

VERNMENT



CANADA

## STATEMENTS AND SPEECHES

INFORMATION DIVISION  
DEPARTMENT OF EXTERNAL AFFAIRS  
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### CANADIAN STATEMENTS ON THE STATUS OF JERUSALEM AND THE HOLY PLACES

1. Statement on the Status of Jerusalem, made by General A.G.L. McNaughton, in the Special Political Committee of the General Assembly of the United Nations, November 29, 1949.

Some of the delegates who have preceded me in this general debate have referred to the resolution of the General Assembly of November 20, 1947, as well as to the resolution of December 11, 1948. The latter, in the opinion of the Canadian delegation, is complete and, in itself, it sets forth the explicit terms of reference of the Conciliation Commission which it established, that is, we recognize that the resolution of 1947 should be regarded in the light of the changed circumstances. In particular, we consider that the words "maximum local autonomy for distinctive groups" in the resolution of 1948 were designed to instruct the Commission to take into account the relevant new elements of the situation which had developed since November 29, 1947.

Of course, "maximum local autonomy" for the Arab and Jewish communities of Jerusalem is subject to the primary requirement for an effective United Nations control with full safeguards for the protection of the Holy Places and sites and free access to them, and for religious freedom.

Thus, the first question which arises is what kind of United Nations control is required to ensure the effective protection of, and free access to the Holy Places and sites, as well as religious freedom in Jerusalem. For its part, the Canadian delegation continues to believe that these matters must be organized under international authority.

The next question is the extent of international control which will, on the one hand, safeguard effectively the religious interests and, on the other hand, leave "maximum local autonomy" to the two main groups of the population of Jerusalem. Here, our reply is that the plan of the Conciliation Commission offers an acceptable basis for discussion. These proposals may well have to be strengthened in a number of respects, as many delegates have suggested; yet, generally speaking, they seem to us to be in accord with the resolution of December 11, 1948, and nothing has happened since that date to suggest that any radically different solution should be considered. The Conciliation Commission plan appears to us to provide for the legitimate interests of the Peoples of Jerusalem and, at the same time, to offer a way to give effect to the basic principle of the protection of the Holy Places and freedom of access thereto. It offers a much

simpler and less arbitrary scheme of international control than the plan proposed by the Trusteeship Council in April, 1948, under which an undivided Jerusalem would have been ruled, under the Trusteeship Council, by a United Nations Governor, exercising full executive power and authorized during emergencies to exercise legislative power as well.

In our view, the Conciliation Commission plan is much more practical in that it accepts the existing fact of a divided Jerusalem. The duties of the United Nations Representative, or Commissioner, which it proposes are restricted to what is essential and other matters are left to the competence of responsible Arab and Israeli municipal authorities in the two zones with adequate provision so that they can co-operate in their common interest through the mechanism of the tribunals and the General Council to be created under the plan. Unlike the former proposals of the Trusteeship Council, the Conciliation Commission plan was drafted only after the matters at issue had been fully discussed both in Palestine and at Lausanne with the Arab and Israeli authorities. While these discussions did not succeed in producing an agreed solution, nevertheless, the members of the Conciliation Commission have had at least the benefit of the views of the two parties locally concerned and they have been able to evaluate considerations in the light of the evidence placed before them.

The Canadian delegation therefore supports the Conciliation Commission plan as a basis for discussion; as regards procedure we suggest that the sub-Committee might go into details with a view to adjusting the provisions of this plan as may be found necessary or expedient, bearing always in mind the two essential elements of the resolution of December 11, 1948, that is, the effective safeguarding of the Holy Places and free access thereto as a first and paramount requirement and the "maximum local autonomy" as a second.

It may be that in the Committee it will be found expedient to amend the wording of the Conciliation Commission's plan somewhat to make abundantly certain that the first requirement will take precedence over the second, and further that the General Assembly will continue to have the duty to keep the situation constantly under review so that if arrangements made in relation to the Holy Places should not prove to have worked out satisfactorily, then, the General Assembly will have the right to effect whatever revision it may deem necessary.

The General Assembly could, of course, decide now to go back to the resolution of November 29, 1947, if it wished. In such a case, however, I think we should first make quite sure that we have not only the desire to establish an international city on the grounds that this far-reaching solution is really necessary for the purpose in view, but also we must be sure that we have the willingness to assume the heavy financial, administrative and military obligations which a territorial internationalization would entail. The distinguished delegate of France, on Saturday, has very pertinently raised that issue. We should not mislead ourselves with words. The Canadian delegation feels that we would fail to serve either the interest of the international religious community or of the people who live in Jerusalem if we were to adopt such an ambitious scheme without being satisfied that it is really essential and also

being fully determined to carry it out in the face of the vigorous opposition which it would certainly arouse. The Canadian delegation also shares the view expressed by the eminent and experienced delegate of Lebanon on Saturday and again yesterday when he said that something has to be done now if something is to be done at all. Postponement of action would lessen the authority of the United Nations and would encourage the forces tending to new "faits accomplis", which might make it much more difficult to ensure the kind of internationalization deemed necessary for safeguarding the paramount religious interests in Jerusalem.

Finally, Mr. Chairman, I would like to say that the Canadian delegation recognizes the genuine and legitimate desire of the two main groups which inhabit the city to administer their own affairs in the closest possible relation with their respective States, and we recognize that if their legitimate aspirations are met in this regard, then the protection of the Holy Places will rest on a firmer and more enduring foundation. Actually the Conciliation Commission plan, in its broad lines, and with the modifications I have indicated, seems to us to contain the formula which best meets such desires without endangering the international religious interests with which we must all be primarily concerned. Thus the Canadian delegation regards the Conciliation Commission plan not as a compromise, but as the basis for an effective long-term solution in which all interests will have been duly taken into account.

In conclusion I would like to say, Mr. Chairman, that it is our earnest hope that all the Governments concerned will recognize the necessities of the position which has now been reached and that they will fully explain these necessities to their peoples. In this respect, I think a particular responsibility rests with the State of Israel, since it was made clear to that State when it was admitted to membership in the United Nations last spring, that the world continued to count on a solution to the problem of Jerusalem which would be satisfactory to all parties. We supported Israel's application for membership in the United Nations in the confidence that our expectations in regard to the proper protection and access to the Holy Places would be fulfilled. On May 6, 1949, our representative on this Committee referred to the unsolved problems in Palestine -- final boundary adjustments, Arab refugees, and the future of Jerusalem -- and stated our understanding that solutions would be reached "within the meaning and spirit of the resolutions of the Assembly and the Security Council and of the aims and purposes of the United Nations." We trust that the Government of Israel will now agree to fulfil their part of these obligations in good faith.

2. Statement on the Internationalization of Jerusalem and the Protection of the Holy Places, made by General A.G.L. McNaughton, in Plenary Session of the General Assembly of the United Nations, December 9, 1949.

During the discussion in the Ad Hoc Committee of the Australian proposal for a "corpus separatum" in the Jerusalem area, my delegation indicated our misgivings on its practicability.

We did not then and do not now see how it is to be implemented.

We have studied with care the statements of other delegations regarding this resolution, and I would be less than frank if I did not state that the explanations of those who supported this resolution in the committee did not give us any reason to believe that this proposal will offer a practicable solution.

We are strengthened in that view by the comments which have been made by the representatives of the United Kingdom, The Netherlands and Sweden in this Assembly, and by the United States in committee.

My delegation has emphasized that our first consideration is the effective protection of the Holy Places. We believe, as the vast majority of delegations here believe, that this effective protection can only be ensured by effective and adequate international authority.

This does not mean, however, that the mere adoption by this Assembly of a sweeping resolution for the most complete international administration over a city, irrespective of the wishes of the inhabitants, can give this protection. Indeed, there is reason to fear that if the Assembly disregards the real needs and the genuine aspirations of the people who live in the Jerusalem area, the result may be to endanger the very Holy Places whose protection is our greatest interest and concern.

The wishes of the inhabitants of Jerusalem, and of the populations of the neighbouring areas, cannot, in the view of my delegation, be the sole or in any sense an over-riding criterion, in determining the appropriate measures necessary for sites whose sacred character makes them a matter of deep and abiding concern for millions and millions of people throughout the world.

It is, however, no less true that the legitimate interests, and the attitudes and aspirations of the inhabitants, cannot be ignored if we are to achieve a solution that will work and which will endure. To adopt in this General Assembly a solution that would not work would, in our view, be a great disservice to the United Nations, and more particularly, it would be an act of irresponsibility in regard to the Holy Places whose protection, I repeat, it must be our first duty to ensure.

My delegation will therefore vote against the proposal initiated by Australia, and amended by the delegations of Salvador, Lebanon and the Union of Soviet Socialist Republics.

The Canadian Secretary of State for External Affairs, Mr. L.B. Pearson, made a statement in the general debate at the opening of this session of the Assembly, which illustrates the attitude of my Government on this, as on many other matters affecting the United Nations. Mr. Pearson said, and I quote:

"So far as the Canadian Government is concerned, we have tried to make practicability the touchstone of our attitude towards the United Nations. Where we consider there is any real promise that a proposed course of action will contribute effectively to the solution of any particular problem, we are prepared to give it our full support. On the other hand, we wish to avoid giving to the United Nations, tasks which in the light of the

limitations under which it now suffers, and which must some day be removed, it is clearly unable to perform. We wish to be certain that before any course of action is initiated, there is a reasonable expectation that it can be carried through to a good conclusion, and that the members of the United Nations will support the organization in this process."

On this question of Jerusalem, it seems to me that we should keep our eye firmly on our proper objective, which is the international protection of the Holy Places. If we assert an international interest far beyond what is necessary for this purpose, we may endanger the accomplishment of this objective.

My delegation feels, therefore, that the essential requirement is an effective United Nations control with full safeguards for the protection of the Holy Places and Sites and for free access to them, and for religious freedom. Subject to this, we should seek to allow the maximum local autonomy for the Arab and Jewish communities of Jerusalem. The solution of our problem should therefore be to establish that kind of United Nations control which is required to ensure effective protection of religious interests, while avoiding the assumption by the United Nations of responsibilities and controls which are unnecessary for this purpose. Such unnecessary responsibilities, if beyond the powers of the United Nations, would be inadequately discharged. Such a situation would place the Holy Places and the interests of religious persons throughout the world in jeopardy.

My delegation believes that the proposal put forward by The Netherlands and Swedish delegations meets the principles of practicability, of effective protection for religious interests, and of maximum local autonomy compatible with this effective protection. The Canadian delegation will vote for this joint Netherlands-Swedish proposal.

In doing so, we do not claim that it is perfect in all its clauses. We do believe, however, that it is the one promising solution, suggested in the course of our deliberations in this Assembly, which gives evidence of practicability and which seems likely to command the necessary international support to make it effective.

We hope that this joint Netherlands-Swedish proposal will be adopted, and in consequence we will vote against the Australian proposal, which we hope will be defeated.

I must make it clear that the Swedish-Netherlands proposal, like any other proposal, is necessarily in the nature of an experiment. The interest of the United Nations in the protection of the Holy Places, and therefore in the situation in Jerusalem, must be a continuing interest.

For this reason, a feature which appeals to us in this proposal, is the provision for review by the General Assembly at an early future session. The adoption by this Assembly of the Netherlands-Swedish resolution would in no sense prejudice the right, and indeed the duty of the General Assembly to revise the form and scope of internationalization for Jerusalem, should experience and future developments in the area make this desirable.

The United Nations must continue to have responsibility for Jerusalem, and to exercise final authority over this Holy City. We must constantly watch developments there, to ensure that the Holy Places, and access to them, and religious freedom in them, are duly protected.

We believe that the best step which the General Assembly can now take to discharge these responsibilities is the adoption of the draft resolution put forward by the delegations of The Netherlands and Sweden.

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