands since January and still was and that while UN nations might be willing to buy peace in Middle East as I had suggested they wanted to be sure it was peace. Israel had primary responsibility in proving that.

Eytan said he understood US viewpoint clearly, took notes on it and indicated he wanted to communicate it to his government. He also agreed to consider document for Arabs (reference Palun 168²) that would expound Israel's full position on refugee question. He contended that in making proposal for Gaza strip Israel had agreed to accept all refugees there, all normal population, other Arabs in Palestine and members of broken families. Total would be about as many as Israel agreed to accept under partition. He felt Israel would have discharged its full obligation if she did that.

I agreed that quantitatively she would have accepted her full obligation, but pointed out that he had made proposals with two conditions: international help and acquisition of Gaza strip. What was

² Identified also as telegram 818, May 28, from Bern, p. 1065.

now lacking was statement to Commission as to how many refugees Israel would take if she did not get Gaza strip. He agreed to consult his government on alternative proposal.

Understand next Cabinet meeting in Tel Aviv is Tuesday. That meeting will probably determine in great measure whether Lausanne conference breaks up. Press reports we get from Palestine indicate that Foreign Office thinking there is that conference might as well break up and leave Israel free to make enforced peace with Transjordan. My own feeling is that Israel prefers that to accepting any responsibility for refugees or making any territorial concessions at all. [Ethrledge.]

VINCENT

501.BB Palestine/5-2849: Telegram

Mr. Mark F. Ethrledge to the Secretary of State

SECRET

BERN, May 28, 1949—11 a. m.

822. Palun 175. Consult Rusk for distribution. In private meeting last night with Fawzi Mulki of Transjordan Delegation, he told me Arab Delegates will not make any further concessions here. He said their attitude was based on several factors:

1. They felt they had made concessions in signing protocol (reference Palun 148¹) acknowledging partition as fact and as basis for further negotiation; in being willing to accept what they regarded as minor concessions on refugee problem as set out in their 9-point memo (reference Palun 166²) without demanding more substantial concession now; and in indicating in point 3 of their May 21 memo (reference Palun 165³) that they were willing to go into territorial talks, even if their method was to back into such talks. On contrary, they argued that Jews have given nothing and are demanding more. No Arab politician could dare make any further concessions.

2. Neither Egypt nor Syria cared in circumstances whether they made peace, and Lebanese had taken position that it would go along with, but not ahead of, other Arab states. They want peace on basis they regard as decent, that is, one that would not overthrow their governments. He said armistice agreements had badly shaken Arab world and Arab politicians had been able to explain them away only by saying armistice lines were not peace lines. To give more now than armistice lines called for would be to wreck Arab governments, and Arab politicians could not be expected to do that.

3. Transjordan's attitude had modified and hardened considerably because of experience in Tulkarm triangle and in Jerusalem area. Fawzi Mulki felt that by their excessive gun-point demands Jews,

¹ Dated May 12, p. 998.

² Dated May 23, p. 1044.

³ Dated May 23, p. 1043.

while pretending so [*sic*] friendship with Abdullah, had actually lowered his prestige to point where he could no longer help them in peace making. He said feeling was shared by all Abdullah's advisers and even by King himself and was responsible for failure of mixed committee at Jerusalem and for King's refusal to approve separate meetings between Mulki and Sasoon at Lausanne. Mulki says Transjordan is determined that unless Jews make some concessions by which Transjordan can rescue some of her prestige he doubted whether any peace could come and he personally would not sign such peace. "All the King can do is dismiss me," he said, "I will not face wrath of people of Transjordan and Arab world by signing away more than we have already given. The Jews have been too clever." Fawzi Mulki said he would continue to try here and would discuss with Arab Delegates question of asking commission to make proposals before breaking up.

Fawzi Mulki said there would, of course, be no trouble in getting commitments from Arab Governments on accepting refugees providing Israel made satisfactory commitment. He says Arabs have already agreed among themselves they will have to accept refugees and even Iraq has given some encouragement.

ETHRIDGE

501.BB Palestine/5-2849 : Telegram

The Acting Secretary of State to the Embassy in Israel

TOP SECRET PRIORITY WASHINGTON, May 28, 1949—11 a. m.
 NIACT

322. Pres desires you deliver following note classified secret immediately to Ben-Gurion.¹

"Excellency: I have the honor to inform Your Excellency that the Pres of the US has instructed me to inform the Govt of Israel as follows:

The Govt of the US is seriously disturbed by the attitude of Israel with respect to a territorial settlement in Palestine and to the question of Palestinian refugees, as set forth by the representatives of Israel at Lausanne in public and private meetings. According to Dr. Eytan, the Israeli Govt will do nothing further about Palestinian refugees at the present time, although it has under consideration certain urgent measures of limited character. In connection with territorial matters, the position taken by Dr. Eytan apparently contemplates not only the retention of all territory now held under military occupation by Israel, which is clearly in excess of the partition boundaries of Nov 29, 1947, but possibly an additional acquisition of further territory within Palestine.

As a mem of the UN PCC and as a nation which has consistently striven to give practical effect to the principles of the UN, the US

¹ At 7 p. m., May 27, the Department sent a telegram to Secretary Acheson at Paris, numbered Telac 23. The editors have been unable to locate a copy in the files of the Department but presume it transmitted the text of the note to be delivered to the Israeli Prime Minister. The Secretary replied the following day, stating "Agree with text and dispatch." (Actel 20, 501.BB Palestine/5-2849) Actel 20 was received in the Department at 10:17 a. m., May 28.

Govt has recently made a number of representations to the Israeli Govt, concerning the repatriation of refugees who fled from the conflict in Palestine. These representations were in conformity with the principles set forth in the resolution of the GA of Dec 11, 1948, and urged the acceptance of the principle of substantial repatriation and the immediate beginnings of repatriation on a reasonable scale which would be well within the numbers to be agreed in a final settlement. The US Govt conceded that a final settlement of the refugee problem must await a definitive peace settlement. These representations, as well as those made concurrently to the Arab States concerning the resettlement outside of Palestine of a substantial portion of Palestine refugees, were made in the firm conviction that they pointed the way to a lasting peace in that area.

In the interests of a just and equitable solution of territorial questions the US Govt, in the UN and as a mem of the PCC, has supported the position that Israel should be expected to offer territorial compensation for any territorial acquisition which it expects to effect beyond the boundaries set forth in the res of the GA of Nov 29, 1947. The Govt of Israel has been well aware of this position and of the view of the US Govt that it is based upon elementary principles of fairness and equity.

The US Govt is deeply concerned to learn from Dr. Eytan's statements that the suggestions both on refugees and on territorial questions which have been made by it for the sole purpose of advancing prospects of peace have made so little impression upon the Govt of Israel.

The US attitude of sympathy and support for Israel has arisen out of broad American interest and principles, particularly out of its support for the UN and its desire to achieve peace and security in the Near East on a realistic basis. The US Govt and people have given generous support to the creation of Israel because they have been convinced of the justice of this aspiration. The US Govt does not, however, regard the present attitude of the Israeli Govt as being consistent with the principles upon which US support has been based. The US Govt is gravely concerned lest Israel now endanger the possibility of arriving at a solution of the Palestine problem in such a way as to contribute to the establishment of sound and friendly relations between Israel and its neighbors.

The Govt of Israel should entertain no doubt whatever that the US Govt relies upon it to take responsible and positive action concerning Palestine refugees and that, far from supporting excessive Israeli claims to further territory within Palestine, the US Govt believes that it is necessary for Israel to offer territorial compensation for territory which it expects to acquire beyond the boundaries of the Nov 29, 1947 res of the GA.

The Govt of Israel must be aware that the attitude which it has thus far assumed at Lausanne must inevitably lead to a rupture in those conversations. The US Govt must state in candor that it considers that the Govt of Israel must provide a basis for a continuation of such talks under the auspices of the PCC and that a rupture arising out of the rigid attitude of the Govt of Israel would place a heavy responsibility upon that Govt and people.

If the Govt of Israel continues to reject the basic principles set forth by the res of the GA of Dec 11, 1948 and the friendly advice offered by the US Govt for the sole purpose of facilitating a genuine peace in Palestine, the US Govt will regretfully be forced to the conclusion that a revision of its attitude toward Israel has become unavoidable."

Please report time of delivery niact in order that Department may furnish copy to Elath.²

WEBB

² A marginal notation states that this telegram was "cleared with the White House 5/27/49."

Mr. Satterthwaite, on May 30, handed to the Israeli Chargé Uriel Heyd, the text of the United States note to the Israeli Government. The latter made no comment after reading the note. Mr. Satterthwaite "made no comment other than to emphasize the fact that the note had been delivered under the instructions of the President." (Memorandum of conversation by Mr. Satterthwaite, 867N.01/5-3049)

Israeli Ambassador Elath called on Acting Secretary Webb on May 31 just prior to his departure for a visit to Israel. The prime subject of their discussion was the United States note. Mr. Webb records that "With strong emotion in his voice the Ambassador said he prayed to God that the United States Government would not underestimate Israeli determination to preserve the security of Israel at all costs. It would be a tragic thing, he said, if the friendly relations between our two countries should be altered because the United States Government insisted on a course of action which would threaten Israeli security. He expressed the fervent hope that this would not come to pass.

"I said that I was sure the Israeli Government realized that the United States Government would not send such a note without prior and careful consideration of all the aspects involved. I referred to the friendly relations between our two countries, and to the United States desire to see these relations continue, and I said that it was out of the deep friendship of the United States for Israel that we had made the recommendations which we believed would lead to a lasting peace in the Near East. I reiterated that what was necessary was a sincere desire by all the parties to bring about a genuine peace." (Memorandum of conversation, 501.BB Palestine/5-3149)

501.BB Palestine/5-2949 : Telegram

The Ambassador in Israel (McDonald) to the Secretary of State

TOP SECRET NIACT

TEL AVIV, May 29, 1949—6 p. m.

PRIORITY

406. ReDeptel 322, May 28. During half hour conference (Ford also present) May 29 with Prime Minister and Foreign Minister at former's home they read slowly note from President. At end of reading Foreign Minister said "this grave note calls for considered answer which we shall prepare."

Prime Minister then expressed following: US is world power which helped us much before and after state set up. US has right to "have a say." But note ignores two fundamental facts:

1. November 29 resolution never carried out by UN, US or Middle East States. It contemplated two states, Israel and independent Arab Palestine, united by customs and other ties at peace with one another and neighbors. Prime Minister unable recall any strong action by US or UN to enforce November 29 or prevent aggression by Syria, Egypt, Lebanon and Iraq. Instead embargo encouraged aggressors against Israel whose very existence was in danger. Had Jews waited on US or UN they would have been exterminated. Israel was established not on basis November 29 but on that of successful war of defence. Hence note's suggestion is today unjust and unrealistic for it ignores war and continued Arab threats which make November 29 boundaries impossible.

2. Solution refugees can be considered only as part peace settlement. Arab States refuse make peace and on May 4, Israel's independence day, threatened renewal war. So long as this attitude persists refugees are potential enemies of Israel. If war were renewed could Israel appeal to US to send arms or troops for defence against refugees fighting on side of aggressors? Upon whom does US ask Israel to rely?

In impassioned conclusion "off the record" Prime Minister said: "US is powerful and we are weak; we could be destroyed; but we do not intend to commit suicide by accepting November 29 settlement in today's fundamentally changed conditions."

Comment: Manner of Prime Minister's response and unusual reticence of Foreign Minister indicated extreme seriousness their reception of President's note. When Prime Minister opined that this was strongest representation yet sent by US to Israel I agreed but otherwise made no comment. There is no grounds however, for confidence Israel will accept without substantial reservations fundamentals of US position. I anticipate Israel's formal reply soon. *End comment.*

McDONALD

501.BB Palestine/5-3149

Memorandum by the Acting Secretary of State

TOP SECRET

[WASHINGTON, May 31, 1949.]

MEETING WITH PRESIDENT, TUESDAY, MAY 31, 1949

NOTE TO THE ISRAELI GOVERNMENT

I indicated to the President the substance of the reports we have received as to the reaction of the reaction of the Israeli Government to our recent note, and he expressed real interest. I feel very sure that he has no doubts as to the wisdom of the course being followed.

J[AMES E.] W[EBB]

501.BB Palestine/5-3149: Telegram

The Ambassador in Israel (McDonald) to the Secretary of State

TOP SECRET

TEL AVIV, May 31, 1949—noon.

408. Herlitz¹ of Foreign Office at residence my invitation May 30 in an hour's informal talk said:

1. "Gaza plan" had been first suggested by Ethridge to Eytan. Then Israeli Cabinet after long debate voted, with two abstentions, to accept Gaza-Rafa strip and its 250,000 to 300,000 Arabs.

2. Egypt had privately indicated its willingness relinquish strip.

3. Task of repatriating and resettling on Israeli soil this "vast number" of Arab refugees was considered as "gigantic" involving "severe personal sacrifice all Israeli people".

4. Lausanne "was not on verge failure". Ethridge was "naturally impatient for results" but Arabs "not" preparing go home. On contrary they sending for families and renting homes Lausanne.

5. Foreign Office and Prime Minister hopeful that strong representation made by US to Israel was also being made to Arab states in appropriate form.

Comment. As Herlitz talked I remained silent feeling that Deptel 322, May 28, could not be strengthened by any commentary of mine.

End comment.

MCDONALD

¹ Esther Herlitz, Acting Director of the American Division of the Israeli Foreign Office.

S67N.01/5-3149: Telegram

The Consul at Jerusalem (Burdett) to the Secretary of State

RESTRICTED

JERUSALEM, May 31, 1949—2 p. m.

388. Transjordan-Israel special committee met Jerusalem 29th and will meet again June 7. No progress made on major issues but agreement reached to permit Arabs harvest crops in lands of triangle given Israel for additional week.

Talks by ConGen with both Israel and Transjordan delegates show considerable pessimism as to possibility any progress. Bergman¹ states submit specific plan for exchange territory in north for Arab quarter in south but doubts Arab proposals will form acceptable basis for discussion.

Sent Department 388; repeated Geneva 17 for USDel PCC; pouched Arab capitals.

BURDETT

¹ Presumably Abraham Bergman, District Commissioner for Israeli Jerusalem.

501.BB Palestine/5-3149: Telegram

The Secretary of State to the Acting Secretary of State

TOP SECRET

PARIS, May 31, 1949—7 p. m.

2202. Webb from Acheson. Bevin Conv Four. Bevin discussed Palestine question with me this morning. He referred to their conversations in New York with Bunche who had agreed they could supply small arms but said he could not go further pending conclusion Syria and Israeli armistice. Bunche had prepared draft for SC but not yet ready to submit it. Bevin chiefly concerned situation arising from Israeli claims to territory both sides upper Jordan which would give them complete control of all water resources. UK hopes for four-party agreement on water development permitting settlement 100,000 refugees and leaving adequate water for Israel. He suggested we secure help of Bank and perhaps Conciliation Commission to study common use of water under joint auspices. Bevin further amplified previous arguments regarding defense arrangements with Egypt and other countries. He emphasized they must have an agreement with Egypt if trouble comes. He had settled the question of water resources and was making progress on Sudan and Ethiopia. UK has sent Slim¹ and Egyptians have appointed three of their best people to discuss plans. Bevin thinks if he now lets Egyptians have such arms for training as he can properly send under Bunche's ruling, he could stall for a couple months before supplying other arms but would need to give some assurance further action within that time. Bevin thinks much depends on settling Syrian and Israeli difficulty. He is asking Schuman² to use his influence with Syria. UK ready to spend considerable sterling various refugee projects.

I told Bevin in very strict confidence that we had given stiff note to Israel and were awaiting their formal reply. I stressed necessity for avoiding any reference to our note. I emphasized our belief very important British avoid raising issue by sending arms while outcome this step of ours is awaiting.

Bevin considered this very helpful and then raised Transjordan question. Wright reported Transjordan received recent note from Israel maintaining demands for Syrian withdrawal, asserting Conciliation Commission had failed and requesting direct negotiations in Jerusalem between Transjordan and Israel parallel to Lausanne discussions. Abdullah told British he was defenseless but would be accused by other Arabs of going behind their backs if he agreed to Jerusalem talks. Bevin had not previously received this information but

¹ Field Marshal Sir William J. Slim, Chief of the British Imperial General Staff.

² Robert Schuman, French Foreign Minister.

commented UK should tell him not to enter Jerusalem talks. If Israelis attack Arab Legion it would be serious new matter for UN. In such case Bevin would feel bound to release the munitions held at Amman and expressed hope US would agree he should do so although he would not release it unless Israelis first attack. Bevin added Abdullah has also asked their advice whether they should now incorporate Palestine territories which he is administering. Bevin would like to have them do this so their treaty would apply to these territories also. Wright said their legal people believed they could argue treaty applies now without incorporation on basis *de facto* administration. Bevin specifically requested our views on question Transjordan incorporation of territories and I told him I would secure word for him as soon as possible.³ Bevin expressed sympathetic understanding US political problem in face of domestic pressures and strong desire to avoid any break in our common front. I answered affirmatively Wright's specific question whether we agreed they could go as far as Bunche's authorization re shipment of arms.

[ACHESON]

³ In Telac 32, May 31, 4 p. m., to Secretary Acheson at Paris, the Department had speculated that Mr. Bevin might "inquire re US attitude on disposition central part of Pal now occupied by Transjordan troops. Dept's policy on this is to favor incorporation area in Transjordan. Suggest Bevin be so informed." (740.00119 Council/5-3049) Presumably, this telegram reached Secretary Acheson too late to be used in his conversation with Mr. Bevin.

867N.01/5-2649: Telegram

The Acting Secretary of State to the Legation in Transjordan

SECRET

WASHINGTON, May 31, 1949—7 p. m.

69. In replying to King's letter subject ur 217 May 26 you shld state that there is no truth whatsoever in allegation that US rep PCC interested in no other problem but that of refugees. Inform King USG, as mem PCC and nation deeply interested in peace and stability Near East, diligently working for just and equitable solution of all problems involved in Pal situation and for success Lausanne talks. In furtherance establishment peace USG has heretofore approached both sides on several factors involved and will continue to do so whenever believes such approaches constructive.

You shld express appreciation for King's views concerning US role in final Pal settlement and state USG determined vigorously seek equitable settlement within framework UN.

You shld tactfully remind King that US policy re arms established as result UN arms embargo. Express hope that continued peace in

Pal and progress toward final settlement may produce circumstances which will lead to UN decision lift embargo.

In conclusion you shld express appreciation for constructive attitude shown by Jordan re final Pal settlement and particularly for King's assurances concerning his peaceful intentions.

WEBB

501.BB Palestine/5-3149 : Telegram

The Acting Secretary of State to the United States Representative at the United Nations (Austin)

CONFIDENTIAL

WASHINGTON, May 31, 1949—7 p. m.

296. In event Syrian armistice case brought before SC we are considering desirability SC recommend parties submit dispute arbitration, naming Bunche arbitrator. Procedures looking toward persuasion of parties would have been exhausted by time case brought before SC and recommendation arbitration would seem appropriate. Parties will find some difficulty in rejecting proposal since armistice would not involve permanent territorial settlement.

Would appreciate your views and unless you see objection suggest you discuss this with Bunche.

WEBB

867N.01/5-3149 : Telegram

The Acting Secretary of State to the Legation in Switzerland

SECRET

WASHINGTON, May 31, 1949—11 p. m.

Unpal 124. For USDel, Lausanne. Dept appreciates reasons for concern Jerusalem expressed Jerusalem tel 370 May 20 and Amman tel 215 May 24 and also substantial contribution these tells our understanding Jerusalem situation. Dept inclined to feel present procedures will not be productive results and that new approach desirable. Following suggestion draws on both reftels.

PCC might call upon both sides to accept its appointee as chairman Special Comite but with ultimate power as arbiter. Terms of reference would need definition which shld generally include territorial delimitations and public utilities in Jerusalem to extent solutions required in final peace settlement.

Appointee would have as first function serving as chairman Special Comite and assisting parties to reach agreement.

Second function would be to arbitrate any differences on which agreement not reached within agreed period.

As third function it would be understood that agreement of parties or arbitral award on matters covered by terms of reference would form basis corresponding section of PCC detailed proposals on Jerusalem.

In prelim discussions fol names have been suggested for Arbitrator: Charles De Visscher, Belgian Judge of ICJ, and Dr. Azcarate.

Your comments and those of Jerusalem and Amman are invited but you may take this suggestion before PCC, or individual members if you see fit.¹

WEBB

¹This telegram was repeated to Amman as 71 and to Jerusalem as 262. Mr. Ethridge replied, on June 3, that the American Delegation doubted the practicality of the procedure suggested in Unpal 124 "because it seems unlikely procedure could be completed before September GA. Agreement of Israel and Transjordan to change constitution of special committee and terms of reference and agreement re chairman-arbitrator would involve lengthy negotiations. . . . It therefore seems preferable follow procedure suggested in Palun 179." (telegram Palun 183 from Lausanne, 501.BB Palestine/6-349) Regarding Palun 179, see footnote 2, p. 1041.

Editorial Note

The short name "Transjordan" has hitherto been used in the *Foreign Relations* series to designate the territory ruled by King (formerly Emir) Abdullah. On June 1, 1949, there appeared in the *Jordanian Official Gazette* (No. 984) a notice by Prime Minister Tewfik Abul Houda, which, as supplied to the editors by the Bureau of Intelligence and Research in the Department of State, read as follows:

"It is to be remembered that the decision of the Houses of Parliament which was taken on May 25, 1946, and which declared the independence of this country said that the name of this Kingdom is the 'Hashemite Kingdom of the Jordan'. The Jordan Constitution, published at the beginning of February, 1947, approved this decision. However, it is noticed that the name of Transjordan is still applied to this Kingdom, and certain people and official institutions still use the old name in Arabic and foreign languages, which makes me obliged to point out to all who are concerned that the correct and official name which should be officially used in all cases is: 'Al-Mamiakeh Al-Urdunieh Al-Hashemieh' and in English 'The Hashemite Kingdom of the Jordan.'

"I beg the Minister of Foreign Affairs to inform all foreign legations in Amman, the Jordan legations in foreign countries, and the Secretary of the United Nations of this official name." (890i.01/6-149)

The editors, accordingly, have decided to use hereafter the short designation "Jordan" in the annotating of documents in the Series.

Yussef Haikal, the first Jordanian Minister to the United States, presented his credentials to President Truman on June 1; see Department of State *Bulletin*, June 12, 1949, page 765.

501.BB Palestine/6-149: Telegram

The Secretary of State to the Acting Secretary of State

TOP SECRET PRIORITY

PARIS, June 1, 1949—10 a. m.

Actel 30.¹ For Rusk² from Jessup.³ ReEmbtel 2202, May 31, Bevin Conversation 4.

Michael Wright last night supplemented and partially corrected Bevin's statements to Secretary on Palestinian question. First essential point UK position re Syrian-Israeli frontier is desirability agreement in principle before frontier fixed that water will be used for benefit four states under joint auspices. They worried American engineer Hayes project for local use water by Israel. UK thinks if agreement reached on equitable use of water both sides of actual frontier, the line will settle itself. They do not suggest UK or US express any opinion concerning location frontier.

Re arms supplies, Wright emphasized Bevin considers essential making some definite promise to Egyptians re future deliveries presumably after two-month interval as indicated reftel 2202.

Re Transjordan, Wright made British request more specific. They must give immediate advice to Abdullah on Jerusalem negotiation and on incorporation Palestine territories. They hope US representative would convey US views to Abdullah direct or that at least we would tell UK, first, whether we believe he should stick to Lausanne talks and refuse separate negotiations Jerusalem; second, whether we would approve incorporation Palestinian territories. If we do not approve immediate incorporation, do we have objection British announcing now theory stated reftel 2202 that they consider their treaty applies to the administered territories without incorporation. Of course, what they want is something to help Abdullah's morale short of supplying arms and ammunition. Wright suggested it would also be helpful if we could tell Abdullah we would take very serious view of resumption of fighting whether started by Israelis or by Arab Legion.

Wright stated Bevin further inquires whether we think it would be useful for Wright to go to Washington at time of Secretary's return to Department with view to further discussion Near Eastern questions.

Bevin dining privately with Secretary tonight. If you can send even partial replies any UK questions on any of points raised by Bevin, Secretary would be glad communicate information to him this evening.

Your niact Telac 32⁴ just received. Anything further still welcome.
[Jessup.]

ACHESON

¹ As originally received in the Department of State this telegram was numbered 2218. It was subsequently corrected to Actel 30.

² Dean Rusk became Deputy Under Secretary of State on May 31.

³ Ambassador at Large Philip Jessup, Alternate Member of the United States Delegation at the Sixth Session of the Council of Foreign Ministers.

⁴ Dated May 31, not printed, but see footnote 3, p. 1078.

501.BB Palestine/5-3149: Telegram

The Acting Secretary of State to the Secretary of State, at Paris

TOP SECRET

PRIORITY

WASHINGTON, June 1, 1949—1 p. m.

NIACT

Telac 38. Fol replies questions ur 2202 and 2218 May 31.¹

1. Dept agrees re desirability agreement in principle before frontier delineation that water resources will be used benefit all states concerned. Will so inform Ethridge requesting his views re feasibility obtaining such agreement at Lausanne. Economic Survey Group which POC plans activate near future wld resurvey water resources in question with view their equitable use by all states concerned for development and refugee settlement purposes.

2. Dept believes Abdullah shld not enter into reference separate conversations with Israel parallel to Lausanne talks, and is instructing Leg Amman so to advise King. According to info from Amman King has practically made up mind take same decision.

3. View Jordan now administering Pal territory Dept believes shld be feasible proclaim incorporation near future, with proviso re final boundary settlement at later date, but believes essential consult Ethridge before making final decision view possible effect on Lausanne talks. Also consulting Ethridge re extension Brit treaty to Pal territory and will advise urgently.²

4. Dept believes Wright visit Washington would be helpful. Would be interested learn what specific topics he would like discuss.

WEBB

¹ The latter is dated June 1; see footnote 1, p. 1081.

² These matters were raised with Mr. Ethridge in telegram Unpal 125, June 1, 7 p. m., to Lausanne (501.BB Palestine/6-149); its content closely paralleled that of telegram 72 to Amman of the same date, *infra*.

867N.01/5-3049: Telegram

*The Acting Secretary of State to the Legation in Jordan*¹

TOP SECRET

PRIORITY

AMMAN, June 1, 1949—7 p. m.

NIACT

72. View Sassoon communication Abdullah asserting Lausanne talks have failed and requesting direct negotiations between Jordan and Israel parallel to Lausanne discussions, Dept desires you informally advise King US Govt believes Lausanne talks have by no means

¹ The Department transmitted the substance of this message to Jerusalem in telegram 263, June 1, 7 p. m., which was repeated to Tel Aviv as No. 330 (501.BB Palestine/6-149).

failed and it essential no party take action likely undermine discussions. Accordingly, US Govt in most friendly spirit desires suggest it would not be advisable for Jordan enter reference separate negotiations.² US Govt approves position taken by King and reported ur 222 May 30.

Dept desires your views urgently on fol.

Bevin has informed Secy Abdullah has asked UK advice whether he should now incorporate Pal territories administered by Jordan. Bevin would like have Jordan do this so that Brit treaty would apply these territories also. UK legal advisers believe they could argue treaty applies now even without incorporation on basis *de facto* administration. If US does not approve immediate incorporation, Brits desire know whether we object their announcing they consider UK-Jordan treaty applies to administered territory without incorporation. Bevin seeking something raise Abdullah's morale short of supplying arms and ammunition and would like US reply soonest.³

Dept urgently investigating legal implications.

WEBB

² Mr. Rockwell, on June 16, analyzed the reasoning of the Department in sending telegram 72. His memorandum stated in part:

"Although no agreement had been reached at Lausanne, largely because of the rigidity of the Israeli position, the Department felt that Sassoon was totally incorrect in stating that the talks were a complete failure. The Department also believed that it was essential to give the strongest support to the Conciliation Commission, which was attempting to reach an equitable agreement between the parties and offered all the necessary facilities to the parties for reaching such an agreement. Under the circumstances, separate talks seemed totally unnecessary, and likely to lead to circumstances similar to those under which Transjordan was forced to give up considerable territory in order to achieve an armistice with Israel. Accordingly, the Department, in the interests of a just settlement, suggested to King Abdullah that he not enter the separate talks with Israel.

"An additional motive for the Department's approach to King Abdullah was the possibility that Israel and Transjordan, by negotiating together on the question of Jerusalem without the presence of the Conciliation Commission, might reach an agreement concerning the City which would disregard the international and Christian interests in Jerusalem and in the Holy Places."

Mr. Rockwell's memorandum was transmitted to Acting Secretary Webb in a memorandum of June 16 by Messrs. Rusk and Satterthwaite, which stated that "This matter has been taken up with Mr. Connelly and Mr. Niles at the White House by Mr. Franklin D. Roosevelt, Jr." (867N.01/6-1649)

³ Chargé Stabler, in reply on June 3, gave his view that "incorporation Arab Palestine in Transjordan at this stage would have adverse effect on Lausanne talks and on Palestine Arabs and would contribute to additional difficulties between Transjordan and certain Arab states. Moreover, I believe that US and UK, whose advice and support it would soon be known had been sought and obtained, would lay themselves open to criticism for countenancing action of this nature 'out of court.'" However, to show some form of support to Abdullah, he saw "no reason United States Government should interpose any objection to British announcement that they consider UK-Transjordan Treaty applies to administration territory without incorporation," should the Department be satisfied that the arguments of the British legal advisers were sound (telegram 230, June 3, noon, from Amman, 867N.01/6-349).

867N.01/6-249

*Memorandum, Presumably Prepared by Ambassador at Large
Philip C. Jessup*¹

TOP SECRET

PARIS, June 2, 1949.

In answer to a number of the points raised by Mr. Bevin with the Secretary and amplified by Mr. Wright to Mr. Jessup, the following preliminary comments can be made:

1. It is agreed that it would be desirable to secure agreement in principle before delineation of Israeli's frontiers that water resources will be used for the benefit of all states concerned.

2. It is agreed that Abdullah should not enter into the suggested separate conversations in Jerusalem parallel to the Lausanne talks, and the United States Legation at Amman has been instructed so to advise the King.

3. It is agreed that it would be feasible for Transjordan to proclaim the incorporation of the administered Palestine territory in the near future with a proviso regarding the final boundary settlement at a later date. However, final decision on this point and also on the advisability of announcing the extension of the United Kingdom Treaty to cover the administered territories is reserved pending further consultations now in progress.

4. Further details will be communicated by the United States Embassy in London to Mr. Wright.

¹ Secretary Acheson sent the text of this memorandum to the Department in his telegram Actel 35, June 3, 9 a. m., from Paris, with the statement that he had handed Mr. Bevin the memorandum "Today" (740.00119 Council/6-349).

501.BB Palestine/6-249 : Telegram

The Consul at Jerusalem (Burdett) to the Secretary of State

SECRET

JERUSALEM, June 2, 1949—4 p. m.

395. Approach to Jerusalem settlement advanced in Deptel [Unpal] 124 to Lausanne [*Bern*]¹ appears excellent in principle. Would involve direct negotiations under PCC appointed chairman and mutual agreement between parties to greatest extent possible. Questions not agreed on to be arbitrated by chairman whose decision binding. Procedure should provide maximum satisfaction to local populations, solution disputed points with maximum equity and result conforming to UN resolution re Jerusalem. Terms of reference could be so defined that settlement could form part of PCC proposals for Jerusalem now under consideration and so limited that special committee would not conflict with Jerusalem sub-committee of PCC. Believe

¹ Dated May 31, p. 1079.

essential negotiators work on premise entire area of Jerusalem will be permanently demilitarized and neutralized. In addition to territorial delimitations and public utilities, committee should consider "right of passage" to such places as Scopus and holy places and "right of residence" by Jews and Arabs in each other's zone while intimately bound up with location territorial demarcation line. Account also should be taken of fact settlement reached would become part of permanent peace treaty and must fit into overall framework of treaty.

Necessary [to] estimate reactions parties directly involved.

[Here follow the estimates that Jordan would probably welcome the proposals, especially the provision for arbitration; that the Palestinian Arabs, with objections, would probably accept the proposals; and that the Israelis would likely be opposed, anticipating greater benefits by direct negotiations. There also follow personal comments on possible arbitrators.]

Sent Department 395, repeated Geneva 19 for USDel PCC, Amman 30.

BURDETT

501.BB Palestine/6-249: Telegram

Mr. Mark F. Ethridge to the Secretary of State

TOP SECRET

LAUSANNE, June 2, 1949—4 p. m.

Palun 181. Consult Rusk for distribution.

1. Reftel 717, May 31.¹ I regret McDonald is apparently refraining from using his influence with Israeli Government to underline President's and Department's approved position regarding Palestine as set forth in Deptel 682, May 24. We need all help we can get, particularly in Tel Aviv.²

2. I also regret apparent importance which McDonald attaches to Herlitz' remarks. Miss Herlitz recent graduate Eytan's civil service school, is acting chief of North American Section of Foreign Affairs; and while it may be assumed she speaks officially, I doubt if as much weight may be given her remarks as those of Ben-Gurion, Sharett, Comay (all whom must be available in Tel Aviv) and Eytan.

3. In this connection, it is clear from record Ben-Gurion first mentioned Gaza strip proposal which was subsequently officially presented by Eytan in Lausanne (reference Paluns 133 April 20, 142 May 9, 160 May 20 and 162 May 21 [23]³).

¹ Not printed: it repeated telegram 408, May 31, p. 1076.

² President Truman read the first paragraph of Palun 181 on June 13; for his reaction, see footnote 2, p. 1125.

³ Palun 162 not printed, but see footnote 2, p. 1036.

4. What is date and source of information Egypt willing relinquish Gaza strip? This has always been considered possible by me and some Arabs but chief of Egyptian delegation, who has spoken to me with greatest frankness, has never even hinted at it. Any possibility of developing this project at present was torpedoed by Eytan's release to press of official proposal to PCC. Egyptians could hardly be expected acquiesce under such circumstances.

5. No comment on point 3 with which I agree. I might add same problem confronts Arabs and UN as well.

ETHRIDGE

501.BB Palestine/6-249: Telegram

Mr. Mark F. Ethridge to the Secretary of State

SECRET

LAUSANNE, June 2, 1949—5 p. m.

Palun 180. For McGhee. Agree with proposals re refugees including survey group whose functions not clearly understood here when we recommended elimination. In light explanations consider most important.

Re commitments: Arab states assured me commitments re resettlement will be forthcoming when Israel makes her commitment re repatriation. Hopeful that will come about after Tel Aviv meetings now in progress. Eytan communicated my talk (Palun 174¹) to Tel Aviv and left last night for consultations there.

Re approach by mission: In view Arab statements, most useful time for approach would be after Israel has made her commitment. It will be, perhaps disappointing in that Israel will say if she cannot have Gaza strip she will take only small number refugees. In that event us both here and in Washington will have to insist on greater number but it will probably still be necessary to persuade Arabs take greater number than they now contemplate.

[Here follow two paragraphs, dealing with the composition of the survey group, said to be "excellent," and "next steps."]

Reservation: I have one important reservation to all proposals re refugees. We do not think any commitment should be made until it is clear that both Arabs and Jews are in process reaching agreement re territorial settlement. In other words, if interested powers are committed to liquidating refugee problem, territorial problem itself may remain unsolved because use² of intransigence of parties. Both refugee

¹ Identified also as telegram 821, May 28, from Bern, p. 1069.

² The editors suggest that the word "use" should not appear in the text.

and territorial problem should be solved simultaneously if possible in order increase possibility of successful solution.³

ETHRIDGE

³The Department of State replied on June 7, setting forth its agreement "re desirability simultaneous solution territorial questions and refugee problem, but desires underscore necessity for positive progress towards solution refugee problem near future, in view importance time element with respect to GA and Congress. We therefore hope will be possible activate Economic Survey Group soon as Israel and Arabs firm up respective commitments re willingness accept specific numbers refugees and indicate willingness accept and cooperate with Survey Group. Survey activities old then proceed concurrently with negots for final territorial settlement." (telegram Unpal 137, 501.BB Palestine/6-249)

867N.20A/6-349

The Secretary of Defense (Johnson) to the Acting Secretary of State

TOP SECRET

WASHINGTON, 3 June 1949.

DEAR MR. SECRETARY: This is with further reference to your letter of 6 April 1949 concerning the provision of American technical assistance in the organization and training of the Israeli Army.

You will recall that on 30 April 1949, I forwarded an interim informal reply¹ to your letter in which I set forth the conclusions of a legal study by the Secretary of the Army of the questions involved, and stated that I was seeking the views of the Joint Chiefs of Staff on broad policy considerations that were involved. I now have the views of the Joint Chiefs of Staff and have, in addition, discussed this matter, among others, with Mr. Eliahu Elath, the Israelian Ambassador.

Based upon the legal study of the Secretary of the Army, the views of the Joint Chiefs of Staff, my discussions with Mr. Elath and consideration of this general subject in my office, I believe the following factual conclusions may be stated in response to the several questions contained in your letter of 6 April 1949.

a. It would be impossible for a retired officer of the regular Army to participate as an individual in the provision of technical assistance in the organization of the Israeli Army. This follows from the provisions of Article I, Section 9, Clause 8 of the United States Constitution which forbid any person holding any office from accepting any emolument, office or title of any kind from any foreign government, or its other agencies or instrumentalities.

b. It would be legally possible for a Reserve officer not on active duty to accept a position with, or engage himself as, a military ad-

¹Not printed.

viser to the Government of Israel, provided he did not actually enter the military service of Israel, and provided that such action did not at the time contravene that provision of the United States Code which states that any citizen of the United States who accepts and exercises a commission to serve a foreign government in war against any state with whom the United States is at peace shall be fined not more than two thousand dollars, or imprisoned for not more than three years, or both.

c. It would be possible for a Reserve officer not on active duty to resign his commission and accept a position with, or engage himself as, a military adviser to the Government of Israel, provided that such action was not at the time in violation of the aforementioned provision of the United States Code.

d. A military mission to Israel could be established by the President under the authority of the Act of 19 May 1926, as amended. The authority to take such action exists only "during war or declared emergency", but for the purposes of the particular law, World War II has not been terminated. Thus, although as indicated in your letter of 6 April 1949, permanent authority for the establishment of such a mission is lacking, interim authority does exist. Moreover, the draft of foreign military assistance legislation prepared by the Foreign Assistance Correlation Committee provides for the deletion of the clause quoted above so that this legislation, if enacted, would permit the establishment of such a military mission in peacetime.

The Joint Chiefs of Staff are of the opinion, and I concur, that from the standpoint of the National Military Establishment, the only suitable method of providing the kind of technical assistance requested would be through a military mission. Although legally possible, as indicated above, we do not think it advisable that this government should, in any wise, sponsor or support the acceptance by Reserve officers, or by Reserve officers who have resigned their commissions, of positions as military advisers to the Government of Israel. Therefore, if the Israeli Government should undertake to employ such individuals, it should be made abundantly plain that such employment is in no wise under the sponsorship of the United States Government, and that such individuals cannot be supplied with assistance or support of any kind by the National Military Establishment. The reasons for this position can be concisely stated: In the first place, we could not associate ourselves with any arrangement which attempted to establish a military mission by indirection at a time when, for reasons hereinafter discussed, the official establishment of such a mission would be inadvisable. In the second place, we believe it would be anomalous to have any element of expressed or implied United States Government sponsorship of such individuals in a situation where United States military control over such individuals was completely lacking.

Similarly, we do not believe it would be advisable at this particular time to establish a United States military mission to Israel, although such action might well be desirable at a later date. From a military standpoint, and as indicated in my letter to you of 16 May 1949,² it would be advantageous to foster the orientation of Israel to the United States. From a military point of view, however, this should not include the initiation of any action, such as the establishment of a military mission to Israel, which might expose the United States to the possibility of overt involvement in the Jewish-Arab conflict. Our strategic interests in the Middle East would certainly suffer if Israel should become involved in a resumption of the armed conflict with her neighbors after our establishment of a military mission with the Israeli Government. Consequently, any action of this kind would be inadvisable until after conditions with respect to Israel and the Arab League have become so stabilized that risk of further conflict in that area is remote. It should be added, moreover, that the Joint Chiefs of Staff are of the opinion that the Israeli Army is not presently in any dire need of foreign technical assistance in its organization and training.

Whenever conditions in the Middle East are stabilized, we are of the opinion that, should the Government of Israel still desire a military mission, the over-all question of military missions to the nations of the Middle East should be taken up with the British Government, in view of the fact that the United States and United Kingdom have generally similar security interests in this area. In addition, if such a military mission were to be established, the Joint Chiefs of Staff are of the view, in which I concur, that its personnel should consist of active duty officers, rather than retired officers.

In arriving at the foregoing conclusions, we have recognized that the policy of the United States Government toward Israel is one of friendly support, and our opinions with regard to the question of technical military assistance are, therefore, offered solely from the military point of view and without specific knowledge as to what the limits of present governmental policy may be. However, within these limitations, we recommend that definitive action on the Israeli request be deferred until stability in the Middle East area has been assured, and until, at that time, the British attitude on the larger question of technical military assistance to the various nations in that area has been explored.

Sincerely yours,

LOUIS JOHNSON

² Not printed, but see the last paragraph of the enclosure to Secretary Johnson's memorandum of May 16 to Admiral Souers, p. 1012.

501.BB Palestine/6-249: Telegram

The Acting Secretary of State to the Secretary of State, at Paris

TOP SECRET NIACT

WASHINGTON, June 3, 1949—7 p. m.

Telac 50. Ref para 3 Telac 38 June 1. View Ethridge negative reaction immediate incorporation Pal territory now administered by Jordan or extension Brit treaty to this territory (ref Palun 182 June 2 being rptd you¹), Dept believes desirable inform Bevin US considers advisable no action be taken above two points present time. You may wish make available to Bevin Ethridge's opinions.²

WEBB

¹ As Telac 52, June 3, 7 p. m., not printed.

² Secretary Acheson, in reply from Paris on June 6, stated: "We communicated to Bevin today point[s] made Telac 50 repeating your reftels to Holmes in London requesting inform Michael Wright. Embassy London instructed to follow up on Wright visit Washington." (telegram Actel 44, 501.BB Palestine/6-649) Julius C. Holmes was Counselor of Embassy in the United Kingdom.

501.BB Palestine/5-2849: Telegram

*The Acting Secretary of State to the Legation in Switzerland*¹

TOP SECRET

WASHINGTON, June 4, 1949—2 p. m.

Unpal 133. For USDel, Lausanne. For your info only, since USG regards refugee problem as overriding factor in determining eventual disposition Gaza strip (Palun 174 May 28), USG would approve incorporation area in Israel as part final territorial settlement provided this cld be achieved by negot with and full consent Egyptian Govt and provided territorial compensation made to Egypt according Pres' formula if Egypt desires such compensation. Event transfer to Israel, USG considers fol provisions wld be essential to safeguard refugees and residents Gaza strip: (1) clear and unequivocal assurances by Israeli Govt concerning acceptance refugees and resident population Gaza strip as legitimate cits Israel with same rights and same protection accorded Jewish cits, and Israeli Govt undertaking that its civil and military authorities will respect spirit and letter of such assurances; (2) provision for UN supervision of transfer of area and of subsequent status and treatment of population for appropriate period of time.

In opinion Emb Cairo (Palun 181 June 2) without consulting Egyptian auths, Egypt might well be willing cede Gaza strip to

¹ This telegram was repeated to London and Cairo.

Israel provided latter assumes refugee burden, since area wld ultimately become administrative and financial liability to Egypt. Azzam Pasha² (Cairo A-565 May 16³ rptd you) expressed similar views. Emb considers it probable Egyptian Govt wld reserve final decision until formal peace negots and wld use as bargaining point.

WEBB

² Secretary-General of the Arab League.

³ Not printed.

501.BB Palestine/6-649: Telegram

The Acting Secretary of State to the Legation in Switzerland

SECRET

WASHINGTON, June 6, 1949—3 p. m.

Unpal 134. For USDel, Lausanne. In recent conversation in Dept Bunche expressed view that Middle East arms embargo should be lifted upon conclusion Syrian armistice. His proposed res (Palun 95)¹ intended to have this effect. In formulating its position on this question Dept would be interested in your views as to whether lifting the embargo would have any serious effect prospects achieve peaceful settlement Palestine conflict.²

WEBB

¹ Identified also as telegram 132, March 24, from Beirut, not printed, but see footnote 1, p. 869.

² Mr. Ethridge, in reply on June 8, stated: "USDel believes SC should discontinue certain provisions of outstanding resolutions including arms embargo following conclusion Israeli-Syrian armistice agreement. USDel does not believe such action would have serious effect on peaceful settlement. USDel hopes it will be possible avoid prolonged debate in SC on lifting embargo and that it will be handled as discontinuance of one of several provisions." (telegram Palun 187 from Lausanne, 501.BB Palestine/6-849)

The following day, the United States Mission at the United Nations gave its view that "it would be most unwise precipitously and completely to lift ME arms embargo in near future (re Unpal 134). A dangerous armaments race might result if all controls are taken off by SC and there is no agreement among principal potential arms suppliers. Arms sales should somehow be limited not only with regard to war potential but also having in mind economic burden and need for refugee assistance and economic development. There are too many warning signals to overlook, including current tense situation at demilitarized Government House, the frequent boastful military attitude of Israelis expressed in New York, Washington, and Israel. Some Arabs also obviously champing at the bit to secure arms and assume military posture. It seems almost certain that an uneasy situation will prevail in ME for long period, even assuming reasonably successful outcome of Lausanne discussions."

The Mission also gave its opinion that limited arms for police forces might be made available, noting that Mr. Bunche had approved at least one Egyptian application to purchase sidearms for police purposes (telegram 693 from New York, 501.BB Palestine/6-949).

Regarding the difficulties at Government House, see footnote 1, p. 1098.

501.BB Palestine/6-749

Memorandum by the Acting Secretary of State

TOP SECRET

[WASHINGTON,] June 7, 1949.

MEETING WITH PRESIDENT, JUNE 7, 1949

ISRAELI PROPAGANDA IN PALESTINE CASE

I informed the President of the activities of certain agents of the Israeli Government and he requested me to stand completely firm in the position we have taken. If necessary, he is agreeable to the Department informing the Israeli Ambassador that, unless such activities cease, our note will be immediately released and the Department will take action to clear up any possible misunderstanding that has been created.

JAMES E. WEBB

711.00111 Armament Control/6-749: Circular telegram

*The Acting Secretary of State to Certain Diplomatic and Consular Offices*¹

SECRET

WASHINGTON, June 7, 1949—6 a. m.

View UK desire permit supply certain quantities arms and ammunition to Egypt, Iraq, and Jordan and if necessary to other Arab states for internal security and training purposes, UK Govt recently approached US Govt re possibility lifting Near East arms embargo. Dept has informed Brit Emb that it is belief of US Govt that it would be untimely for UK to deliver "military equipment" to Arab states without change in SC truce res or without agreement of Bunche.

With regard to shipment of weapons and ammunition for internal police as opposed to military purposes, Dept suggested UK might wish discuss subject with Acting Mediator. Dept understands from Brits their reps subsequently approached Bunche and obtained his approval limited shipment of arms to Arab states for internal police purposes.

WEBB

¹ At Arab capitals and Ankara.

501.BB Palestine/6-349: Telegram

*The Acting Secretary of State to the Legation in Switzerland*¹

SECRET

WASHINGTON, June 7, 1949—8 p. m.

Unpal 139. For USDel, Lausanne. Dept has fol questions and comments on Palun 179² and 183,³ Jlem 19, Jun 2,⁴ and Amman 15, Jun 4.⁵

Your endorsement in Palun 170 [179] of "limited agreement" mentioned Jlem tel 370, May 20, appears to refer second suggestion that tel. We have two queries as to this. First, we are not clear as to procedure envisioned for reaching such agreement. Agreement of this scope appears to come within terms reference existing special comite which seems unable make progress. Second, as stated in Jlem tel, this proposal does not contain principal pt [*point?*] demanded by Arabs. We accordingly need further clarification as to how this solution cld be brought about.

It was existing impasse that led to Depts suggestion that parties be called upon adopt new procedure involving slightly altered terms reference explicitly including territorial adjustments. Suggestion wld be based upon need peaceful solution, failure efforts negot agreement, and offer impartial procedure which wld result solution based on equity and having backing internatl community. Admitting one or both parties might reject procedure, they wld nevertheless find this difficult in face argument just mentioned and their reaction and arguments might themselves pt way further proceedings.

A possible compromise resulting from such suggestion might be that suggested Amman reftel which basically similar except for omission arbitral function. Wld seem preferable attempt arbitration and if impossible recede this position.

Amman suggestion in Legtel 215, May 24, that special comite be adjourned and that Lausanne conference deal with Jlem as whole wld be acceptable if PCC has necessary technical info and if it desires take on negot added problem on which previous negot unsuccessful.⁶

¹ This telegram was repeated to Jerusalem and Amman.

² Identified also as telegram 829, May 31, from Bern, not printed, but see footnote 2, p. 1041.

³ Dated June 3, from Lausanne, not printed.

⁴ This was a repeat of telegram 395, June 2, from Jerusalem, p. 1084.

⁵ This was a repeat of telegram 233, June 4, 3 p. m., not printed, but see footnotes 3 and 4, p. 1108.

⁶ In reply on June 13, Mr. Hare set forth the belief of the United States Delegation that it would be "premature for PCC take on Jerusalem problem in absence of agreement on general Palestine question." (telegram Palun 200 from Lausanne 501.BB Palestine/6-1349)

Dept appreciates considerations Palun 183 but envisions PCC wld make proposal including broadly stated terms reference and suggestion high caliber arbitrator. Parties shld indicate acceptance or rejection rather quickly or time limit cld be set. If acceptance conditioned on modification terms reference or selection arbitrator, these cld be taken up expeditiously and if not successful project cld be dropped. Time limit cld also be set for conclusion proceeding. In view reaction Jlem and Amman we withdraw suggestion Azcarate but think Judge ICJ wld be appropriate since Court in adjournment until fall. In addition De Visscher, Judge Klaestad of Norway wld seem appropriate choice.

Dept continuing maintain open position this question and invites comments.

WEBB

501.BB Palestine/6-849

Memorandum of Telephone Conversation, by the Director of the Office of Near Eastern and African Affairs (Satterthwaite)

SECRET

[WASHINGTON,] June 8, 1949.

I called Mr. Ethridge at Mr. Rusk's suggestion to explain the difficulties we are encountering in finding a successor and to ask if he would be good enough to remain in Lausanne a few days longer in order to enable us to make final arrangements about a successor. This, we thought, might make it possible for him to complete the present phase of the talks.

Mr. Ethridge said first before replying he wanted to report on developments there. Mr. Eytan returned about an hour ago and immediately released a copy of an article in today's Palestine *Post* under the by-line of its diplomatic correspondent. Eytan has requested that copies of this article be circulated tonight. The gist of this article is that it can be stated authoritatively that in spite of impressions to the contrary there has been absolutely no change in the policy of the Israeli Government with respect to the questions of boundaries and refugees and that nothing has happened to alter the attitude of the Israeli Government in the slightest.

Mr. Ethridge said that he is seeing Eytan in about one hour. The Arab delegations have asked to see him tomorrow morning about the Jerusalem situation. Fawzi el Mulki has told him that unless the Israeli troops are withdrawn from the neutral zone surrounding the Government House it will be impossible for him to carry on any further conversations.

Mr. Ethridge then went on to explain that he and his staff were at the moment considering making the following suggestions to the Department. If I understood them correctly in spite of a very bad connection it was to the effect that the Commission propose an adjournment to mid August, when it would meet again at Lake Success. In the meantime a small staff would be retained which would be available to the parties if they had further suggestions. In this case Mr. Ethridge could, of course, continue as U.S. Representative.

Mr. Ethridge has already cabled the text of the Palestine *Post* article. He did not indicate that he would be cabling the foregoing suggestion to us now. Rather he requested that we phone him at 11 o'clock tomorrow morning our time (4 p. m. Lausanne time). He apparently feels that in all probability the talks will "blow up" tomorrow.

With reference to our request that he stay on a few days, he said that he would, of course, if necessary although it would be inconvenient for him. Since Hare has full information concerning all aspects of the problem, he seemed to feel that Hare could tie up the loose ends as well as he.

Mr. Ethridge also reported that Mr. Sassoon has told many people in Lausanne about our note. Cy Sulzberger¹ is about to arrive in Lausanne and will no doubt hear about the note. Mr. Ethridge does not intend, of course, to discuss the matter with Sulzberger. He does, however, intend to give him background information concerning the situation in view of the fact that Sassoon has been talking so freely. I said that we would, of course, have no objections to this.

¹ A reporter for the *New York Times*.

501.BB Palestine/6-849: Telegram

*The Acting Secretary of State to the Embassy in Israel*¹

TOP SECRET

WASHINGTON, June 8, 1949—11 a. m.

344. Dept gathered from conversation with Shiloah June 6 that Israeli Govt is under impression that note which Pres recently directed be delivered Tel Aviv was in large part motivated by Israeli offer at Lausanne to take Gaza strip and refugees therein. Shiloah said Govt was "astonished that it should be accused of territorial expansionism" because of this offer.

¹ This telegram was repeated to Bern for the American Delegation at Lausanne.

Pls take earliest opportunity disabuse appropriate Israeli officials this misconception, leaving no doubt in their minds that dispatch of note was occasioned by rigid Israeli position, as set forth by Eytan, on refugee question and overall territorial settlement, despite reiterated US suggestions these matters arising out of concern for peace and stability NE and based on principles fairness and equity.

With regard to Gaza strip, state that US sees no reason why area might not be incorporated Israel as part final territorial settlement provided this cld be achieved by negot with and full consent of interest Govts and providing equitable territorial compensation made to those Govts if desire such compensation.

WEBB

501.BB Palestine/6-849: Telegram

Mr. Mark F. Ethridge to the Secretary of State

RESTRICTED

LAUSANNE, June 8, 1949—11 a. m.

Palun 188. Information contained Deptel 727, June 2¹ is further evidence Israeli tactics revealed Palun 184² toward objective breaking up Lausanne Conference and blaming PCC. PCC has made it clear it would welcome direct talks if parties would consent. All delegations on PCC including particularly USDel have encouraged direct talks. Thus far, however, Arabs have refused because Israel's unyielding position and because first private meetings between Israelis and Arabs were released by Israelis to press. Basic reasons for failure of either direct or indirect talks are those outlined in Palun's 174 and 175.³

Specific instances Israeli misrepresentations are:

1. Paragraph 2 reftel is similar attacks in Israeli press designed discredit PCC. Boisanger has been to Paris; Yalcin to London but PCC has continued to meet and delays have usually been attributable to failure either side make or answer reasonable proposals. For example Israeli Government has not yet given complete answers to Arab proposals regarding urgent measures first broached early April and again confirmed recently (Palun 166).⁴

2. Each sentence in Paragraph 3 is inaccurate even including statement Arabs and Jews have been slipping off to Paris to talk. Arabs

¹ Sent to Bern for Mr. Ethridge, not printed; it gave excerpts from telegram 668, June 1, 7:45 p. m., from New York, not printed, describing a conversation by John C. Ross with Messrs. Eban and Shiloah the same day. (Nos. 727 and 668 are both filed under 501.BB Palestine/6-149)

² Dated June 4, 11 a. m., from Lausanne, not printed.

³ Identified also as telegrams 821 and 822, May 28, from Bern, pp. 1069 and 1071, respectively.

⁴ Dated May 23, from Lausanne, p. 1044.

assure me Sassoon has undertaken to lure them away but they will not play his game as he promises nothing. He has however, been in contact with Abdullah through Paris (reference Palun 184).

3. First sentence Paragraph 4 is generally untrue. There has been no divergence views between members PCC. As to second sentence Arabs have not yet reached stage of discussing territorial compensation officially. Private conversations with them indicate, however, their eventual acceptance necessity therefor.

4. Arabs have thus far refused consider Israeli territorial proposals including Gaza strip project pending constructive action by Israelis regarding refugees. Arabs privately consider Israeli Gaza strip project unacceptable as it trades refugees for territory.

It is most unfortunate that an already difficult task should be complicated by inaccurate reports. Although Sassoon with whom have discussed these reports denies sending Shiloah such information, I have impression both Sassoon and Shiloah are deliberately muddying the waters.

ETHRIDGE

867N.01/6-849 : Telegram

The Chargé in Jordan (Stabler) to the Secretary of State

TOP SECRET

AMMAN, May 8 [June 8], 1949—11 a. m.

236. Legtel 217, May 26. During call on King this morning I asked him whether there had been any further developments re Sassoon's message. HM indicated that Transjordan Minister Paris had been instructed to reply to Sassoon's message that Transjordan Government considered Israel's demand that Transjordan troops leave Palestine without prejudice to Transjordan rights in Arab Palestine and that while Transjordan interested in reaching peace agreement it not interested in direct negotiations. (Foreign Minister had earlier told me that Transjordan Government had summarily rejected Sassoon's proposal.) In reporting his talk with Sassoon as result above instructions, Transjordan Minister Paris said Sassoon had proposed that Transjordan and Israel agree on peace terms calling for following boundaries: (a) Northern and southern boundaries to follow old international frontiers; and (b) East-West boundary to follow present armistice lines with adjustments in Jerusalem and Latrun areas. Israel unwilling give up any area it now holds, but would be willing consider return certain refugees to Ramle and Lydda which would remain under Israeli sovereignty. King said this of course not acceptable.

At this point, I conveyed to HM Department's views as expressed in Deptel 72, June 1. King listened attentively and indicated his

agreement these views. However, he pointed out that there are only two courses of action to be followed in settling Palestine question—either peace or war. HM does not want war and is desirous of reaching peace settlement. But if US unable to bring about just and reasonable peace, then US must not deny him right to have arms and ammunition for self-defense. He reiterated that US could be sure that these arms and munitions would be used for self-defense only.

HM then referred to Israeli attack evening June 6 in "Hill of Evil Counsel" area Jerusalem¹ as evidence Israeli intentions not peaceful. He expressed concern re possibility Israelis planned take further aggressive action Jerusalem. Transjordan Government had requested Gen. Riley come to Jerusalem and he expected there this morning.

(King's Chamberlain later said special committee meeting scheduled for June 7 had been called off pending settlement situation growing out of Israeli attack.)

Sent Department 236, repeated Bern 16 (for USDel PCC), Jerusalem 112.

STABLER

¹ Chargé Stabler, on June 8, reported information from Jordanian sources that an Israeli detachment had moved into the Arab College and Agricultural School near Government House and had placed minefields and barbed wire along the northern and western approaches to Government House and that General Riley had referred the matter to Mr. Bunche as a violation of the Israeli-Jordanian Armistice. Similar sources also informed the Chargé that a number of shooting incidents had occurred in the triangle area. Mr. Stabler "strongly" recommended that the Department urge restraint on the Israeli Government and that the Conciliation Commission hasten implementation of the proposed plan of action regarding the Special Committee, lest peace in Jerusalem become problematical (telegram 238 from Amman, 501.BB Palestine/6-849). Regarding the proposed plan, see Unpal 133, June 4, to Bern, p. 1090.

The Department, on June 10, expressed to the U.S. Delegation at Lausanne its serious concern about the Chargé's report and "strongly" urged it to "consider possibilities PCC exerting control over this situation before recess." (Unpal 143 to Bern, 501.BB Palestine/6-1049) Mr. Hare replied, on June 13, that "USDel does not believe PCC is either in practical or official position to exert control over situation referred to in Unpal 143. . . . PCC has neither the organization at Lausanne or Jerusalem to handle such matter. Even if PCC could handle, GA resolution December 11 makes no provision for its jurisdiction of matters arising under truces or armistices pending transference such function by SC to PCC." (Palun 199 from Lausanne, 501.BB Palestine/6-1349)

Consul Burdett, on June 8, advised that Israeli seizures near Government House "now considered by Consulate General serious and carefully planned Israeli move" and that the Arabs had immediately protested to the United Nations and had stated that they would not attend further meetings of the Mixed Armistice Commission until Israeli troops were withdrawn. Mr. Burdett expressed himself as being "convinced strongest measures should be taken to force withdrawal Israeli troops from Govt House area. UN now faced with complete cessation negotiations in Jerusalem and probable repercussions at Lausanne. . . . fact Israel able carry through such move with impunity will only make final settlement much more difficult by demonstrating again to Arabs unwillingness UN curb Israel and by enticing Israel to further such acts." (telegram 402 from Jerusalem, 867N.01/6-849)