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GOVERNMENT OF PALESTINE

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United Nations Special Committee
on Palestine 1947

Summary of Recommendations

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NOTE

This pamphlet contains the Official Summary, issued by the United Nations Special Committee on Palestine, of the Recommendations made by it for the consideration of the United Nations General Assembly, and is published by the Government of Palestine for general information. As the Summary was transmitted to Palestine by telegram there may possibly in some places be minor deviations from the official text.

SUMMARY OF RECOMMENDATIONS

The United Nations Special Committee on Palestine signed at Geneva at 22.30 hours G.M.T., on August 31st, 1947, and sent to the Secretary General for transmission to the General Assembly its report and recommendations on the question of Palestine.

Apart from specific plans as to the constitution of the future Government, and territorial provisions, matters on which a majority and a minority proposal are submitted, the Committee forwards to the General Assembly the following eleven unanimous recommendations:—

1. The Mandate of Palestine shall be terminated at the earliest practicable date.
2. Independence shall be granted in Palestine at the earliest practicable date.
3. There shall be a transitional period preceding the granting of independence which shall be as short as possible consistent with the achievement of conditions essential to independence.
4. During the transitional period the authority entrusted with administering Palestine and preparing it for independence shall be responsible to the United Nations.
5. With regard to religious interests and Holy Places —
 - (a) in whatever solution may be adopted the sacred character of the Holy Places shall be preserved and access to the Holy Places shall be ensured in accordance with existing rights;
 - (b) the present rights of the several religious communities shall not be impaired or denied;
 - (c) an adequate system for the impartial settlement of religious disputes shall be devised, and specific stipulations regarding these matters shall be inserted in the constitution or constitutions of any independent Palestinian State or States which may be created.
6. The General Assembly should undertake immediately the initiation and without delay the execution of an international arrangement whereby the problem of distressed European Jews of whom approximately 250,000 are in assembly centres will be dealt with as a matter of extreme urgency for the alleviation of their plight and of the Palestine problem.
7. It shall be a prior condition to the granting of independence that the political structure of the new State or States including its constitution or other

fundamental laws shall be basically democratic, i.e., representative in character. The constitution shall contain guarantees essential to human rights and fundamental freedoms and safeguards to protect the rights and interests of minorities.

8. A prior condition of independence shall also be the incorporation in the constitution of the basic principles of the Charter of the United Nations including the obligation to settle international disputes by peaceful means and to refrain in international relations from the threat or use of force against the territorial integrity or political independence of any state or in any manner inconsistent with the purposes of the United Nations.

9. It shall accept as a cardinal principle that the preservation of the economic unity of Palestine is indispensable to the life and development of the country and its peoples.

10. States whose nationals have in the past enjoyed in Palestine the privileges and immunities of foreigners including consular jurisdiction by capitulation or usage in the Ottoman Empire should be invited by the United Nations to renounce any right pertaining to them in the re-establishment of such privileges and immunities in an independent Palestine.

11. The General Assembly shall call on the peoples of Palestine to extend their fullest co-operation to the United Nations in its effort to devise and put into effect an equitable and workable means of settling the difficult situation prevailing there and to this end in the interests of peace and goodwill and lawfulness to exert every effort to bring to an early end the acts of violence which have far too long beset that country.

The Committee agreed with two dissenting votes to the twelfth recommendation as follows:—

12. In the appraisal of the Palestine question it should be accepted as incontrovertible that any solution for Palestine cannot be considered as a solution of the Jewish problem in general.

SCHEME FOR PARTITION WITH ECONOMIC UNION

According to the plan of the majority (the representatives of Canada, Czechoslovakia, Guatemala, the Netherlands, Peru, Sweden and Uruguay), Palestine shall be constituted into an Arab State, a Jewish State, and the City of Jerusalem. The Arab and the Jewish States will become independent after a transitional period of two years beginning on the 1st September, 1947. Before, however, their independence can be recognised, they must adopt a Constitution, make to the United Nations a declaration containing certain guarantees, and sign a treaty by which a system of economic collaboration is established and the economic union of Palestine is created. A summary of its essential features follows:—

I. *Transitional Period and Constitution*

A. During the transitional period the United Kingdom shall carry on the administration of Palestine under the auspices of the United Nations and on such conditions and under such supervision as the United Kingdom and the United

Nations may agree upon. If so desired the administration will be carried on with the assistance of one or more members of the United Nations. The United Kingdom shall during the transitional period take such preparatory steps as may be necessary for the execution of the scheme recommended and shall carry out the following measures:

1. Admit into the proposed Jewish State 150,000 Jewish immigrants at a uniform monthly rate, 30,000 of whom shall be admitted on humanitarian grounds. Should the transitional period continue for more than 2 years Jewish immigration shall be allowed at the rate of 60,000 per year. The Jewish Agency shall be responsible for the selection and care of Jewish immigrants and for the organising of Jewish immigration during the transitional period.

2. The restrictions introduced under the authority of the Palestine (Amendment) Order in Council of May 25th 1939 will not apply to the transfer of land within the border of the proposed Jewish state.

B. Constituent assemblies shall be elected by the populations of the areas which are included in the Arab and Jewish states respectively. Qualified voters for each state for this election shall be persons over 20 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.

C. The Constituent Assemblies shall draw up the constitutions of the States. The constitutions shall provide for the establishment in each community of a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation and an executive responsible to the legislature. They shall also contain provision for the protection of the Holy Places, religious buildings and sites, and for religious and minority rights. Equal non-discriminatory rights in civil, political and religious matters and the enjoyment of human rights and fundamental freedoms shall be guaranteed. Freedom of transit and visit for all residents and citizens of the two states in Palestine and the City of Jerusalem shall be preserved.

D. The constituent assembly in each state shall appoint a provisional Government empowered to make declarations and sign a Treaty of Economic Union. On making the declaration and signing the Treaty of Economic Union by either state its independence as a sovereign state shall be recognised. If only one State fulfils this condition the General Assembly of the United Nations shall take such action as it may deem proper.

II. *Declaration*

The Declaration shall contain provisions for the protection of the Holy Places and religious buildings and sites and religious and minority rights. There shall

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be no discrimination on the grounds of race, religion or language. The state shall ensure adequate primary and secondary education for the Arab or Jewish minorities in their own language and in their cultural traditions, and each community shall have the right to maintain its own schools for the education of its own members in its own language. Palestinian citizens, as well as Arabs and Jews who, although not holding Palestinian citizenship, reside in Palestine, shall, upon the recognition of independence, become citizens of the state in which they are resident. Such persons, if over 18 years of age, may opt within one year for the citizenship of the other state or declare that they retain the citizenship of any state of which they are citizens; provided that no person who has signed the notice of intention referred to in paragraph B above shall have the right of option. A resident of the City of Jerusalem, who signs a notice of intention, may opt for citizenship of one of the Palestinian states, if an Arab of the Arab State, and if a Jew of the Jewish State.

III. *Economic Union*

A treaty shall be entered into between the two States, which shall contain certain provisions to establish the economic union of Palestine and to provide for other matters of common interest. The objectives of the economic union of Palestine shall be a customs union, common currency, operation in the common interest of railways, inter-state highways, postal, telephone and telegraphic services, and the ports of Haifa and Jaffa. It shall also promote joint economic development especially in respect of irrigation, land reclamation and soil conservation. A Joint Economic Board shall be established to 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 functions of the Joint Economic Board shall be to organise and administer the objectives of the economic union. After various 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 5 per cent and not more than 10 per cent to the City of Jerusalem and the residue in equal proportion to the Arab and Jewish States.

IV. *The City of Jerusalem*

The City of Jerusalem shall be placed, after the transitional period, under the international trusteeship system by means of a trusteeship agreement which shall designate the United Nations as the administering authority. The City of Jerusalem shall include within its borders the present Municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which to be Abu Dis, the most southern Bethlehem, the most western Ein Karim and the most northern Shu'fat. The City of Jerusalem shall be demilitarised. The Governor of the City of Jerusalem shall be appointed by the Trusteeship Council of the United Nations. He will be neither Arab nor Jew nor a citizen of the Palestine States nor, at the time of his appointment, a resident of the City of Jerusalem. The Governor shall be empowered to make decisions on the basis of the existing rights (*status quo*) in cases of disputes which may arise between the different communities in respect of the Holy Places, religious buildings and sites in any part of Palestine.

The protection of the Holy Places, religious buildings and sites in the City of Jerusalem shall be entrusted to a special police force the members of which shall be recruited outside Palestine and shall be neither Arab nor Jew. The City of Jerusalem shall be included in the economic union of Palestine.

V. *Boundaries of the Arab and Jewish States*

The proposed Arab State will include western Galilee, the hill country of Samaria and Judea with the exclusion of the City of Jerusalem, and the coastal plain from Isdud to the Egyptian frontier. The proposed Jewish state will include eastern Galilee, the plain of Esdraelon, most of the coastal plain, and the whole of the Beersheba sub-district, which includes the Negeb.

The three sections of the Arab state and the three sections of the Jewish state are linked together by two points of intersection, of which one is situated south-east of Afula in the sub-district of Nazareth and the other north-east of El Majdal in the sub-district of Gaza.

The Arab State. — 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 Qadas; on the east the boundary starting from Qadas passes southwards, west of Safad to the south-western corner of the Safad sub-district; thence it follows the western boundary of the Tiberias sub-district to a point just east of Mount Tabor, thence southwards to the point of intersection south-east of Afula mentioned above. The south-western boundary of western Galilee takes a line from this point passing south of Nazareth and Shafa Amr, but north of Beit Lahm to the coast just south of Acre. The boundary of the hill country of Samaria and Judea starting on the Jordan river south-east of Beisan follows the northern boundary of the Samaria district westwards to the point of intersection south-east of Afula, thence again westwards to Lajjun, thence in a south-westerly direction, passing just west of Tulkarm, east of Qalqiliya, west of Majdal Yaba, thence bulging westwards towards Rishon Le Zion so as to include Lydda and Ramle in the Arab state, thence turning again eastwards to a point west of Latrun, thereafter following the northern side of the Latrun-Majdal road to the second point of intersection, thence south-eastwards to a point on the Hebron sub-district boundary south of Qubeiba, thence following the southern boundary of the Hebron sub-district to the Dead Sea. The Arab section of the coastal plain runs from a point a few miles north of Isdud to the Egyptian frontier extending inland eight kilometres.

The Jewish State. — the north-eastern sector of the proposed Jewish state (eastern Galilee) will have frontiers with the Lebanon in the north and west and with Syria and Trans-Jordan on the east and will include the whole of the Huleh basin, Lake Tiberias and the whole of the Beisan sub-district. From Beisan the Jewish State will extend north-west following the boundary described in respect of the Arab State. The Jewish sector on the coastal plain extends from a point south of Acre to just north of Isdud in the Gaza sub-district and includes the towns of Haifa, Tel Aviv and Jaffa. The eastern frontier of the Jewish State follows the boundary described in respect of the Arab State. The Beersheba area includes the whole of the Beersheba sub-district, which includes the Negeb, and

the eastern part of the Gaza sub-district south of the point of intersection. The northern boundary of this area, from the point of intersection, runs south eastwards to a point on the Hebron sub-district boundary south of Qubeiba, and thence follows the southern boundary of the Hebron sub-district to the Dead Sea.

SCHEME FOR A FEDERAL STATE

Three members (the representatives of India, Iran and Yugoslavia) propose an independent federal state. The major provisions of that plan are briefly summarised as follows :—

I. *Constitution and Transitional Period*

An independent federal state of Palestine shall be created following a transitional period not exceeding three years, during which responsibility for administering Palestine and preparing it for independence shall be entrusted to an authority to be decided by the General Assembly. The independent federal state shall comprise an Arab State and a Jewish State. Jerusalem shall be its capital. During the transitional period a constituent assembly shall be elected by popular vote and convened by the administering authority on the basis of electoral provisions which shall ensure the fullest representation of the population, provided that the electorate includes all adult persons who have acquired Palestinian citizenship as well as all Arabs and Jews who, though non-citizens, are resident in Palestine and have applied for citizenship not less than three months before the date of election. The constituent assembly shall draw up the constitution of the federal state. Independence shall be declared by the General Assembly once a constitution incorporating the following provisions has been adopted by the constituent assembly :—

(a) the federal state shall comprise a federal Government and the Governments of the Arab and Jewish States, respectively.

(b) Full authority shall be vested in the federal Government with regard to national defence, foreign relations, immigration, currency, taxation for federal purposes, foreign and inter-state waterways, transport and communications, copyrights and patents.

(c) The Arab and Jewish states shall enjoy full powers of local self-government and shall have authority over education, taxation for local purposes, the right of residence, commercial licences, land permits, grazing rights, inter-state migration, settlement, police, punishment of crime, social institutions and services, public housing, public health, local roads, agriculture and local industries.

(d) The organs of Government shall include a head of state, an executive body, a representative federal legislative body composed of two chambers, and a federal court. The executive shall be responsible to the legislative body.

(e) The head of state shall be elected by a majority vote of both chambers of the federal legislative body. A deputy head of state shall be elected who shall be a representative of the community other than that with which the head of state is identified.

(f) Election to one chamber of the federal legislative body shall be on the basis of proportional representation of the population as a whole, and to the other on the basis of equal representation of the Arab and Jewish citizens of Palestine. Legislation shall be enacted when approved by majority votes in both chambers : in the event of disagreement between the two chambers, the issue shall be submitted to an arbitral body of five members including not less than two Arabs and two Jews.

(g) The federal court shall be the final court of appeal regarding constitutional matters. Its members, who shall include not less than four Arabs and three Jews, shall be elected by both chambers of the federal legislative body.

(h) The constitution shall forbid any discriminatory federal or state legislation against the population groups or against either of the states, and shall guarantee equal rights for all minorities. It shall be based on the full equality of all citizens of Palestine with regard to the political, civil and religious rights of the individual and shall guarantee fundamental rights and freedoms. It shall guarantee inter alia access to Holy Places and protect religious interests.

(i) The constitution shall provide for undertakings to settle international disputes by peaceful means.

(j) There shall be a single Palestinian nationality and citizenship.

(k) The constitution shall provide for equitable participation of representatives of both communities in delegations to international conferences.

II. *Holy Places*

In addition to the guarantees contained in the constitution regarding the protection of and free access to Holy Places there shall be set up a permanent international body for the supervision and protection of the Holy Places, to be composed of three representatives designated by the United Nations and one representative of each of the recognised religious communities having an interest in the matter, as may be determined by the United Nations.

III. *Jewish Immigration into Palestine*

For a period of three years from the beginning of the transitional period Jewish immigration shall be permitted into the Jewish State in such numbers as not to exceed its absorptive capacity, and having due regard for the rights of the existing population within that state and their anticipated natural rate of increase. An international commission, composed of three Arab, three Jewish and three United Nations representatives shall be appointed to estimate the absorptive capacity of the Jewish State. The Commission shall cease to exist at the end of the three year period mentioned above.

IV. *Boundaries*

The Arab area of the proposed federal state includes most of the interior of the country, except for eastern Galilee and a large area of the Beersheba sub-district which fall within the boundaries of the Jewish area. The Arabs are allotted the coastal plain from Jaffa south to the Egyptian frontier, and the western

and a strip along the whole length of the Egyptian frontier to the gulf of Aqaba. Also within the Arab area, but not contiguous with the area just described, is western Galilee, bounded on the west by the Mediterranean from Acre to Ras En Naqura, on the north by Lebanon and including Safad to the east and Nazareth to the south. The Jewish area is likewise not contiguous, but divided into two parts. It includes the coastal plain from but excluding Acre on the north, to Tel Aviv, with a finger reaching south-east from Tel Aviv through Rishon-le-Zion and Rehovot to the neighbourhood of the boundaries of the Gaza and Hebron sub-districts. The plain of Esdraelon forms a bridge connecting this coastal area with the valley of Jezreel, Beisan, Tiberias and the Huleh Valley, which are likewise allotted to the Jews. The Jewish area to the south includes that part of the Hebron sub-district which lies south and east of Dhahariya, and Yatta, and a rectangular area of the Beersheba sub-district, bounded on the east by the Wadi Araba and on the west by a line drawn to the east of Beersheba and Asluj, and extending southward to approximately latitude 30 point 3 degrees.

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When the two above schemes concerning partition or federal state were voted upon, one member of the committee, the representative of Australia, abstained in both cases.

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