
General Assembly

A/516

25 November 1947

Missing text is indicated as follows: [...]; see GA resolution 181 (II) A

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REPORT OF THE AD HOC COMMITTEE ON THE PALESTINIAN QUESTION

Rapporteur: Mr. Thor THORS (Iceland)

1. The General Assembly, at its ninetieth meeting held on 23 September 1947, established an Ad Hoc Committee on the Palestinian Question, to which it referred the following items:

- (a) Question of Palestine: item proposed by the United Kingdom (document A/286);
- (b) Report of the Special Committee on Palestine (A/364);
- (c) Termination of the Mandate over Palestine and the recognition of its independence as one State: item proposed by Saudi Arabia and by Iraq (A/317 and A/328).

2. The Ad Hoc Committee, at its first meeting held on 25 September, elected Dr. H. V. Evatt (Australia) as Chairman, Prince Subha Svasti (Siam) as Vice-Chairman and Mr. Thor Thors (Iceland) as Rapporteur. It also decided to invite the Arab Higher Committee and the Jewish Agency for Palestine to be represented at its deliberations in order to supply such information or render such assistance as the Committee might require. The invitation was accepted. Representatives of the Arab Higher Committee and of the Jewish Agency attended the meetings of the Ad Hoc Committee.

3. At its second meeting, held on 26 September, the Committee heard a preliminary statement by the representative of the United Kingdom. He recalled that the United Kingdom representative at the special session of the General Assembly had indicated that his Government would be in the highest degree reluctant to oppose the Assembly's wishes in regard to the future of Palestine. He added that the British Government was not, however, prepared to impose by force of arms a settlement which was not acceptable to

both the Arabs and the Jews of Palestine and that, in the absence of a settlement, it must plan for an early withdrawal of British forces and of the British administration from Palestine.

At the same meeting, the Chairman of the Special Committee on Palestine introduced the report of the Special Committee.

4. At its third meeting, the Ad Hoc Committee heard the representative of the Arab Higher Committee, who rejected the recommendations of the Special Committee on Palestine and advocated the establishment on democratic lines, in the whole of Palestine, of an Arab State which would protect the legitimate rights and interests of all minorities. At the fourth meeting the representative of the Jewish Agency indicated its readiness to accept, subject to further discussion of the constitutional and territorial provisions, the majority plan of the Special Committee on Palestine.

5. A general discussion of the three items of the agenda followed those preliminary statements. It afforded an opportunity to delegations to express their views on the question of the future government of Palestine and on related problems, particularly the problem of the enforcement of the recommendations which the General Assembly might adopt and the problem of Jewish refugees and displaced persons in Europe, whose connection with the Palestinian question had been pointed out by the Special Committee. The general discussion, begun at the fifth meeting, was closed at the end of the sixteenth meeting. The representative of the United Kingdom, in the course of the fifteenth meeting, stated that his previous announcement of the decision to withdraw the British forces and administration from Palestine was designed to induce both parties to face the consequences of failure to agree, to emphasize the urgency of the matter and to leave the United Nations unhampered in its recommendations as to the future government of Palestine. In no case, however, would the British Government accept responsibility for the enforcement of recommendations either alone or in the major role.

6. After the general discussion the representatives of the Jewish Agency and of the Arab Higher Committee were again given an opportunity at the seventeenth and eighteenth meetings, to state their views. They made declarations which confirmed their earlier statements.

7. At its nineteenth meeting the Committee discussed its future procedure. Seventeen draft resolutions had been submitted, some referring to the problem as a whole, others to certain of its aspects. The Chairman proposed that no vote on matters of principle should be taken at that stage, but that the Committee should establish: (1) a conciliation group which would try to bring the parties together, as suggested by the delegation of El Salvador (A/AC.14/3); (2)

a Sub-Committee entrusted with drawing up a detailed plan based on the majority proposals of the Special Committee on Palestine, as provided by the draft resolution of the United States of America (A/AC.14/17), amended by the Canadian delegation (A/AC.14/23); and (3) a Sub-Committee to draw up a detailed plan in accordance with the proposal of Saudi Arabia and Iraq for the recognition of Palestine as an independent unitary State and the proposal to the same effect submitted by the delegation of Syria (A/AC.14/22). The Chairman's plan received wide support. Several delegations favoured, however, that the Committee first take decisions on matters of substance and then entrust to a sub-committee the working out of details. A proposal to that effect, moved by the representative of the Soviet Union, was not adopted (fourteen votes in favour; twenty-six against) and the Committee approved the procedure suggested by the Chairman.

8. At its twentieth meeting the Committee considered the question of the composition of the conciliation group and of the two Sub-Committees which it had decided to create. As regards the conciliation group, the Chairman, Vice-Chairman and Rapporteur were authorized, if they succeeded in initiating the conciliation process, to co-opt other members to assist with their task.

As to the composition of the two Sub-Committees, the representative of the Soviet Union proposed that the Sub-Committee entrusted with the drawing up of the detailed plan of partition with economic union (Sub-Committee 1) should be composed of fifteen members and should include all the members of the Security Council. The proposal was not adopted, (six votes in favour; thirty-two votes against) and the Chairman was authorized to name the members of that Sub-Committee as well as those of Sub-Committee 2, which was to work out the details of the plan for one State in Palestine. The Sub-Committee were asked to submit their reports not later than 29 October, subject to an extension of that time limit if necessary.

9. With regard to the various draft resolutions which the Committee had not yet considered, it was decided at the twentieth meeting; (1) that the discussion of the draft resolution by Sweden and the United States approving the principles of the majority plan of the Special Committee on Palestine (A/AC.14/16) should be deferred until the report of Sub-Committee 1 had been received; (2) that the various resolutions proposing to amend the plan of the majority of the Special Committee should be referred to Sub-Committee 1; (3) that the Colombian draft resolution on acts of violence (A/AC.14/11) should be considered when the Committee discussed its recommendations to the General Assembly; (4) that either Sub-Committee was empowered to take up and

consider any or all written proposals before the Ad Hoc Committee which it deemed to be relevant to the performance of its functions, such as the draft resolutions relating to the problem of Jewish refugees and displaced persons. A proposal by the Colombian delegation to set up a special sub-committee to study this problem was not adopted (seven votes in favour; nineteen votes against).

10. By virtue of the authority vested in him by the Committee, the Chairman appointed, on 22 October, the following members to serve on the Sub-Committees:

(a) Sub-Committee 1: Canada, Czechoslovakia, Guatemala, Poland, South Africa, United States of America, Union of Soviet Socialist Republics, Uruguay, Venezuela.

(b) Sub-Committee 2: Afghanistan, Colombia, Egypt, Iraq, Lebanon, Pakistan, Saudi Arabia, Syria, Yemen.

11. The two Sub-Committees held their first meetings on 23 October. Sub-Committee 1 elected the representative of Poland as Chairman and the representative of Uruguay as Rapporteur. Sub-Committee 2 elected the representative of Colombia as Chairman and the representative of Pakistan as Rapporteur. After the representative of Colombia resigned from Sub-Committee 2, as explained in the introduction to the report of that Sub-Committee (A/AC.14/32), the representative of Pakistan was elected Chairman, while remaining Rapporteur.

12. Representatives of the United Kingdom attended the meetings of the two Sub-Committees in order to furnish information and assistance. A representative of the Jewish Agency sat in Sub-Committee 1 and a representative of the Arab Higher Committee in Sub-Committee 2, to give such information and assistance as might be required. The Arab Higher Committee did not accept an invitation to sit with the members of Sub-Committee 1 when the latter discussed the question of boundaries. The Arab Higher Committee was prepared to assist and furnish information only with regard to the question of the termination of the Mandate and the creation of a unitary State.

13. In view of the complexity of the problems with which they had to deal, the two Sub-Committees were obliged to ask for an extension of the time limit which had been tentatively fixed. The extension was granted. At the request of Sub-Committee 2, whose work was completed first, it was also agreed that the two reports would be submitted to the Committee simultaneously.

14. The reports of Sub-Committee 1 (A/AC.14/34) and Sub-Committee 2 (A/AC.14/32) were submitted to the Ad Hoc Committee on 19 November (twenty-third meeting). At the same meeting, the Ad Hoc Committee was informed by the Chairman, speaking on behalf of the conciliation group, that their efforts had not been fruitful. Both parties seemed to be

confident as to the success of their case before the Assembly and there appeared to be little hope of conciliation, at least at the present time.

15. The report of Sub-Committee 1 recommended the adoption of a draft resolution embodying a plan of partition with economic union. The plan followed, in its general lines, the proposals of the majority of the Special Committee on Palestine (two independent States, a City of Jerusalem under an international regime, and economic union of these three units). A new solution was proposed for the problem of implementation, in view of the statements of policy made by the representatives of the Mandatory Power on that problem. A Commission of five members appointed by the General Assembly would be sent to Palestine and would perform, under the guidance of the Security Council, the functions assigned to it by the General Assembly for the preparation of the independence of the Arab and Jewish States and of the establishment of the Economic Union and Joint Economic Board provided for by the plan. As regards the City of Jerusalem, its statute would be elaborated by the Trusteeship Council.

16. The report of Sub-Committee 2 recommended the adoption of three draft resolutions. According to the first, the General Assembly, before recommending a solution of the Palestine problem, would request the International Court of Justice for an advisory opinion on certain legal questions connected with or arising from that problem, including questions concerning the competence of the United Nations to recommend or enforce any solution contrary to the wishes of the majority of the people of Palestine. The second draft resolution recommended an international settlement of the problem of Jewish refugees and displaced persons, and stated principles and proposed machinery for the co-operation of Member States in such a settlement. The third resolution provided for the creation of a provisional government of the people of Palestine to which the authority of the Mandatory Power would be transferred, as a preparatory step to the setting up of an elected Constituent Assembly. The Constitution framed by the latter would inter alia contain guarantees as regards the Holy Places, human rights and fundamental freedoms. Such guarantees were enumerated in the draft resolution.

17. The discussion of the two reports began at the twenty-fourth meeting. At the twenty-fifth meeting the representative of the United Kingdom recalled the general principles contained in the statement made to the Committee on behalf of his Government at the second meeting (see paragraph 3 above).

He applied those principles to the specific proposals of Sub-Committees 1 and 2 regarding the role assigned to the United Kingdom in the implementation of those proposals. In

both cases the United Kingdom would have to perform certain functions which were not compatible with the declared intentions of its Government. In both cases also, as the Mandatory Power intended to withdraw from Palestine without assuming any responsibility for the establishment of a new regime which would not command general consent in Palestine, there would be no regularly constituted authority in the evacuated areas unless the United Nations recommended a way in which the gap could be effectively filled.

18. In view of the statement made by the United Kingdom representative, the Committee adjourned to allow the two Sub-Committees to meet immediately and representatives who so desired to consult their Governments

19. The two Sub-Committees reviewed their respective plans of implementation. Representatives of the United Kingdom attended the meetings to answer questions and furnish information. While Sub-Committee 2 decided not to alter its plan, Sub-Committee 1 revised certain of its proposals in the light of the British Statements.

20. The discussion of the two reports was resumed at the twenty-sixth meeting, the question of implementation being left aside until Sub-Committee 1 had submitted its revised draft.

21. The revised draft of Sub-Committee 1 was submitted at the twenty-seventh meeting (A/AC.14/34/Add.2).

22. The discussion of the two reports was pursued during four meetings (twenty-seventh to thirty-first). During the twenty-eighth meeting, the representative of the Jewish Agency renewed the offer he had made in Sub-Committee 1 to transfer to the Arab State a part of the Beersheba area and a portion of the Negeb along the Egyptian frontier, if such an offer could satisfy certain delegations which were in favour of partition, but had suggested an extension of territory for the Arab State in the South of Palestine. Following the statement of the Jewish Agency, the delegation of the United States proposed a revision of the boundaries of the two States in conformity with the suggestion of the Jewish Agency (A/AC.14/38).

23. After the close of the discussion on the two reports, the representatives of the Jewish Agency for Palestine and of the Arab Higher Committee made final statements (thirty-first meeting).

24. At the beginning of the thirty-second meeting, the Chairman put to the vote the first draft resolution proposed by Sub-Committee 2, providing for the reference to the International Court of Justice for an advisory opinion of eight legal questions connected with or arising from the Palestine problem. At the request of the representative of France, two votes were taken, one on the first seven questions, the other on the eighth question which read as

follows:

"Whether the United Nations, or any of its Member States, is competent to enforce, or recommend the enforcement of, any proposal concerning the constitution and future government of Palestine, in particular, any plan of partition which is contrary to the wishes, or adopted without the consent, of the inhabitants of Palestine".

The proposal to refer to the International Court of Justice the first seven questions was rejected by a vote of eighteen in favour, twenty-five against, with eleven abstentions. The proposal to refer to the Court the eighth question was rejected by a vote of twenty in favour, twenty-one against, with thirteen abstentions.

25. The recommendations contained in the second draft resolution proposed by Sub-Committee 2 relating to an international solution of the problem of Jewish refugees and displaced persons were then put to the vote, paragraph by paragraph.

By seventeen votes in favour, fourteen against and twenty-three abstentions, the Committee adopted the first recommendation.

By eighteen votes in favour, sixteen against, with twenty-one abstentions, the Committee adopted the second recommendation.

The Committee rejected by fifteen votes in favour, eighteen against, with twenty-two abstentions, the third recommendation providing for the setting up of a Special Committee which would recommend to the Members of the United Nations the acceptance of a scheme of quotas of Jewish refugees and displaced persons to be resettled in their respective territories.

After the Committee had, by a show of hands, adopted or rejected various paragraphs of the preamble of the resolution, the final text comprising the first two recommendations and the adopted paragraphs of the preamble, was voted upon as a whole. That text was as follows:

"THE GENERAL ASSEMBLY, having regard to the unanimous recommendation of the United Nations Special Committee on Palestine that the General Assembly undertake immediately the initiation and execution of an international arrangement whereby the problem of the distressed European Jews will be dealt with as a matter of extreme urgency for the alleviation of their plight and of the Palestine problem; BEARING in mind that genuine refugees and displaced persons constitute a problem which is international in scope and character;

BEING of the opinion that where repatriation proves impossible, solution should be sought by way of resettlement in the territories of the Members of the United Nations which are willing and in a position to absorb these refugees

and displaced persons;

HAVING adopted resolution 62 (I) on 15 December 1946 calling for the creation of an international refugee organization with a view to the solution of the refugee problem through the combined efforts of the United Nations; and

TAKING note of the assumption on 1 July 1947 by the Preparatory Commission of the International Refugee Organization of operational responsibility for displaced persons and refugees:

RECOMMENDS:

That the countries of origin should be requested to take back the Jewish refugees and displaced persons belonging to them, and to render them all possible assistance to resettle in life.

That those Jewish refugees and displaced persons who cannot be repatriated should be absorbed in the territories of Members of the United Nations in proportion to their area, economic resources, per capita income, population and other relevant factors."

The vote on the above text was sixteen in favour, sixteen against, with twenty-six abstentions.

26. The third resolution of Sub-Committee 2 providing for the constitution and future government of Palestine, as a unitary, democratic, and independent State, with safeguards for minorities, was rejected by a vote of twelve in favour, twenty-nine against, with fourteen abstentions.

27. The Committee then considered the amendments which had been submitted respecting the plan recommended by Sub-Committee 1.

The joint amendment (A/AC.14/46) proposed by Norway and Pakistan to Part I, section B, paragraph 1, leaving to the General Assembly the decision on the composition of the Commission which would be sent to Palestine was adopted and substituted for the corresponding paragraph in the plan. Paragraph 3 in the same section B of Part I was also modified as a result of the adoption of a Netherlands amendment (A/AC.14/36) giving wider scope to the Boundary Commission.

The adoption of a French amendment (A/AC.14/37) to paragraph 2, Chapter 1 of section C, resulted in a new re-wording of that paragraph.

Paragraph 4 of the same Chapter 1 of section C was also amended on the proposal of Australia (A/AC.14/39).

Amendments to paragraphs 5 and 6 of Chapter 2 of section C, submitted by the delegation of France (A/AC.14/37) were adopted in the form in which they appear in the text.

Paragraph 8 of Chapter 2 of section C was altered by the adoption of an amendment put forward separately by the delegations of the Netherlands (A/AC.14/36) and Pakistan (A/AC.14/40) providing for the deletion from the paragraph

of provisions regarding expropriation of land for other than public purposes. The vote was twelve in favour and nine against the amendment.

The delegation of the Netherlands submitted an amendment (A/AC.14/36) to add a new paragraph 9 to Chapter 2 of section C. The amendment, was withdrawn on the understanding that it might be resubmitted to the plenary meeting of the General Assembly in a revised form.

The delegation of Canada submitted an amendment (A/AC.14/45) to paragraph 1 of Chapter 3 of section C respecting citizenship, which was adopted.

The delegation of the United States of America submitted an amendment (A/AC.14/42) to add a new paragraph to paragraph 9 of section D. The amendment was adopted.

The delegations of Pakistan and of the United States submitted amendments (A/AC.14/40 and A/AC.14/42 respectively) to paragraph 14 of section D. The representative of Pakistan agreed not to press his amendment, and the amendment proposed by the delegation of the United States was adopted, with a slight change in the wording, in the form in which it appears in the text.

The delegation of Pakistan submitted an amendment (A/AC.14/40) to delete paragraph 2 of section E. The wording of the paragraph requiring the Mandatory Power to "negotiate with the Commission" was changed to "consult with the Commission", and the representative of Pakistan agreed not to press his amendment.

The delegation of Pakistan submitted an amendment (A/AC.14/40) to delete the whole of Part II dealing with boundaries and to provide for a Boundary Commission, appointed by the Security Council, to recommend boundaries in accordance with the principle that not more than ten percent of the land, exclusive of state or waste lands, in the Arab or Jewish State should be owned by Jews or Arabs respectively. The amendment was rejected by a vote of eight in favour and twenty-two against.

The Committee adopted the amendment submitted by the delegation of the United States of America (A/AC.14/38) to Part II, providing that the town of Beersheba and the area to the northeast thereof and a portion of the Negeb along the Egyptian frontier should be excluded from the area of the proposed Jewish State and incorporated in the proposed Arab State.

The delegation of Sweden submitted an amendment (A/AC.14/35) to delete from paragraph 2, section C of Part III, in connection with the administrative staff of the Governor of the City of Jerusalem, the phrase "and chosen whenever possible from the residents of the City on a non-discriminatory basis". The amendment was rejected by a vote of ten in favour and fifteen against. The paragraph was

adopted with the phrase in question amended to read as follows: "and chosen whenever practicable from the residents of the City and of the rest of Palestine on a non-discriminatory basis".

The delegation of France submitted an amendment (A/AC.14/37) to add to paragraph 10, section C, Part III, the following words "and particularly English and French". The amendment was rejected by thirteen in favour and fifteen against. The delegation of France submitted amendments (A/AC.14/37) to sub-paragraphs 5 and 6 of paragraph 12, section C, Part III, which were adopted in the form in which they appear in the text.

The delegation of Australia submitted an amendment (A/AC.14/39) consisting of an addition to sub-paragraph 4 of paragraph 13, section C, Part III, which was adopted and incorporated in the text.

The delegation of Sweden submitted amendments (A/AC.14/35) to section D, Part III, with a view to making the international regime for the City of Jerusalem more permanent. The amendment to substitute the word "re-examination" for "a revision" (of the regime) was adopted by a vote of seventeen in favour and twelve against. By a vote of sixteen in favour and five against the amendment to substitute the words "possible modifications" for "continuation or modification" of the regime was adopted. The amendment to delete the last sentence reading "If expressed by a majority of two-thirds, their wishes shall be duly considered" was also adopted.

The discussion of amendments to the plan ended after the representative of Pakistan had agreed not to press his amendment (A/AC.14/40) to paragraph 4, section A, Part I. 28. After ending the discussion of amendments to the plan, the Committee turned its attention to the sole amendment regarding the draft resolution recommending the adoption and implementation of the plan. This amendment, proposed by the delegation of Denmark, (A/AC.14/43/Rev.1) and consisting of the addition of two further sub-paragraphs to the General Assembly's request to the Security Council, was adopted by a vote of nineteen in favour and fourteen against, and was incorporated in the text as sub-paragraphs "(b)" and "(c)".

29. The amended draft resolution embodying the Plan of Partition with Economic Union was adopted by a vote of twenty-five in favour, thirteen against, with seventeen abstentions, as follows:

In favour: Australia, Bolivia, Brazil, Byelorussian Soviet Socialist Republic, Canada, Chile, Costa Rica, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Guatemala, Iceland, Nicaragua, Norway, Panama, Peru, Poland, Sweden, Ukrainian Soviet Socialist Republic, Union of South Africa, Union of Soviet Socialist Republics, United States

of America, Uruguay and Venezuela.

Against: Afghanistan, Cuba, Egypt, India, Iran, Iraq, Lebanon, Pakistan, Saudi Arabia, Siam, Syria, Turkey and Yemen.

Abstentions: Argentina, Belgium, China, Colombia, El Salvador, Ethiopia, France, Greece, Haiti, Honduras, Liberia, Luxembourg, Mexico, Netherlands, New Zealand, United Kingdom and Yugoslavia.

Absent: Paraguay and Philippines.

30. Before the vote, the representatives of New Zealand, Syria, and Iraq had made statements explaining their votes. After the roll-call, the representative of Egypt also made a statement in connection with his vote.

31. The Ad Hoc Committee on the Palestinian Question therefore recommends to the General Assembly the adoption of the following draft resolution on the future government of Palestine embodying a Plan of Partition with Economic Union:

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FUTURE GOVERNMENT OF PALESTINE

THE GENERAL ASSEMBLY,

HAVING MET in special session at the request of the Mandatory Power to constitute and instruct a Special Committee to prepare for the consideration of the question of the future government of Palestine at the second regular session;

HAVING CONSTITUTED a Special Committee and instructed it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem; and

HAVING RECEIVED AND EXAMINED the report of the Special Committee (document A/364) including a number of unanimous recommendations and a plan of partition with economic union approved by the majority of the Special Committee;

CONSIDERS that the present situation in Palestine is one which is likely to impair the general welfare and friendly relations among nations;

TAKES NOTE of the declaration by the Mandatory Power that it plans to complete its evacuation of Palestine by 1 August 1948;

RECOMMENDS to the United Kingdom, as the Mandatory Power for Palestine, and to all other Members of the United Nations the adoption and implementation, with regard to the future government of Palestine, of the Plan of Partition with Economic Union set out below;

REQUESTS that

(a) The Security Council take the necessary measures as provided for in the Plan for its implementation;

(b) The Security Council consider if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to the

peace. If it decides that such a threat exists, and in order to maintain international peace and security, the Security Council should supplement the authorization of the General Assembly by taking measures, under Articles 39 and 41 of the Charter, to empower the United Nations Commission, as provided in this resolution, to exercise in Palestine the functions which are assigned to it by this resolution;

(c) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution;

(d) The Trusteeship Council be informed of the responsibilities envisaged for it in this Plan;

CALLS UPON the inhabitants of Palestine to take such steps as may be necessary on their part to put this Plan into effect;

APPEALS to all Governments and all peoples to refrain from taking any action which might hamper or delay the carrying out of these recommendations; and

AUTHORIZES the Secretary-General to reimburse travel and subsistence expenses of the members of the Commission referred to in Part I, Section B, paragraph 1 below on such basis and in such form as he may determine most appropriate in the circumstances, and to provide to the Commission the necessary staff to assist in carrying out the functions assigned to the Commission by the General Assembly.

PLAN OF PARTITION WITH ECONOMIC UNION

PART I. FUTURE CONSTITUTION AND GOVERNMENT OF PALESTINE

A. TERMINATION OF MANDATE, PARTITION AND INDEPENDENCE

B.

1. The Mandate for Palestine shall terminate as soon as possible but in any case not later than 1 August 1948.

2. The armed forces of the Mandatory Power shall be progressively withdrawn from Palestine, the withdrawal to be completed as soon as possible but in any case not later than 1 August 1948.

The Mandatory Power shall advise the Commission, as far in advance as possible, of its intention to terminate the Mandate and to evacuate each area.

The Mandatory Power shall use its best endeavours to ensure that an area situated in the territory of the Jewish State, including a seaport and hinterland adequate to provide facilities for a substantial immigration, shall be evacuated at the earliest possible date and in any event not later than 1 February 1948.

3. Independent Arab and Jewish States and the Special International Regime for the City of Jerusalem, set forth in Part III of this Plan, shall come into existence in Palestine two months after the evacuation of the armed forces of the Mandatory Power has been completed but in any

case not later than 1 October 1948. The boundaries of the Arab State, the Jewish State, and the City of Jerusalem shall be as described in Parts II and III below.

4. The period between the adoption by the General Assembly of its recommendation on the question of Palestine and the establishment of the independence of the Arab and Jewish States shall be a transitional period.

B. STEPS PREPARATORY TO INDEPENDENCE

1. A Commission shall be set up consisting of one representative of each of five Member States. The Members represented on the Commission shall be elected by the General Assembly on as broad a basis, geographically and otherwise, as possible.

2. The administration of Palestine shall, as the Mandatory Power withdraws its armed forces, be progressively turned over to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council. The Mandatory Power shall to the fullest possible extent co-ordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated.

In the discharge of this administrative responsibility the Commission shall have authority to issue necessary regulations and take other measures as required.

The Mandatory Power shall not take any action to prevent, obstruct or delay the implementation by the Commission of the measures recommended by the General Assembly.

3. On its arrival in Palestine the Commission shall proceed to carry out measures for the establishment of the frontiers of the Arab and Jewish States and the City of Jerusalem in accordance with the general lines of the recommendations of the General Assembly on the partition of Palestine.

Nevertheless, the boundaries as described in Part II of this Plan are to be modified in such a way that village areas as a rule will not be divided by state boundaries unless pressing reasons make that necessary.

4. The Commission, after consultation with the democratic parties and other public organizations of the Arab and Jewish States, shall select and establish in each State as rapidly as possible a Provisional Council of Government. The activities of both the Arab and Jewish Provisional Councils of Government shall be carried out under the general direction of the Commission.

If by 1 April 1948 a Provisional Council of Government cannot be selected for either of the States, or, if selected, cannot carry out its functions, the Commission shall communicate that fact to the Security Council for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for communication to the Members of the United Nations.

5. Subject to the provisions of these recommendations, during the transitional period the Provisional Councils of Government, acting under the Commission, shall have full authority in the areas under their control, including authority over matters of immigration and land regulation.

6. The Provisional Council of Government of each State, acting under the Commission, shall progressively receive from the Commission full responsibility for the administration of that State in the period between the termination of the Mandate and the establishment of the States' independence.

7. The Commission shall instruct the Provisional Councils of Government of both the Arab and Jewish States, after their formation, to proceed to the establishment of administrative organs of government, central and local.

8. The Provisional Council of Government of each State shall, within the the shortest time possible, recruit an armed militia from the residents of that State, sufficient in number to maintain internal order and to prevent frontier clashes.

This armed militia in each State shall, for operational purposes, be under the command of Jewish or Arab officers resident in that State, but general political and military control, including the choice of the militia's High Command, shall be exercised by the Commission.

9. The Provisional Council of Government of each State shall, not later than two months after the withdrawal of the armed forces of the Mandatory Power, hold elections to the Constituent Assembly which shall be conducted on democratic lines.

The election regulations in each State shall be drawn up by the Provisional Council of Government and approved by the Commission. Qualified voters for each State for this election shall be persons over eighteen years of age who are: (a) Palestinian citizens residing in that State and (b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State. Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States respectively. Women may vote and be elected to the Constituent Assemblies. During the transitional period no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Commission.

10. The Constituent Assembly of each State shall draft a democratic Constitution for its State and choose a

provisional government to succeed the Provisional Council of Government appointed by the Commission. The Constitutions of the States shall embody chapters 1 and 2 of the Declaration provided for in Section C below and include inter alia provisions for:

(a) Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature.

(b) Settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security, and justice, are not endangered.

(c) Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

(d) Guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, language, speech and publication, education, assembly and association.

(e) Preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to considerations of national security, provided that each State shall control residence within its borders.

11. The Commission shall appoint a Preparatory Economic Commission of three members to make whatever arrangements are possible for economic co-operation, with a view to establishing, as soon as practicable, the Economic Union and the Joint Economic Board, as provided in Section D below.

12. During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the Mandate, the Mandatory Power in Palestine shall maintain full responsibility for administration in areas from which it has not withdrawn its armed forces. The Commission shall assist the Mandatory Power in the carrying out of these functions. Similarly the Mandatory Power shall co-operate with the Commission in the execution of its functions.

13. With a view to ensuring that there shall be continuity in the functioning of administrative services and that, on the withdrawal of the armed forces of the Mandatory Power, the whole administration shall be in the charge of the Provisional Councils and the Joint Economic Board, respectively, acting under the Commission, there shall be a progressive transfer, from the Mandatory Power to the Commission, of responsibility for all the functions of

government, including that of maintaining law and order in the areas from which the forces of the Mandatory Power have been withdrawn.

14. The Commission shall be guided in its activities by the recommendations of the General Assembly and by such instructions as the Security Council may consider necessary to issue.

The measures taken by the Commission, within the recommendations of the General Assembly, shall become immediately effective unless the Commission has previously received contrary instructions from the Security Council. The Commission shall render periodic monthly progress reports, or more frequently if desirable: to the Security Council.

15. The Commission shall make its final report to the next regular session of the General Assembly and to the Security Council simultaneously.

C. DECLARATION

1. A Declaration shall be made to the United Nations by the Provisional Government of each proposed State before independence. It shall contain inter alia the following clauses:

General provision

The stipulations contained in the Declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

Chapter 1

Holy Places, religious buildings and sites

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. In so far as Holy Places are concerned, the liberty of access, visit and transit shall be guaranteed, in conformity with existing rights, to all residents and citizens of the other State and of the City of Jerusalem, as well as to aliens, without distinction as to nationality, subject to requirements of national security, public order and decorum. Similarly, freedom of worship shall be guaranteed in conformity with existing rights, subject to the maintenance of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious building or site is in need of urgent repair, the Government may call upon the community or communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or communities concerned if no action is taken within a reasonable time.

4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State.

No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious building or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected, and to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community with respect to such Places, buildings and sites. He shall receive full co-operation and such privileges and immunities as are necessary for the exercise of his functions in the State.

Chapter 2

Religious and minority rights

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all.

2. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex.

3. All persons within the jurisdiction of the State shall be entitled to equal protection of the laws.

4. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.

5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

6. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

7. No restriction shall be imposed on the free use by any citizen of the State of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.*

8. No expropriation of land owned by an Arab in the Jewish State (by a Jew in the Arab State)** shall be allowed except for public purposes. In all cases of expropriation full compensation as fixed by the Supreme Court shall be paid previous to dispossession.

* The following stipulation shall be added to the Declaration concerning the Jewish State: "In the Jewish State adequate facilities shall be given to Arabic-speaking citizens for the use of their language, either orally or in writing, in the legislature, before the Courts and in the administration".

** In the Declaration concerning the Arab State, the words "by an Arab in the Jewish State" should be replaced by the words "by a Jew in the Arab State".

Chapter 3

Citizenship, international conventions and financial obligations

1. Citizenship

Palestinian citizens residing in Palestine outside the City of Jerusalem, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine outside the City of Jerusalem shall, upon the recognition of independence, become citizens of the State in which they are resident and enjoy full civil and political rights. Persons over the age of eighteen years may opt within one year from the date of recognition of independence of the State in which they reside for citizenship of the other State, providing that no Arab residing in the area of the proposed Arab State shall have the right to opt for citizenship in the proposed Jewish State and no Jew residing in the proposed Jewish State shall have the right to opt for citizenship in the proposed Arab State. The exercise of this right of option will be taken to include the wives and children under eighteen years of age of persons so opting. Arabs residing in the area of the proposed Jewish State and Jews residing in the area of the proposed Arab State who have signed a notice of intention to opt for citizenship of the other State shall be eligible to vote in the elections to the Constituent Assembly of that State, but not in the elections to the Constituent Assembly of the State in which they reside.

2. International conventions

(a) The State shall be bound by all the international agreements and conventions, both general and special, to

which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.

(b) Any dispute about the applicability and continued validity of international conventions or treaties signed or adhered to by the Mandatory Power on behalf of Palestine shall be referred to the International Court of Justice in accordance with the provisions of the Statute of the Court.

3. Financial obligations

(a) The State shall respect and fulfil all financial obligations of whatever nature assumed on behalf of Palestine by the Mandatory Power during the exercise of the Mandate and recognized by the State. This provision includes the right of public servants to pensions, compensation or gratuities.

(b) These obligations shall be fulfilled through participation in the Joint Economic Board in respect of those obligations applicable to Palestine as a whole, and individually in respect of those applicable to, and fairly apportionable between, the States.

(c) A Court of Claims, affiliated with the Joint Economic Board, and composed of one member appointed by the United Nations, one representative of the United Kingdom and one representative of the State concerned, should be established. Any dispute between the United Kingdom and the State respecting claims not recognized by the latter should be referred to that Court.

(d) Commercial concessions granted in respect of any part of Palestine prior to the adoption of the resolution by the General Assembly shall continue to be valid according to their terms, unless modified by agreement between the concession-holder and the State.

Chapter 4

4. Miscellaneous provisions

1. The provisions of chapters 1 and 2 of the Declaration shall be under the guarantee of the United Nations, and no modifications shall be made in them without the assent of the General Assembly of the United Nations. Any Member of the United Nations shall have the right to bring to the attention of the General Assembly any infraction or danger of infraction of any of these stipulations, and the General Assembly may thereupon make such recommendations as it may deem proper in the circumstances.

2. Any dispute relating to the application or the interpretation of this Declaration shall be referred, at the request of either Party, to the International Court of Justice, unless the Parties agree to another mode of settlement.

D. ECONOMIC UNION AND TRANSIT

1. The Provisional Council of Government of each State shall enter into an Undertaking with respect to Economic Union and Transit. This Undertaking shall be drafted by the Commission provided for in Section B, paragraph 1, utilizing to the greatest possible extent the advice and co-operation of representative organizations and bodies from each of the proposed States. It shall contain provisions to establish the Economic Union of Palestine and provide for other matters of common interest. If by 1 April 1948 the Provisional Councils of Government have not entered into the Undertaking, the Undertaking shall be put into force by the Commission.

The Economic Union of Palestine

2. The objectives of the Economic Union of Palestine shall be:

- (a) A customs union.
- (b) A joint currency system providing for a single foreign exchange rate.
- (c) Operation in the common interest on a non-discriminatory basis of railways, interstate highways, postal, telephone and telegraphic services, and ports and airports involved in international trade and commerce.
- (d) Joint economic development, especially in respect of irrigation, land reclamation and soil conservation.
- (e) Access for both States and for the City of Jerusalem on a non-discriminatory basis to water and power facilities.

3. There shall be established a Joint Economic Board, which shall consist of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations. The foreign members shall be appointed in the first instance for a term of three years; they shall serve as individuals and not as representatives of States.

4. The functions of the Joint Economic Board shall be to implement either directly or by delegation the measures necessary to realize the objectives of the Economic Union. It shall have all powers of organization and administration necessary to fulfil its functions.

5. The States shall bind themselves to put into effect the decisions of the Joint Economic Board. The Board's decisions shall be taken by a majority vote.

6. In the event of failure of a State to take the necessary action the Board may, by a vote of six members, decide to withhold an appropriate portion of that part of the customs revenue to which the State in question is entitled under the Economic Union. Should the State persist in its failure to co-operate, the Board may decide by a simple majority vote upon such further sanctions, including disposition of funds which it has withheld, as it may deem appropriate.

7. In relation to economic development, the functions of the

Board shall be the planning, investigation and encouragement of joint development projects, but it shall not undertake such projects except with the assent of both States and the City of Jerusalem, in the event that Jerusalem is directly involved in the development project.

8. In regard to the joint currency system the currencies circulating in the two States and the City of Jerusalem shall be issued under the authority of the Joint Economic Board, which shall be the sole issuing authority and which shall determine the reserves to be held against such currencies.

9. So far as is consistent with 2 (b) above, each State may operate its own central bank, control its own fiscal and credit policy, its foreign exchange receipts and expenditures, the grant of import licences, and may conduct international financial operations on its own faith and credit. During the first two years after the termination of the Mandate, the Joint Economic Board shall have the authority to take such measures as may be necessary to ensure that, to the extent that the total foreign exchange revenues of the two States from the export of goods and services permit, and provided that each State takes appropriate measures to conserve its own foreign exchange resources, each State shall have available, in any twelve months' period, foreign exchange sufficient to assure the supply of quantities of imported goods and services for consumption in its territory equivalent to the quantities of such goods and services consumed in that territory in the twelve months' period ending 31 December 1947.

10. All economic authority not specifically vested in the Joint Economic Board is reserved to each State.

11. There shall be a common customs tariff with complete freedom of trade between the States, and between the States and the City of Jerusalem.

12. The tariff schedules shall be drawn up by a Tariff Commission, consisting of representatives of each of the States in equal numbers, and shall be submitted to the Joint Economic Board for approval by a majority vote. In case of disagreement in the Tariff Commission, the Joint Economic Board shall arbitrate the points of difference. In the event that the Tariff Commission fails to draw up any schedule by a date to be fixed, the Joint Economic Board shall determine the tariff schedule.

13. The following items shall be a first charge on the customs and other common revenue of the Joint Economic Board:

(a) The expenses of the customs service and of the operation of the joint services;

(b) The administrative expenses of the Joint Economic Board;

(c) The financial obligations of the Administration of Palestine consisting of:

- (i) The service of the outstanding public debt;
- (ii) The cost of superannuation benefits, now being paid or falling due in the future, in accordance with the rules and to the extent established by paragraph 3 of Chapter 3 above.

14. After these obligations have been met in full, the surplus revenue from the customs and other common services shall be divided in the following manner: not less than five per cent and not more than ten per cent to the City of Jerusalem; the residue shall be allocated to each State by the Joint Economic Board equitably, with the objective of maintaining a sufficient and suitable level of government and social services in each State, except that the share of either State shall not exceed the amount of that State's contribution to the revenues of the Economic Union by more than approximately four million pounds in any year. The amount granted may be adjusted by the Board according to the price level in relation to the prices prevailing at the time of the establishment of the Union. After five years, the principles of the distribution of the joint revenues may be revised by the Joint Economic Board on a basis of equity.

15. All international conventions and treaties affecting customs tariffs rates and those communications services under the jurisdiction of the Joint Economic Board shall be entered into by both States. In these matters, the two States shall be bound to act in accordance with the majority vote of the Joint Economic Board.

16. The Joint Economic Board shall endeavour to secure for Palestine's exports fair and equal access to world markets.

17. All enterprises operated by the Joint Economic Board shall pay fair wages on a uniform basis.

Freedom of transit and visit

18. The Undertaking shall contain provisions preserving freedom of transit and visit for all residents or citizens of both States and of the City of Jerusalem, subject to security considerations; provided that each State and the City shall control residence within their borders.

Termination, modification and interpretation of the Undertaking

19. The Undertaking and any treaty issuing therefrom shall remain in force for a period of ten years. It shall continue in force until notice of termination, to take effect two years thereafter, is given by either of the Parties.

20. During the initial ten-year period, the Undertaking and any treaty issuing therefrom may not be modified except by consent of both Parties and with the approval of the General Assembly.

21. Any dispute relating to the application or the

interpretation of the Undertaking and any treaty issuing therefrom shall be referred, at the request of either Party, to the International Court of Justice, unless the Parties agree to another mode of settlement.

E. ASSETS

1. The movable assets of the Administration of Palestine shall be allocated to the Arab and Jewish States and the City of Jerusalem on an equitable basis. Allocations should be made by the United Nations Commission referred to in Section B, paragraph 1, above. Immovable assets shall become the property of the government of the territory in which they are situated.

2. During the period between the appointment of the United Nations Commission and the termination of the Mandate, the Mandatory Power shall, except in respect of ordinary operations, consult with the Commission on any measure which it may contemplate involving the liquidation, disposal or encumbering of the assets of the Palestine Government, such as the accumulated treasury surplus, the proceeds of Government bond issues, State lands or any other asset.

F. ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

When the independents of either the Arab or the Jewish State as envisaged in this Plan has become effective and the Declaration and Undertaking, as envisaged in this Plan, have been signed by either of them, sympathetic consideration should be given to its application for admission to membership in the United Nations in accordance with Article 4 of the Charter of the United Nations.

PART II. BOUNDARIES*

THE ARAB STATE

The area of the Arab State in Western Galilee is bounded on the west by the Mediterranean and on the north by the frontier of the Lebanon from Ras en Naqura to a point north of Saliha. From there the boundary proceeds southwards, leaving the built-up area of Saliha in the Arab State, to join the southernmost point of this village. Thence it follows the western boundary line of the villages of 'Alma, Rihaniya and Teitaba, thence following the northern boundary line of Meirun village to join the Acre-Safad sub-district boundary line. It follows this line to a point west of Es Sammu'i village and joins it again at the northernmost point of Farradiya. Thence it follows the sub-district boundary line to the Acre-Safad main road. From here it follows the western boundary of Kafr I'nan village until it reaches the Tiberias-Acre sub-district boundary line, passing to the west of the junction of the Acre-Safad and Lubiya-Kafr I'nan roads. From the southwest corner of Kafr I'nan village the boundary line follows the western boundary of the Tiberias sub-district to a point close to the boundary line between the villages of Maghar and Eilabun, thence bulging out to

the west to include as much of the eastern part of the plain of Battuf as is necessary for the reservoir proposed by the Jewish Agency for the irrigation of lands to the south and east.

* The boundary lines described in Part II are indicated in Annex A. The base map used in marking and describing this boundary is "Palestine 1:250,000" published by the Survey of Palestine, 1946.

The boundary rejoins the Tiberias sub-district boundary at a point on the Nazareth-Tiberias road southeast of the built-up area of Turjan; thence it runs southwards at first following the sub-district boundary and then passing between the Kadoorie Agricultural School and Mt. Tabor, to a point due south at the base of Mt. Tabor. From here it runs due west, parallel to the horizontal grid line 230, to the northeast corner of the village lands of Tel Adashim. It then runs to the northwest corner of these lands, whence it turns south and west so as to include in the Arab State the sources of the Nazareth water supply in Yafa village. On reaching Ginneiger it follows the eastern, northern and western boundaries of the lands of this village to their southwest corner, whence it proceeds in a straight line to a point on the Haifa-Afula railway on the boundary between the villages of Sarid and El Mujeidil. This is the point of intersection.

The southwestern boundary of the area of the Arab State in Galilee takes a line from this point, passing northwards along the eastern boundaries of Sarid and Gevat to the northeastern corner of Nahalal, proceeding thence across the land of Kefar ha Horesh to a central point on the southern boundary of the village of 'Ilut, thence westwards along that village boundary to the eastern boundary of Beit Lahm, thence northwards and northeastwards along its western boundary to the northeastern corner of Waldheim and thence north[w grave]westwards across the village lands of Shafa 'Amr to the southeastern corner of Ramat Yohanan. From here it runs due north-northeast to a point on the Shafa 'Amr-Haifa road, west of its junction with the road to I'Billin. From there it proceeds northeast to a point on the southern boundary of I'Billin situated to the west of the I'Billin-Birva road. Thence along that boundary to its westernmost point, whence it turns to the north, follows across the village land of Tamra to the northwesternmost corner and along the western boundary of Julis until it reaches the Acre-Safad road, It then runs westwards along the southern side of the Safad-Acre road to the Galilee-Haifa District boundary, from which point it follows that boundary to the sea.

The boundary of the hill country of Samaria and Judea starts on the Jordan River at the Wadi Malih southeast of Beisan and runs due west to meet the Beisan-Jericho road and then follows the western side of that road in a northwesterly direction to the Junction of the boundaries of the sub-districts of Beisan, Nablus, and Jenin. From that point it follows the Nablus-Jenin sub-district boundary westwards for a distance of about three kilometres and then turns northwestwards, passing to the east of the built-up areas of the villages of Jalbun and Faqqula, to the boundary of the sub-districts of Jenin and Beisan at a point northeast of Nuris. Thence it proceeds first northwestwards to a point due north of the built-up area of Zir in and then westwards to the Afula-Jenin railway, thence northwestwards along the district boundary line to the point of intersection on the Hejaz railway. From here the boundary runs southwestwards, including the built-up area and some of the land of the village of Kh.Lid in the Arab State to cross the Haifa-Jenin road at a point on the district boundary between Haifa and Samaria west of El Mansi. It follows this boundary to the southernmost point of the village of El Buteimat. From here it follows the northern and eastern boundaries of the village of Ar'ara, rejoining the Haifa-Samaria district boundary at Wadi'Ara, and thence proceeding south-southwestwards in an approximately straight line joining up with the western boundary of Qaqun to a point east of the railway line on the eastern boundary of aqun village. From here it runs along the railway line some distance to the east of it to a point just east of the Tulkarm railway station. Thence the boundary follows a line half-way between the railway and the Tulkarm-Qalqiliya-Jaljuliya and Ras el Ein road to a point just east of Ras el Ein station, whence it proceeds along the railway some distance to the east of it to the point on the railway line south of the junction of the Haifa-Lydd and Beit Nabala lines, whence it proceeds along the southern border of Lydda airport to its southwest corner, thence in a southwesterly direction to a point just west of the built-up area of Sarafand el 'Amar, whence it turns south passing just to the west of the built-up area of Abu el Fadil to the northeast corner of the lands of Beer Ya'Aqov. (The boundary line should be so demarcated as to allow direct access from the Arab State to the airport). Thence the boundary line follows the western and southern boundaries of Ramle village, to the northeast corner of El Nalana village, thence in a straight line to the southernmost point of El Barriya, along the eastern boundary of that village and the southern boundary of 'Ionaba village. Thence it turns north to follow the southern side of the Jaffa-Jerusalem road until El Qubab, whence it follows the road to the boundary of Abu Shusha. It runs

along the eastern boundaries of Abu Shusha, Seidun, Hulda to the southernmost point of Halda, thence westwards in a straight line to the northeastern corner of Umm Kalkha, thence following the northern boundaries of Umm Kalkha, Qazaza and the northern and western boundaries of Miltheain to the Gaza District boundary and thence runs across the village lands of El Mismiya El Kabira and Yasur to the southern point of intersection, which is midway between the [...]

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From the southern point of intersection the boundary lines run northwestwards between the villages of Gan Yavne and Barqa to the sea at a point half way between Nabi Yunis and Minat el Qila, and southeastwards to a point west of Qastina, whence it turns in a southwesterly direction, passing to the east of the built-up areas of Es Sawafir Esh Sharqiya and Ibdis. From the southeast corner of Ibdis village it runs to a point southwest of the built-up area of Beit 'Affa, crossing the Hebron-El Majdal road just to the west of the built-up area of Iraq Suweidan. Thence it proceeds southwards along the western village boundary of El Faluja to the Beersheba sub-district boundary. It then runs across the tribal lands of 'Arab el Jubarat to a point on the boundary between the sub-districts of Beersheba and Hebron north of Kh. Khuweilifa, whence it proceeds in a southwesterly direction to a point on the Beersheba-Gaza main road 2 kilometres to the northwest of the town. It then turns southeastwards to reach Wadi Sab' at a point situated 1 kilometre to the west of it. From here it turns northeastwards and proceeds along Wadi Sab' and along the Beersheba-Hebron road for a distance of 1 kilometre, whence it turns eastwards and runs in a straight line to Kh. Kuseifa to join the Beersheba-Hebron sub-district boundary. It then follows the Hebron-Beersheba boundary eastwards to a point north of Ras Ez Zuweira, only departing from it so as to cut across the base of the indentation between vertical grid lines 150 and 160.

About five kilometres northeast of Ras Ez Zuweira it turns north, excluding from the Arab State a strip along the coast of the Dead Sea not more than 7 kilometres in depth, as far as Ein Geddi, whence it turns due east to join the Trans-Jordan frontier in the Dead Sea.

The northern boundary of the Arab section of the coastal plain runs from a point between Minat el Qila and Nabi Yunis, passing between the built-up areas of Gan Yavne and Barqa to the point of intersection. From here it turns southwestwards, running across the lands of Batani Sharqi, along the eastern boundary of the lands of Beit Daras and across the lands of Julis, leaving the built-up areas of

Batani Sharqi and Julis to the westwards, as far as the northwest corner of the lands of Beit Tima. Thence it runs east of El Jiya across the village lands of El Barbara along the eastern boundaries of the villages of Beit Jirja, Deir Suneid and Dimra. From the southeast corner of Dimra the boundary passes across the lands of Beit Hanun, leaving the Jewish lands of Nir-Am to the eastwards. From the southeast corner of Beit Hanun the line runs southwest to a point south of the parallel grid line 100, then turns northwest for two kilometers, turning again in a southwesterly direction and continuing in an almost straight line to the northwest corner of the village lands of Kirbet Ikhza'a. From there it follows the boundary line of this village to its southernmost point. It then runs in a southerly direction along the vertical grid line 90 to its junction with the horizontal grid line 70. It then turns southeastwards to Kh. El Ruheiba and then proceeds in a southerly direction to a point known as El Baha, beyond which it crosses the Beersheba-El 'Auja main road to the west of Kh. el Mushrifa. From there it joins Wadi El Zaiyatin just to the west of El Subeita. From there it turns to the northeast and then to the southeast following this Wadi and passes to the east of 'Abda to join Wadi Nafkh. It then bulges to the southwest along Wadi Nafkh, Wadi Ajrim and Wadi Lissan to the point where Wadi Lissan crosses the Egyptian frontier.

The area of the Arab enclave of Jaffa consists of that part of the town-planning area of Jaffa which lies to the west of the Jewish quarters lying south of Tel-Aviv, to the west of the continuation of Herzl street up to its junction with the Jaffa-Jerusalem road, to the southwest of the section of the Jaffa-Jerusalem road lying southeast of that junction, to the west of Miqve Yisrael lands, to the northwest of Holon local council, to the north of the line linking up the northwest corner of Holon with the northeast corner of Bat Yam local council area and to the north of Bat Yam local council area. The question of Karton quarter will be decided by the Boundary Commission bearing in mind among other considerations the desirability of including the smallest possible number of its Arab inhabitants and the largest possible number of its Jewish inhabitants in the Jewish State.

THE JEWISH STATE

The northeastern sector of the Jewish State (Eastern Galilee) is bounded on the north and west by the Lebanese frontier and on the east by the frontiers of Syria and Trans-Jordan. It includes the whole of the Huleh Basin, Lake Tiberias, the whole of the Beisan sub-district, the boundary line being extended to the crest of the Gilboa mountains and the Wadi Malih. From there the Jewish State extends

northwest following the boundary described in respect of the Arab State.

The Jewish section of the coastal plain extends from a point between Minat el Qila and Nabi Yunis in the Gaza sub-district and includes the towns of Haifa and Tel-Aviv, leaving Jaffa as an enclave of the Arab State. The eastern frontier of the Jewish State follows the boundary described in respect of the Arab State.

The Beersheba area comprises the whole of the Beersheba sub-district, including the Negev and the eastern part of the Gaza sub-district, but excluding the town of Beersheba and those areas described in respect of the Arab State. It includes also a strip of land along the Dead Sea stretching from the Hebron-Beersheba sub-district boundary line to Ein Geddi, as described in respect of the Arab State.

THE CITY OF JERUSALEM

The boundaries of the City of Jerusalem are as defined in the recommendations on the City of Jerusalem.

PART III, CITY OF JERUSALEM

A. The City of Jerusalem shall be established as a corpus separatum under a Special International Regime and shall be administered by the United Nations. The Trusteeship Council shall be designated to discharge the responsibilities of the Administering Authority on behalf of the United Nations.

B. The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern Bethlehem; the most western Ein Karim (including also the built-up area of Motsa) and the most northern Shu'fat, as indicated on the attached sketch-map (Annex B).

C. The Trusteeship Council shall within five months from the approval of the present plan elaborate and approve a detailed Statute of the City which shall contain inter alia the substance of the following provisions:

1. Government machinery: Special objectives.

The Administering Authority in discharging its administrative obligations shall pursue the following special objectives:

(a) To protect and to preserve the unique spiritual and religious interests located in the City of the three great monotheistic faiths throughout the world, Christian Jewish and Moslem; to this end to ensure that order and peace, and especially religious peace, reign in Jerusalem.

(b) To foster co-operation among all the inhabitants of the City in their own interests as well as in order to encourage and support the peaceful development of the mutual relations between the two Palestinian peoples throughout the Holy Land; to promote the security, well-being and any constructive measures of development of the residents, having regard to the special circumstances and customs of

the various peoples and communities.

2. Governor and Administrative Staff

A Governor of the City of Jerusalem shall be appointed by the Trusteeship Council and shall be responsible to it. He shall be selected on the basis of special qualifications and without regard to nationality. He shall not, however, be a citizen of either State in Palestine.

The Governor shall represent the United Nations in the City and shall exercise on their behalf all powers of administration including the conduct of external affairs. He shall be assisted by an administrative staff classed as International officers in the meaning of Article 100 of the Charter and chosen whenever practicable from the residents of the City and of the rest of Palestine on a non-discriminatory basis. A detailed plan for the organization of the administration of the City shall be submitted by the Governor to the Trusteeship Council and duly approved by it.

3. Local autonomy

(a) The existing local autonomous units in the territory of the City (villages, townships and municipalities) shall enjoy wide powers of local government and administration.

(b) The Governor shall study and submit for the consideration and decision of the Trusteeship Council a plan for the establishment of special town units consisting, respectively, of the Jewish and Arab sections of new Jerusalem. The new town units shall continue to form part of the present municipality of Jerusalem.

4. Security measures

(a) The City of Jerusalem shall be demilitarized, its neutrality shall be declared and preserved, and no paramilitary formations, exercises or activities shall be permitted within its borders.

(b) Should the administration of the City of Jerusalem be seriously obstructed or prevented by the non-co-operation or interference of one or more sections of the population, the Governor shall have authority to take such measures as may be necessary to restore the effective functioning of the administration.

(c) To assist in the maintenance of internal law and order and especially for the protection of the Holy Places and religious buildings and sites in the City, the Governor shall organize a special police force of adequate strength, the members of which shall be recruited outside of Palestine. The Governor shall be empowered to direct such budgetary provision as may be necessary for the maintenance of this force.

5. Legislative organization

A legislative council, elected by adult residents of the City irrespective of nationality on the basis of universal and secret suffrage and proportional representation, shall

have powers of legislation and taxation. No legislative measures shall, however, conflict or interfere with the provisions which will be set forth in the Statute of the City, nor shall any law, regulation, or official action prevail over them. The Statute shall grant to the Governor a right of vetoing the bills inconsistent with the provisions referred to in the preceding sentence. It shall also empower him to promulgate temporary ordinances in case the Council fails to adopt in time a bill deemed essential to the normal functioning of the [...]

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6. Administration of justice

The Statute shall provide for the establishment of an independent judiciary system including a court of appeal. All the inhabitants of the City shall be subject to it.

7. Economic Union and Economic Regime

The City of Jerusalem shall be included in the Economic Union of Palestine and be bound by all stipulations of the undertaking and of any treaties issued therefrom, as well as by the decisions of the Joint Economic Board. The headquarters of the Economic Board shall be established in the territory of the City.

The Statute shall provide for the regulation of economic matters not falling within the regime of the Economic Union, on the basis of equal treatment and non-discrimination for all Members of the United Nations and their nationals.

8. Freedom of transit and visit; Control of residents

Subject to considerations of security, and of economic welfare as determined by the Governor under the directions of the Trusteeship Council, freedom of entry into, and residence within, the borders of the City shall be guaranteed for the residents or citizens of the Arab and Jewish States. Immigration into, and residence within, the borders of the City for nationals of other States shall be controlled by the Governor under the directions of the Trusteeship Council.

9. Relations with the Arab and Jewish States

Representatives of the Arab and Jewish States shall be accredited to the Governor of the City and charged with the protection of the interests of their States and nationals in connection with the international administration of the City.

10. Official languages

Arabic and Hebrew shall be the official languages of the City. This will not preclude the adoption of one or more additional working languages, as may be required.

11. Citizenship

All the residents shall become ipso facto citizens of the City of Jerusalem unless they opt for citizenship of the State of which they have been citizens or, if Arabs or Jews,

have filed the notice of intention to become citizens of the Arab or Jewish State respectively, according to Part I, section B, paragraph 9 of this Plan.

The Trusteeship Council shall make arrangements for Consular protection of the citizens of the City outside its territory.

12. Freedoms of citizens

1. Subject only to the requirements of public order and morals, the inhabitants of the City shall be ensured the enjoyment of human rights and fundamental freedoms, including freedom of conscience, religion and worship, language, education, speech and press, assembly and association, and petition.

2. No discrimination of any kind shall be made between the inhabitants on the grounds of race, religion, language or sex.

3. All persons within the City shall be entitled to equal protection of the laws.

4. The family law and personal status of the various persons and communities and their religious interests, including endowments, shall be respected.

5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

6. The City shall ensure adequate primary and secondary education for the Arab and Jewish community respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the City may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

7. No restriction shall be imposed on the free use by any inhabitant of the City of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

13. Holy Places

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to

the Governor that any particular Holy Place, religious building or site is in need of urgent repair, the Governor may call upon the community or communities concerned to carry out such repair. The Governor may carry it out himself at the expense of the community or communities concerned if no action is taken within a reasonable time.

No taxation shall be levied in respect of any Holy Places, creation of the City. No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

14. Special powers of the Governor in respect of the Holy Places, religious buildings and sites in the City and in any part of Palestine

1. The protection of the Holy Places, religious buildings and sites located in the City of Jerusalem shall be a special concern of the Governor.

2. With relation to such Places, buildings and sites in Palestine outside the City, the Governor shall determine on the ground of powers granted to him by the Constitutions of both States whether the provisions of the Constitutions of the Arab and Jewish States in Palestine dealing therewith and the religious rights appertaining thereto are being properly applied and respected.

3. The Governor shall also be empowered to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community in respect of the Holy Places, religious buildings and sites in any part of Palestine.

In this task he may be assisted by a consultative council of representatives of different denominations acting in an advisory capacity.

D. Duration of the Special Regime

The Statute elaborated by the Trusteeship Council on the aforementioned principles shall come into force not later than 1 October 1948. It shall remain in force in the first instance for a period of ten years, unless the Trusteeship Council finds it necessary to undertake a re-examination of these provisions at an earlier date. After the expiration of this period the whole scheme shall be subject to re-examination by the Trusteeship Council in the light of the experience acquired with its functioning. The residents of the City shall be then free to express by means of a referendum their wishes as to possible modifications of the regime of the City.

PART IV. CAPITULATIONS

States whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners, including the benefits of Consular jurisdiction and protection as formerly enjoyed by capitulation or usage in the Ottoman Empire, are invited to renounce any right pertaining to them to the re-establishment of such privileges and immunities in the proposed Arab and Jewish States and the City of Jerusalem.

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