

# DOCUMENTS ON PALESTINE

## Volume II (1948-1973):

3. Jordanian/Egyptian Rule in the West Bank & Gaza Strip  
(1948-1967)
4. June War 1967 – Geneva Peace Conference 1973  
(1967-1973)

Edited by Dr. Mahdi Abdul Hadi



**PASSIA**  
Palestinian Academic Society for the Study of International Affairs

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# Introduction

Palestine has enjoyed geographic, religious and political centrality in the Middle East and has since the beginning of the last century been vulnerable to the plans and ambitions of foreign powers. The resulting conflicts have led to the dispersal and prolonged suffering of the Palestinian people, and during the past eight decades in particular the Palestinian people have fought continuously to defend their internationally recognized rights to freedom and independence.

The ambitions and policies of the various external powers involved over the years have had an undeniable impact on inter-Arab relations, and on the international relations of Arab states. They have also had a direct effect on shaping the history of Palestine and the evolution of its future. Despite this external pressure, the Palestinians have succeeded in defending and maintaining their Arab identity and political presence by organizing socio-economic institutions and a political infrastructure which have allowed them to challenge the power of the various conquerors in the ongoing national struggle. Having legitimate representation forced other parties to recognize and engage with them despite attempts to deny them their rights to self-determination and national independence.

This volume is one of a series that organizes key political documents covering the time from the pre-Ottoman period to 2007. This volume includes the text or excerpts of over 160 documents, covering Jordanian/Egyptian Rule in the West Bank and Gaza Strip (1948-1967); June War of 1967; and the period up to the Geneva Conference of 1973. This introductory chapter outlines the history of this period to provide a framework to guide the reader to the historical context of the papers.

## *Jordanian/Egyptian Rule in the West Bank and Gaza Strip*

The Arabs in the area administered by the British under the Mandate comprised about two-thirds of the population, which rejected the Partition Resolution (Resolution 181) of the United Nations. The Jewish Agency accepted the Resolution as a first step towards the formation of a Jewish state and on 14 May 1948 formed a provisional government and proclaimed the State of Israel.

The Arab Higher Committee called on Arab states to save Palestine and the subsequent war led to the Palestinian *Nakba*. Jewish forces took much of the intended Arab Palestinian State, while Jordan took control of the West Bank and Egypt gained control of the Gaza Strip. The Palestinians found themselves divided: an Arab minority within the Israeli State; citizens of Jordan on the West Bank; residents of Gaza under Egyptian administration; and stateless refugees in the neighboring Arab countries. On 1st October of that year the Higher Arab Committee declared Palestine to be independent and established an All-Palestine Government in Gaza.

The serious refugee problem caused by the *Nakba* led the United Nations to form the United Nations Relief and Works Agency (UNRWA) for Palestinian refugees in the Near East. Temporary camps were set up for the refugees, and their right to return to their homes or receive compensation was included in UN Resolution 194.

The Arab-Israeli War of 1948 ended in various truces signed in the early 1950s. In the following years the Palestine Question was primarily addressed as a refugee problem; how-

ever, it impacted surrounding countries in the form of coups d'état in Syria, assassinations (Lebanon's Prime Minister and King Abdullah in Jordan); and the Egyptian Revolution under Jamal Abdul Nasser in 1952. The Zionist leaders portrayed the events of 1948 as their inheritance of the Mandate from the British. As for the Palestinians, the aftermath of the War was simply the *Nakba* – the Catastrophe.

In the late 1950s-early 1960s the British, US, Australia, and Canada, along with UN Secretary General Dag Hammarskjöld tried to solve the Palestine problem, but the Suez War of 1956 escalated tensions and called a halt to any progress. A study by the US State Department in 1962 led to the revival of the United Nations Special Committee on Palestine (UNSCOP) and the reaffirmation of the necessity to enforce Resolution 194.

In 1964 Arab states formed the Palestine Liberation Organization (PLO) to establish a central representative for the Palestinian people; Ahmad Shuqeri was the first chairman.

### ***The June War of 1967 and Israeli Occupation of the Rest of Palestine***

The Arab-Israeli conflict entered a new chapter with the 1967 war, which led to the two major Palestinian communities of Gaza and the West Bank, including Jerusalem, coming under one system of military rule. This marked the beginning of the Palestinianization of the conflict in terms of resistance, political initiatives and subsequent challenges.

The UN condemned the Israeli occupation and called for Israel to refrain from an occupation, citing international law as the basis for this call. The UN Security Council passed Resolution 242 calling for Israel to withdraw its army from the occupied territories. Also in 1967 Arab leaders called for Israeli withdrawal, and refused the possibility of recognizing Israel.

In 1968 the armed resistance met Israeli army forces at the Battle of Karameh and the PLO amended its constitution to continue armed struggle against Israel. In 1969 Yasser Arafat was elected chairman and began to change it into a wider umbrella organization open to all Palestinian factions.

Throughout the 1970s there were a series of attempts by intermediaries to find political solutions for the conflict. The first was a plan by King Hussein of Jordan for a unified Arab kingdom that included Jordan and the West Bank; a proposal from the EU following the 1973 War as proposed at the Geneva Middle East Peace of December that year.

### ***A Final Note***

Although we have endeavored to make this publication as reader/user friendly as possible, one should be aware that there is some inconsistency in terms of the spelling of non-English words - names and places (such as Haram Ash-Sharif or *Intifada*) – since we adhered, wherever possible, to the original version rather than apply our usual spelling rules. It is for the same reason that the volumes contain a number of minor typographical errors such as the omission of apostrophes, inconsistent capitalization, and spelling mistakes found in the originals.

Footnotes included in the volumes - excluding those marked “the ed.” - are mostly those that appeared in the original texts though the readership note that the numbering will not necessarily be accordance with the original version.

*Dr. Mahdi Abdul Hadi*  
*Chairman of PASSIA*

### 3. Jordanian/Egyptian Rule in the West Bank & Gaza Strip (1948-1967)

#### UN SECURITY COUNCIL, RESOLUTION 42 CALLING FOR ATTENTION TO THE PALESTINE PROBLEM, NEW YORK, 5 MARCH 1948

The Security Council,

*Having received* General Assembly Resolution 181 (11) of 29 November 1947 on Palestine, and having received from the United Nations Palestine Commission its first monthly report and its first special report on the problem of security in Palestine,

1. *Resolves* to call on the permanent members of the Council to consult and to inform the Security Council regarding the situation with respect to Palestine and to make, as the result of such consultations, recommendations to it regarding the guidance and instructions which the Council might usefully give to the Palestine Commission with a view to implementing the resolution of the General Assembly. The Security Council requests the permanent members to report to it on the results of their consultations within ten days;
2. *Appeals* to all Governments and peoples, particularly in and around Palestine, to take all possible action to prevent or reduce such disorders as are now occurring in Palestine.



#### PLAN DALET (PLAN D): GENERAL SECTION, 10 MARCH 1948

*[The main Jewish underground army in Palestine, Haganah, had prepared a contingency plan for defending a Jewish state from invasion even before the UN Partition Plan was approved in Nov. 1947. The plan – which was revised in Dec. 1947 and again on 10 March 1948 - was meant to be activated only after the British left. However, the Zionist forces started the War in early April 1948 by launching Operation Nachshon as part of Plan Dalet, which, according to Palestinian sources, aimed to conquer and ethnically cleanse the country rather than defending it against Arab invaders (Note: The Arab armies did not enter Palestine until after the British left on 15 May, by which time Zionists had already conquered a major part of the country and driven out many of its inhabitants.)]*

#### 1. INTRODUCTION

- (a) The objective of this plan is to gain control of the areas of the Hebrew state and defend its borders. It also aims at gaining control of the areas of Jewish settlement and concentration which are located outside the borders [of the Hebrew state] against regular, semi-regular, and small forces operating from bases outside or inside the state.
- (b) This plan is based on three previous plans:
  1. Plan B, September 1945.
  2. The May 1946 Plan.<sup>1</sup>
  3. Yehoshua Plan, 1948.<sup>2</sup>

<sup>1</sup> This is Plan Gimmel or Plan C.

<sup>2</sup> This is an early version of Plan D, so called after Yehoshua Globerman, a Haganah commander killed in early December 1947. Plan D itself was finalized on 10 March, 1948.

- (c) Since these plans were designed to deal with the situation inside the country (the first two plans deal with the first phase of incidents, while the third plan deals with the possibility of invasion by regular armies from the neighboring countries), the aim of Plan D is to fill the gaps in the previous three plans and to make them more suitable for the situation expected to obtain at the end of British rule in the country.

## 2. BASIC ASSUMPTIONS

This plan is based on the following basic assumptions:

### *(a) The Enemy*

#### 1. Expected composition of forces:

The semi-regular forces of the Liberation Army affiliated with the Arab League, which operate from already occupied bases or bases to be occupied in the future.

The regular forces of neighboring countries, which will launch an invasion across the borders, or will operate from bases inside the country (the Arab Legion).<sup>3</sup>

Small local forces which operate, or will operate, from bases inside the country and within the borders of the Hebrew state.

All three forces will be activated at the same time in accordance with a joint operational plan, and will sometimes engage in tactical coordination.

#### 2. Actual operations expected from the enemy':

Isolation and, if possible, occupation of the eastern Galilee, western Galilee, and the Negev.

Infiltration into the heart of the area of Sharon<sup>4</sup> and Emek Hefer' in the direction of Qalqilyyah-Herzliya and Tulkarm-Netanya, roughly.

Isolation of the three major cities (especially Tel Aviv).<sup>5</sup>

Disruption of food supply lines and other vital services such as water, electricity, etc.

#### 3. Expected tactical methods:

- Attacks by the regular and semi-regular forces on settlements, using heavy infantry weapons, as well as field artillery, armored vehicles, and the air force.
- Air strikes against centers within our cities (especially Tel Aviv)
- Harassment operations carried out by small forces against transportation arteries and settlements to give the operations mentioned above direct or tactical support. These forces will also carry out sabotage operations against vital economic facilities and terrorist raids within cities.

### *(b) The Authorities*

This plan rests on the general assumption that during its implementation, the forces of the [British] authorities will not be present in the country. In the event that British forces continue to control certain bases and areas, the plan must be modified to deal with this situation in these areas. Additional instructions will be issued in this regard.

### *(c) International Forces*

This plan rests on the assumption that there will be no international forces stationed in the country which are capable of effective action.

### *(d) Operational Objectives*

1. Self-defense against invasion by regular or semi-regular forces. This will be achieved by the following:
  - A fixed defensive system to preserve our settlements, vital economic projects, and property, which will enable us to provide governmental services within the borders of the state (based

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<sup>3</sup> This was a British-commanded and financed army of King 'Abdallah's Transjordan, units of which served in Palestine under British army orders until the end of the mandate on 15 May 1948.

<sup>4</sup> Sharon is the coastal plain between Haifa and Tel Aviv, Emek Hefer being its central section (in Arabic Wadi al-Hawarith).

<sup>5</sup> The two others are Jerusalem and Haifa.

on defending the regions of the state on the one hand, and on blocking the main access routes from enemy territory to the territory of the state, on the other).

- Launching pre-planned counter-attacks on enemy bases and supply lines in the heart of his territory whether within the borders of the country [Palestine] or in neighboring countries.
2. Ensuring freedom of military and economic activity within the borders of the [Hebrew] state and in Jewish settlements outside its borders by occupying and controlling important high-ground positions on a number of transportation arteries.
  3. Preventing the enemy from using frontline positions within his territory which can easily be used for launching attacks. This will be effected by occupying and controlling them.
  4. Applying economic pressure on the enemy by besieging some of his cities in order to force him to abandon some of his activities in certain areas of the country.
  5. Restricting the capability of the enemy by carrying out limited operations: occupation and control of certain of his bases in rural and urban areas within the borders of the state.
  6. Controlling government services and property within the borders of the state and ensuring the supply of essential public services in an effective manner.

### 3. ASSIGNMENT OF DUTIES

In view of the operational objectives outlined above, the various armed services are assigned the following duties:

- (1) Strengthening the fixed defensive system designed to defend the zones, and coordinating its deployment on the regional level. In addition, the main enemy access routes to the lands of the state must be blocked through appropriate operations and measures.
- (2) Consolidation of the defensive apparatus.
- (3) Deployment in major cities.
- (4) Control of the main transportation arteries country-wide.
- (5) Encirclement of enemy cities.
- (6) Occupation and control of frontline enemy positions.
- (7) Counterattacks inside and outside the borders of the country.

#### *(a) The Fixed Defensive System*

1. The fixed defensive system in rural areas depends on two main factors: using protected areas for the purpose of defending the circumference, on the one hand, and blocking main transportation routes used by the enemy, on the other hand.
2. The security arrangements pertaining to the zones in rural areas, originally designed to repel small enemy forces, must be modified in terms of planning and reinforcement to suit the tactical measures expected to be employed by semi-regular or regular enemy forces. This will be effected according to instructions issued by the operations branch in charge of defense and planning in rural areas.
3. In addition, if we take into consideration the tactical measures expected to be employed by the enemy, efforts must be made to make a transition from a positional defense to a regional defense, so that the unit of defense is the region and not the zone.
4. In order to achieve this objective, the following steps must be taken:
  - a) Transformation of the regional staff from an administrative staff to a general staff (selection of a location, setting up a communications network, etc.)
  - b) Formation of a regional mobile reserve, to be recruited from the forces appointed to the zones, which would reinforce the forces or carry out counterstrikes in the zones within each region according to pre-arranged plans.
  - c) Adaptation and incorporation of the plans concerning fortification and opening fire in the zones to those of the region, as far as possible, taking into consideration geographical circumstances and types of weapons used. These plans must also be coordinated with the operations of the regional mobile reserves.
5. Settlements which because of their geographical location cannot be included in a fixed regional defense plan must be organized into local defense zones. Accordingly, they must be equipped to block transport roads used by the enemy, or if tactical circumstances permit, to control the heights,

setting up fortifications and barricades and laying mines, etc. This will be done in addition to activating the zone's defensive apparatus. Additional forces must be assigned to carry out these duties, as will be detailed below. These specifications also apply to isolated regions.

6. Blocking the main enemy transportation routes.
  - a) The main enemy transportation routes which link his lands to the lands of the state, such as roads, bridges, main passes, important crossroads, paths, etc. must be blocked by means of: acts of sabotage, explosions, series of barricades, mine fields, as well as by controlling the elevations near roads and taking up positions there.
  - b) A system of barricades must be set up in addition to the fixed defensive system. The tactical plans concerning barricades must be adapted to and coordinated with the defensive plans concerning the zones located near these barricades. They must also be coordinated with the regional defense plans if this is possible from the geographical point of view.

*(b) Consolidation of Defense Systems and Fortifications*

The following operations must be carried out if the fixed defensive system is to be effective and if the rear of this system is to be protected:

1. Occupation of police stations.<sup>6</sup>
2. Control of government installations and provision of services in each and every region.
3. Protection of secondary transportation arteries.
4. Mounting operations against enemy population centers located inside or near our defensive system in order to prevent them from being used as bases by an active armed force. These operations can be divided into the following categories:

Destruction of villages (setting fire to, blowing up, and planting mines in the debris), especially those population centers which are difficult to control continuously.

Mounting search and control operations according to the following guidelines: encirclement of the village and conducting a search<sup>7</sup> inside it. In the event of resistance, the armed force must be destroyed and the population must be expelled outside the borders of the state.

The villages which are emptied in the manner described above must be included in the fixed defensive system and must be fortified as necessary.

In the absence of resistance, garrison troops will enter the village and take up positions in it or in locations which enable complete tactical control. The officer in command of the unit will confiscate all weapons, wireless devices, and motor vehicles in the village. In addition, he will detain all politically suspect individuals. After consultation with the [Jewish] political authorities, bodies will be appointed consisting of people from the village to administer the internal affairs of the village. In every region, a [Jewish] person will be appointed to be responsible for arranging the political and administrative affairs of all [Arab] villages and population centers which are occupied within that region.

*(c) Deployment in Major Cities*

Positions will be taken in the large cities according to the following principles:

1. Occupation and control of government facilities and property (post offices, telephone exchanges, railroad stations, police stations, harbors, etc.)
2. Protection of all vital public services and installations.
3. Occupation and control of all isolated Arab neighborhoods located between our municipal center and the Arab municipal center, especially those neighborhoods which control the city's exit and entry roads. These neighborhoods will be controlled according to the guidelines set for searching villages. In case of resistance, the population will be expelled to the area of the Arab municipal center.

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<sup>6</sup> These "police stations" were in fact fortresses, fifty of which were built by the British throughout Palestine after the Arab rebellion of 1936-39 in order to control the Arab population.

<sup>7</sup> In the original translation, the word 'srika' was translated as "combing." The reference is to a search for hostile forces.

4. Encirclement of the central Arab municipal area and its isolation from external transportation routes, as well as the termination of its vital services (water, electricity, fuel, etc.), as far as possible.

*(d) Control of Main Transportation Arteries on the Regional Level*

1. Occupation and control of locations which overlook main regional transportation arteries, such as police stations, water pumps, etc. These elevated locations will be transformed into fortified surveillance posts to be used, when the need arises, as bases for a mobile defensive force. (In many cases, this operation will be coordinated with the occupation of police stations, which aims at consolidating the fixed defensive system.)
2. Occupation and control of Arab villages which constitute a serious obstruction on any of the main transportation arteries. Operations against these villages will be carried out according to the specifications given under the item pertaining to the searching of villages.

*(e) Enemy Cities Will Be Besieged according to the Following Guidelines:*

1. By isolating them from transportation arteries by laying mines, blowing up bridges, and a system of fixed ambushes.
2. If necessary, by occupying high points which overlook transportation arteries leading to enemy cities, and the fortification of our units in these positions.
3. By disrupting vital services, such as electricity, water, and fuel, or by using economic resources available to us or by sabotage.
4. By launching a naval operation against the cities that can receive supplies by sea, in order to destroy the vessels carrying the provisions, as well as by carrying out acts of sabotage against harbor facilities.

*(f) Occupation and Control of Front line Enemy Positions*

Generally, the aim of this plan is not an operation of occupation outside the borders of the Hebrew state. However, concerning enemy bases lying directly close to the borders which may be used as springboards for infiltration into the territory of the state, these must be temporarily occupied and searched for hostiles according to the above guidelines, and they must then be incorporated into our defensive system until operations cease.

Bases located in enemy territory which are intended to be temporarily occupied and controlled will be listed among the operational targets for the various brigades.

*(g) Counterattacks Inside and Outside the Borders of the State*

Counterattacks will be used as ancillary measures for the fixed defensive system in order to abort the organized attacks launched by semi-regular and regular enemy forces, whether from bases inside the country or from outside the borders. Counterattacks will be launched according to the following guidelines:

1. Diversionary attacks; i.e., while the enemy is launching an attack against one of our areas, [our forces will launch] a counterattack deep inside another area controlled by the enemy with the aim of diverting his forces in the direction of the counterattack.
2. Striking at transportation and supply routes deep inside enemy territory, especially against a regular enemy force which is invading from across the border.
3. Attacking enemy bases in his rear, both inside the country [Palestine] and across its borders.
4. Counterattacks will generally proceed as follows: a force the size of a battalion, on average, will carry out a deep infiltration and will launch concentrated attacks against population centers and enemy bases with the aim of destroying them along with the enemy force positioned there; alternatively, this force may split up to carry out secondary operations, such as acts of sabotage and diversion on the enemy's military transportation routes and arteries.
5. A detailed list of counterattacks will be included in the [list of]<sup>8</sup> operational targets of the Strategic Mobile Force [PALMACH].

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<sup>8</sup> This list is not in the Hebrew original of this document.

#### 4. DUTIES OF THE ARMED SERVICES

*(a) Allocation of duties in the fixed defensive system:*

1. The following duties are the responsibility of the Garrison Force [KHIM],<sup>9</sup> defense of the zones and of isolated and fortified posts and formation of the regional reserves.
2. Within the framework of the fixed defensive system, the Field Force [KHISH],<sup>10</sup> are responsible for the following duties:  
Operations to block enemy transportation routes. For this purpose, every blocking operation will be assigned, on the basis of its importance and type, a specified Field Force unit whose size is appropriate to the nature of the mission.  
In addition, the Field Force brigade in question will be responsible for duties related to consolidating the fixed defensive system, as outlined in section 3 (b).
3. In special and exceptional circumstances, Field Force units may be positioned in the regions or zones, or in isolated and fortified positions, in order to reinforce zonal or regional defense. Efforts must be made to decrease the number of such cases, as far as possible.
4. In addition to the duties detailed above, the Field Force's responsibilities within the fixed defensive system generally consist in mounting local counterattacks involving units no smaller than company (larger units should be used if possible) against enemy units while they are attacking the fixed defensive system in order to block their lines of retreat and destroy them. These counterattacks will usually be launched from fixed operational bases which will be specified for the Field Force in the context of the duties for which it is responsible in the region as a whole. These instructions require that the Field Force units be concentrated as much as possible, and not be divided up into secondary units.
5. The chain of command in the cases mentioned above will be in accordance with Addendum 1 to the Order concerning Regional Infrastructure, November 1947.
6. If the blocking system (which the Field Force is responsible for defending) is incorporated into the zonal or regional defensive system, the commander of the Field Force battalion concerned will appoint the commander in charge of the entire defensive system.

*(b) In addition to the duties assigned to the Field Force brigade in question concerning the consolidation of the fixed defensive system, the brigade will also carry out the following duties:*

- Consolidation of positions in the cities.
  - Control of main transportation arteries country-wide.
  - Encirclement of enemy cities.
  - Occupation and control of enemy frontline positions. This will be effected in accordance with the operational duties assigned to the various Field Force brigades.<sup>11</sup>
1. In order to carry out any or all of these duties, the supreme command can assign units of the Strategic Mobile Force [PALMACH],<sup>12</sup> which constitute the country-wide reserves, to the Field Force.
  2. During the implementation of joint missions with the Field Force, units of the Strategic Mobile Force [PALMACH] will fall under the command of the Field Force brigade that controls the area in which these units are operating.
  3. After completion of the mission, the units of the Strategic Mobile Force [PALMACH] will re-join the country-wide reserves.
  4. Efforts must be made to ensure that the period during which units of the country-wide reserves are assigned to the Field Force is as short as possible.

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<sup>9</sup> [KHIM] is short for Khayl Matzav, the second line troops. By fall 1947, they numbered about 32,000. See Khalidi, *From Haven to Conquest*, 862.

<sup>10</sup> KHISH is short for Khayl Sadeh, the front line troops. By 1 May 1948, they numbered about 30,000. See Khalidi, *From Haven to Conquest*, 861.

<sup>11</sup> See Appendix C, below (*Not included, the Ed.*).

<sup>12</sup> PALMACH is short for Plugot Machats, i.e., crushing battalions. By spring 1948, this force was made up of three brigades (Yiftach, Harel, and HaNegev) numbering just above 8,000 men. See Walid Khalidi, *From Haven to Conquest* (Washington: Institute for Palestine Studies, 1987), 861.

- (c) 1. The Strategic Mobile Force [PALMACH] is responsible for carrying out counterattacks inside and outside the borders of the country.
2. The supreme command may reduce the number of duties assigned to one or another of the Field Force brigades as it sees fit ( i.e. those related to the siege of enemy cities, control of transportation routes and occupation of frontline positions) and allocate them directly to the Strategic Mobile Force [PALMACH] instead.
- (d) The various departments and services of the general staff are required to complete the above planning orders in their various areas of responsibility and to present the plans to the Field Force brigades.



**AMBASSADOR WARREN R. AUSTIN, US REPRESENTATIVE IN THE UN SECURITY COUNCIL, STATEMENT REGARDING THE US POSITION ON THE PALESTINE PROBLEM, 19 MARCH 1948 [EXCERPTS]**

The resolution adopted by the Security Council on 5 March 1948 requested the permanent members of the Security Council "to consult and to inform the Security Council regarding the situation with respect to Palestine..."

The plan proposed by the General Assembly was an integral plan which would not succeed unless each of its parts could be carried out. There seems to be general agreement that the plan cannot now be implemented by peaceful means. From what has been said in the Security Council and in consultations among the several members of the Security Council, it is clear that the Security Council is not prepared to go ahead with efforts to implement this plan in the existing situation. We had a vote on that subject and only five votes could be secured for that purpose.

The Security Council now has before it clear evidence that the Jews and Arabs of Palestine and the mandatory power cannot agree to implement the General Assembly plan of partition through peaceful means. The announced determination of the mandatory power to terminate the mandate on 15 May 1948, if carried out by the United Kingdom, would result, in the light of information now available, in chaos, heavy fighting and much loss of life in Palestine. The United Nations cannot permit such a result. The loss of life in the Holy Land must be brought to an immediate end. The maintenance of international peace is at stake.

The United States fully subscribes to the conclusion reached by the four permanent members that the Security Council should make it clear to the parties and governments concerned that the Security Council is determined not to permit the situation in Palestine to threaten international peace and, further, that the Security Council should take further action by all means available to it to bring about the immediate cessation of violence and the restoration of peace and order in Palestine.

Under the Charter, the Security Council has both an inescapable responsibility and full authority to take the steps necessary to bring about a cease-fire in Palestine and a halt to the incursions being made into that country. The powers of articles 39, 40, 41 and 42 are very great, and the Security Council should not hesitate to use them-all of them-if necessary to bring about peace.

In addition, my Government believes that a temporary trusteeship for Palestine should be established under the Trusteeship Council of the United Nations to maintain the peace and to afford the Jews and Arabs of Palestine, who must live together, further opportunity to reach an agreement regarding the future government of that country. Such a United Nations trusteeship would, of course, be without prejudice to the character of the eventual political settlement, which we hope can be achieved without long delay. In our opinion, the Security Council should recommend the establishment of such a trusteeship to the General Assembly and to the mandatory power. This would require an immediate special session of the General Assembly, which the Security Council might call under the terms of the Charter. Pending the

meeting of the special session of the General Assembly, we believe that the Security Council should instruct the Palestine Commission to suspend its efforts to implement the proposed partition plan.

I shall now read three propositions which are being submitted by the United States. I am not making any representation for any other one of the permanent members. The United States propositions are contained in a paper entitled "Additional Conclusions and Recommendations Concerning Palestine", which has been circulated to the members. It reads as follows:

- "1. The plan proposed by the General Assembly is an integral plan which cannot succeed unless each of its parts can be carried out. There seems to be general agreement that the plan cannot now be implemented by peaceful means.
- "2. We believe that further steps must be taken immediately not only to maintain the peace but also to afford a further opportunity to reach an agreement between the interested parties regarding the future government of Palestine. To this end we believe that a temporary trusteeship for Palestine should be established under the Trusteeship Council of the United Nations. Such a United Nations trusteeship would be without prejudice to the rights, claims or position of the parties concerned or to the character of the eventual political settlement, which we hope can be achieved without long delay. In our opinion, the Security Council should recommend the establishment of such a trusteeship to the, General Assembly and to the mandatory power. This would require an immediate special session of the General Assembly, which the Security Council should request the Secretary-General to convoke under article 20 of the Charter.
- "3. Pending the meeting of the proposed special session of the General Assembly, we believe that the Security Council should instruct the Palestine Commission to suspend its efforts to implement the proposed partition plan."

Draft resolutions which would give effect to the above suggestions will be circulated shortly for the consideration of the Security Council.



#### **US PRESIDENT TRUMAN, PROPOSAL FOR A TEMPORARY UN TRUSTEESHIP FOR PALESTINE, 25 MARCH 1948**

It is vital that the American people have a clear understanding of the position of the United States in the United Nations regarding Palestine.

This country vigorously supported the plan for partition with economic union recommended by the United Nations Special Committee on Palestine and by the General Assembly. We have explored every possibility consistent with the basic principles of the Charter for giving effect to that solution. Unfortunately, it has become clear that the partition plan cannot be carried out at this time by peaceful means. We could not undertake to impose this solution on the people of Palestine by the use of American troops, both on Charter grounds and as a matter of national policy.

The United Kingdom has announced its firm intention to abandon its mandate in Palestine on May 15. Unless emergency action is taken, there will be no public authority in Palestine on that date capable of preserving law and order. Violence and bloodshed will descend upon the Holy Land. Large-scale fighting among the people of that country will be the inevitable result. Such fighting would infect the entire Middle East and could lead to consequences of the gravest sort involving the peace of this Nation and of the world.

These dangers are imminent. Responsible governments in the United Nations cannot face this prospect without acting promptly to prevent it. The United States has proposed to the Security Council

a temporary United Nations trusteeship for Palestine to provide a government to keep the peace. Such trusteeship was proposed only after we had exhausted every effort to find a way to carry out partition by peaceful means. Trusteeship is not proposed as a substitute for the partition plan but as an effort to fill the vacuum soon to be created by the termination of the mandate on May 15. The trusteeship does not prejudice the character of the final political settlement. It would establish the conditions of order which are essential to a peaceful solution.

If we are to avert tragedy in Palestine, an immediate truce must be reached between the Arabs and Jews of that country. I am instructing Ambassador Austin to urge upon the Security Council in the strongest terms that representatives of the Arabs and Jews be called at once to the council table to arrange such a truce.

The United States is prepared to lend every appropriate assistance to the United Nations in preventing bloodshed and in reaching a peaceful settlement. If the United Nations agrees to a temporary trusteeship, we must take our share of the necessary responsibility. Our regard for the United Nations, for the peace of the world, and for -our own self-interest does not permit us to do less.

With such a truce and such a trusteeship, a peaceful settlement is yet possible; without them, open warfare is just over the horizon. American policy in this emergency period is based squarely upon the recognition of this inescapable fact.



**REPORT BY THE UN PALESTINE COMMISSION  
TO THE UN GENERAL ASSEMBLY, 10 APRIL 1948 [EXCERPTS]**

- (1) Security has not been maintained and that "unless security is restored in Palestine, implementation of the resolution of the General Assembly will not be possible."
- (2) That as a consequence of the non-cooperation of the Mandatory power:
  - (a) The provisions of the Assembly's resolution for a progressive transfer of administration from the Mandatory Power to the Commission have not been complied with. The Mandatory Power has insisted on retaining undivided control of Palestine until the date of termination of the Mandate and on relinquishing the whole complex of governmental responsibilities on that day, except for the areas still occupied by British troops. In the view of the Mandatory Power the progressive transfer of authority refers only to those areas.
  - (b) The Commission could not proceed to Palestine until two weeks prior to the termination of the Mandate. The insistence of the Mandatory Power on this point, even though the Commission has been prepared to restrict its activities in Palestine prior to 15 May 1948, to preparatory work and would not attempt to exercise any authority there, made it impossible for the Commission to take the necessary preparatory measure to ensure continuity in administration after the date of termination of the Mandate.
  - (c) The Commission could not take any measures to establish the frontiers of the Arab and Jewish States and the City of Jerusalem, since the Mandatory Power informed the Commission that it could not facilitate the delimitation of frontiers on the ground.
  - (d) The refusal of the Mandatory Power to permit any Provisional Council of Government, whether Arab or Jewish, if selected, to carry out any functions prior to the termination of the Mandate, made it necessary for the Commission, in accordance with Part I, B, 4 of the resolution of the General Assembly, to communicate that fact to the Security Council and to the Secretary-General.
  - (e) The refusal of the Mandatory Power to permit the taking of preparatory steps toward the establishment of the armed militia, envisaged by the resolution for the purpose of maintaining internal order and preventing frontier clashes, has made it impossible to implement the Assembly's resolution in that respect.



**UN SECURITY COUNCIL, RESOLUTION 46, NEW YORK, 17 APRIL 1948**

The Security Council,

*Considering* its resolution 43 (1948) of 1 April 1948 and the conversations held by its President with the representatives of the Jewish Agency for Palestine and the Arab Higher Committee with a view to arranging a truce between Arabs and Jews in Palestine,

*Considering* that, as stated in that resolution, it is of the utmost urgency to bring about the cessation of acts of violence in Palestine and to establish conditions of peace and order in that country,

*Considering* that the United Kingdom Government, so long as it remains the Mandatory Power, is responsible for the maintenance of peace and order in Palestine and should continue to take all steps necessary to that end; and that, in so doing, it should receive the co-operation and support of the Security Council in particular as well as of all the Members of the United Nations,

1. *Calls upon* all persons and organizations in Palestine, and especially upon the Arab Higher Committee and the Jewish Agency, to take immediately, without prejudice to their rights, claims, or positions, and as a contribution to the well-being and permanent interests of Palestine, the following measures:
  - (a) Cease all activities of a military or paramilitary nature, as well as acts of violence, terrorism and sabotage;
  - (b) Refrain from banging and from assisting and encouraging the entry into Palestine of armed bands and fighting personnel, groups and individuals, whatever their origin;
  - (c) Refrain from importing or acquiring or assisting or encouraging the importation or acquisition of weapons and war materials;
  - (d) Refrain, pending further consideration of the future government of Palestine by the General Assembly, from any political activity which might prejudice the rights, claims, or position of either community;
  - (e) Cooperate with the Mandatory authorities for the effective maintenance of law and order and of essential services, particularly those relating to transportation, communications, health, and food and water supplies;
  - (f) Refrain from any action which will endanger the safety of the Holy Places in Palestine and from any action which would interfere with access to all shrines and sanctuaries for the purpose of worship by those who have an established right to visit and worship at them;
2. *Requests* the United Kingdom Government, for so long as it remains the Mandatory Power, to use its best efforts to bring all those concerned in Palestine to accept the measures set forth under paragraph 1 above and, subject to retaining the freedom of action of its own forces, to supervise the execution of these measures by all those concerned, and to keep the Security Council and the General Assembly currently informed on the situation in Palestine;
3. *Calls upon* all Governments, and particularly those of the countries neighboring Palestine, to take all possible steps to assist in the implementation of the measures set out under paragraph 1 above, and particularly those referring to the entry into Palestine of armed bands and fighting personnel, groups and individuals, and weapons and war materials.



**POPE PIUS XII, 'AUSPICIA QUÆDAM', ENCYCLICAL ON PUBLIC PRAYERS FOR WORLD PEACE AND A SOLUTION FOR THE PALESTINE PROBLEM, ROME, 1 MAY 1948**

*To Patriarchs, Primates, Archbishops, Bishops, and other Ordinaries  
in Peace and Communion with the Holy See.*

Venerable Brethren: Peace and Apostolic Benediction.

Today there are appearing certain tokens which give clear proof that the vast community of nations, after such destruction and ruin brought on by the long and terrible war, is resolutely turned to the saving paths of peace.

2. At the moment, a more willing ear is given to those who are striving to restore lost prosperity, to heal discords and to rebuild from the mighty ruins under which we groan than to those who are inciting to mutual and bitter dispute, to hate and dissension, from which nothing else can arise but fresh and more serious evils to the nations.
3. Nevertheless, although We and the Christian people have no light motives of solace and of hope for better times, there are not lacking circumstances and events which cause anxiety to our paternal heart.
4. Even though the war has ceased in nearly every land, still benign peace has not yet dawned on the minds and hearts of all men; indeed, the sky is still heavy with threatening clouds.
5. We, on our part, do not cease to do all in our power to stave off from the family of nations dangers of threatening disasters; but when human means are unequal to the task, then do We appeal in prayer first of all to God; further, We also exhort all our children in Christ, throughout the world, to implore, together with Us, in ardent prayer the Divine assistance.
6. For this reason, it was comforting for Us in past years to appeal earnestly to all - especially to the young so dear to us - to crowd around the altar of the great Mother of God during the month of May imploring the end of a cruel war; so now, similarly today, by means of this encyclical letter, We invite you not to cease from this pious practice and further to prayers add resolutions for Christian renewal and salutary works of penance.
7. Above all, speak to the Virgin Mother of God and our most tender Mother words of most heartfelt thanks for having obtained, through her powerful intercession, the long desired termination of that great world conflagration, and also for so many other graces obtained from the Most High.
8. At the same time, implore her, with renewed prayers, that at long last there may shine forth, as a gift from Heaven, mutual, fraternal and complete peace among all nations and the longed for harmony among all social classes.  
Let there be an end to dissensions that redound to no one's advantage.  
Let there be a reconciliation of disputes that often sow the seeds of further misfortunes.  
Let international relations, public and private, be fittingly strengthened.  
Let religion, the foster mother of all virtues, enjoy the liberty to which she is entitled.  
And let men set about their peaceful work of abundant production for the common welfare - with justice their guide and charity their motive.
9. But you are aware, Venerable Brethren, that our prayers are most readily welcomed by the Most Blessed Virgin when they are not merely fleeting and empty words but the outpouring of hearts adorned with the required virtues.
10. See to it, then, as your apostolic zeal will suggest, that these prayers in common during the month of May are matched by a corresponding reform and revival of Christian conduct.
11. For only from Christian virtues may we hope to see the course of history take its proper, orderly direction, and men empowered not only to achieve prosperity in this world with God's help but also to enjoy, with the infusion of sanctifying grace unending happiness in Heaven.
12. But there is another special reason today which brings affliction and keen anxiety to our hearts. We mean to refer to the Holy Places of Palestine, which have long been disturbed.
13. Indeed, if there exists any place that ought to be most dear to every cultured person, surely it is Palestine, where, from the dawn of antiquity, such great light of truth shone for all men, where the Word of God made flesh announced, through the angels' choir, peace to all men; where, finally, Christ hanging on the Cross acquired salvation for all mankind, with arms outstretched as if He were inviting all nations to fraternal harmony; and where He consecrated His precept of charity with the shedding of His blood.
14. We desire, therefore, Venerable Brethren, that supplications be poured forth to the Most Holy Virgin for this request: that the situation in Palestine may at long last be settled justly and thereby concord and peace be also happily established.
15. We place great confidence in the most powerful patronage of Our Heavenly Mother - a patronage which, during this month dedicated to her, innocent children especially will implore in a holy crusade of prayer.
16. It will be precisely your task to invite and stimulate them with all diligence - not only children but also fathers and mothers, who in great numbers should give them leadership and example.

17. We know well that We have never appealed in vain to the ardent zeal which inflames your hearts. That is why We seem to enjoy already the sight of dense multitudes of children, of men and women, crowding the churches to beg from the great Mother of God all the graces and favors of which we stand in need.
18. May she, who has given us Jesus, obtain for us that all those who have wandered from the path of rectitude may straightway return to Him, moved by salutary contrition.
19. May she obtain for us - she is our kindest Mother, who has shown herself always, in the face of every danger, our powerful helper and channel of grace - may she obtain for us, We say, that even in the midst of the grievous need surrounding us a just solution will be found for disputes, and that a firm and free peace will finally dawn resplendent for the Church and for all nations.
20. Some years ago, as all will remember, while the late war was still in its fury, when human means showed themselves to be uncertain and inadequate to that terrible conflagration, We addressed our fervent prayers to the all merciful Redeemer, invoking the powerful patronage of the Immaculate Heart of Mary.
21. And even as our predecessor of immortal memory, Leo XIII, at the dawn of the twentieth century saw fit to consecrate the whole human race to the Most Sacred Heart of Jesus, so We have likewise, in the guise of representative of the whole human family which He redeemed, desired to dedicate it in turn to the Immaculate Heart of the Virgin Mary.
22. It is our wish, consequently, that wherever the opportunity suggests itself, this consecration be made in the various dioceses as well as in each of the parishes and families. And We are confident that abundant blessings and favors from Heaven will surge forth from this private and public consecration.
23. In token of these blessings, and in pledge of our paternal affection, We impart from a full heart the Apostolic Benediction to each of you, Venerable Brethren, to all those who make generous answer to this our letter of exhortation, and particularly to the numerous throngs of our most dear children.



**PROVISIONAL STATE COUNCIL, PROCLAMATION OF ISRAELI INDEPENDENCE,  
TEL AVIV, 14 MAY 1948**

The Proclamation of Independence was published by the Provisional State Council in Tel Aviv on May 14, 1948. The Provisional State Council was the forerunner of the Knesset, the Israeli parliament. The British Mandate was terminated the following day and regular armed forces of Transjordan, Egypt, Syria and other Arab countries entered Palestine.

The Land of Israel was the birthplace of the Jewish people. Here their spiritual, religious and national identity was formed. Here they achieved independence and created a culture of national and universal significance. Here they wrote and gave the Bible to the world.

Exiled from the Land of Israel the Jewish people remained faithful to it in the countries of their dispersion, never ceasing to pray and hope for their return the restoration of their national freedom.

Impelled by this historic association, Jews strove throughout the centuries to go back to the land of their fathers and regain their statehood. In recent decades they returned in their masses. They reclaimed the wilderness, revived their language, built cities and villages, and established a vigorous and ever-growing community, with its own economic and cultural life. They sought peace, yet were prepared to defend themselves. They brought the blessings of progress to all inhabitants of the country and looked forward to sovereign independence.

In the year 1897 the First Zionist Congress, inspired by Theodore Herzl's vision of the Jewish State, proclaimed the right of the Jewish people to national revival in their own country.

This right was acknowledged by the Balfour Declaration of November 2, 1917, and re-affirmed by the Mandate of the League of Nations, which gave explicit international recognition to the historic connection of the Jewish people with Palestine and their right to reconstitute their National Home.

The recent holocaust, which engulfed millions of Jews in Europe, proved a new the need to solve the problem of the homelessness and lack of independence of the Jewish people by means of the re-establishment of the Jewish State, which would open the gates to all Jews and endow the Jewish people with equality of status among the family of nations.

The survivors of the disastrous slaughter in Europe, and also Jews from other lands, have not desisted from their efforts to reach Eretz-Yisrael, in face of difficulties, obstacles and perils; and have not ceased to urge their right to a life of dignity, freedom and honest toil in their ancestral land.

In the second World War the Jewish people in Palestine made their full contribution to the struggle of the freedom-loving nations against the Nazi evil. The sacrifices of their soldiers and their war effort gained them the right to rank with the nations which founded the United Nations.

On November 29, 1947, the General Assembly of the United Nations adopted a Resolution requiring the establishment of a Jewish State in Palestine. The General Assembly called upon the inhabitants of the country to take all the necessary steps on their part to put the plan into effect. This recognition by the United Nations of the right of the Jewish people to establish their independent State is unassailable.

It is the natural right of the Jewish people to lead, as do all other nations, an independent existence in its sovereign State.

*Accordingly we*, the members of the National Council, representing the Jewish people in Palestine and the World Zionist Movement, are met together in solemn assembly today, the day of termination of the British Mandate of Palestine; and by virtue of the natural and historic right of the Jewish people and of the Resolution of the General Assembly of the United Nations.

*We hereby proclaim* the establishment of the Jewish State in Palestine, to be called Medinath Yisrael (The State of Israel).

*We hereby declare* that, as from the termination of the Mandate at midnight, the 14th-15th May, 1948, and pending the setting up of the duly elected bodies of the State in accordance with a Constitution, to be drawn up by the Constituent Assembly not later than the 1st October, 1948, the National Council shall act as the Provisional State Council, and that the National Administration shall constitute the Provisional Government of the Jewish State, which shall be known as Israel.

*The State of Israel* will be open to the immigration of Jews from all countries of their dispersion; will promote the development of the country for the benefit of all its inhabitants; will be based on the principles of liberty, justice and peace as conceived by the Prophets of Israel; will uphold the full social and political equality of all its citizens, without distinction of religion, race, or sex; will guarantee freedom of religion, conscience, education and culture; will safeguard the Holy Places of all religions; and will loyally uphold the principles of the United Nations Charter.

*The State of Israel* will be ready to co-operate with the organs and representatives of the United Nations in the implementation of the Resolution of the Assembly of November 29, 1947, and will take steps to bring about the Economic Union over the whole of Palestine.

We appeal to the United Nations to assist the Jewish people in the building of its State and to admit Israel into the family of nations.

In the midst of wanton aggression, we yet call upon the Arab inhabitants of the State of Israel to preserve the ways of peace and play their part in the development of the State, on the basis of fully and equal citizenship and due representation in all its bodies and institutions - provisional and permanent.

We extend our hand in peace and neighbourliness to all the neighbouring states and their peoples, and invite them to co-operate with the independent Jewish nation for the common good of all. The State of Israel is prepared to make its contribution to the progress of the Middle East as a whole.

Our call goes out to the Jewish people all over the world to rally to our side in the task of immigration and development, and to stand by us in the great struggle for the fulfillment of the dream of generations for the redemption of Israel.

With trust in the Rock of Israel, we set out hand to this Declaration, at this Session of the Provisional State Council, on the soil of the Homeland, in the city of Tel-Aviv, on this Sabbath eve, the fifth of Iyar, 5708, the fourteenth of May, 1948.



**US PRESIDENT HARRY S. TRUMAN, STATEMENT RECOGNIZING  
THE NEW JEWISH STATE, 14 MAY 1948**

*[The creation of a Jewish state in Palestine was one of the most divisive issues of the Truman Admin. While Truman had secretly assured the Jewish Agency for US support for the UN Partition Plan of Nov. 1947, the State Department did not.]*

This government has been informed that a Jewish state has been proclaimed in Palestine, and recognition has been requested by the provisional government thereof.

The United States recognizes the provisional government as the *de facto* authority of the new state of Israel.

*(Signed)* Harry Truman  
Appeared, May 14, 1948



**UN GENERAL ASSEMBLY, RESOLUTION 186 (S-2) CONCERNING  
THE APPOINTMENT OF A UN MEDIATOR, 14 MAY 1948**

The General Assembly

*Taking account* of the present situation in regard to Palestine,

I

*Strongly affirms* its support of the efforts of the Security Council to secure a truce in Palestine and calls upon all Governments, organizations and persons to co-operate in making effective such a truce;

II

1. *Empowers* a United Nations Mediator in Palestine, to be chosen by a Committee of the General Assembly composed of representatives of China, France, The Union of Soviet Socialist Republics, the United Kingdom and the United States of America, to exercise the following functions:
  - (a) To use his good offices with the local and community authorities in Palestine to:
    - Arrange for the operating of common services necessary to the safety and well-being of the population of Palestine;
    - Assure the protection of the Holy Places, religious buildings and sites in Palestine;

Promote a peaceful adjustment of the future situation of Palestine.

- (b) To co-operate with the Truce Commission for Palestine appointed by the Security Council in its resolution of 23 April 1948.
  - (c) To invite, as seems to him advisable, with a view to the promotion of the welfare of the inhabitants of Palestine, the assistance and co-operation of appropriate special agencies of the United Nations, such as the World Cross, and of other governmental or non-governmental organizations of a humanitarian and non-political character;
2. *Instructs* the United Nations Mediator to render progress reports monthly or more frequently, as he deems necessary, to the Security Council and to the Secretary-General for transmission to the Members of the United Nations;
  3. *Directs* the United Nations Mediator to conform in his activities with the provisions of this resolution, and with such instructions as the General Assembly or the Security Council may issue;
  4. *Authorizes* the Secretary-General to pay the United Nations Mediator an emolument equal to that paid to the President of the International Court of Justice, and to provide the Mediator with the necessary staff to assist in carrying out the functions assigned to the Mediator by the General Assembly.

### III

*Relieves* the Palestine Commission from the further exercise or responsibilities under resolution 181 (II) of 29 November 1947.



#### **UN GENERAL ASSEMBLY RESOLUTION 189, APPRECIATION OF THE WORK OF THE UN PALESTINE COMMISSION, 14 MAY 1948**

The General Assembly,

*Having adopted* a resolution providing for the appointment of a United Nations Mediator in Palestine, which relieves the United Nations Palestine Commission from the further exercise of its responsibilities,

*Resolves* to express its full appreciation for the work performed by the Palestine commission in pursuance of its mandate from the General Assembly.



#### **ARAB LEAGUE STATES, STATEMENT FOLLOWING THE ESTABLISHMENT OF THE STATE OF ISRAEL, 15 MAY 1948**

*[On the night of 14-15 May, the Arab forces from Jordan, Egypt, Syria and Lebanon invaded Israel.*

*On 15 May, the Governments of the Arab League States issued the following statement.]*

1. Palestine was part of the former Ottoman Empire subject to its law and represented in its parliament. The overwhelming majority of the population of Palestine were Arabs. There was in it a small minority of Jews that enjoyed the same rights and bore the same responsibilities as the (other) inhabitants, and did not suffer any ill-treatment on account of its religious beliefs. The holy places were inviolable and the freedom of access to them was guaranteed.
2. The Arabs have always asked for their freedom and independence. On the outbreak of the First World War, and when the Allies declared that they were fighting for the liberation of peoples, the Arabs joined them and fought on their side with a view to realizing their national aspirations and obtaining their independence. England pledged herself to recognize the independence of the Arab countries in Asia, including Palestine. The Arabs played a remarkable part in the achievement of final victory and the Allies have admitted this.
3. In 1917 England issued a declaration in which she expressed her sympathy with the establishment of a National Home for the Jews in Palestine. When the Arabs knew of this they protested against it, but

England reassured them by affirming to them that this would not prejudice the right of their countries to freedom and independence or affect the political status of the Arabs in Palestine. Notwithstanding the legally void character of this declaration, it was interpreted by England to aim at no more than the establishment of a spiritual centre for the Jews in Palestine, and to conceal no ulterior political aims, such as the establishment of a Jewish State. The same thing was declared by the Jewish leaders.

4. When the war came to an end England did not keep her promise. Indeed, the Allies placed Palestine under the Mandate system and entrusted England with (the task of carrying it out), in accordance with a document providing for the administration of the country, in the interests of its inhabitants and its preparation for the independence which the Covenant of the League of Nations recognized that Palestine was qualified to have.
5. England administered Palestine in a manner which enabled the Jews to flood it with immigrants and helped them to settle in the country. (This was so) notwithstanding the fact that it was proved that the density of the population in Palestine had exceeded the economic capacity of the country to absorb additional immigrants. England did not pay regard to the interests or rights of the Arab inhabitants, the lawful owners of the country. Although they used to express, by various means, their concern and indignation on account of this state of affairs which was harmful to their being and their future, they (invariably) were met by indifference, imprisonment and oppression.
6. As Palestine is an Arab country, situated in the heart of the Arab countries and attached to the Arab world by various ties - spiritual, historical, and strategic - the Arab countries, and even the Eastern ones, governments as well as peoples, have concerned themselves with the problem of Palestine and have raised it to the international level; (they have also raised the problem) with England, asking for its solution in accordance with the pledges made and with democratic principles. The Round Table Conference was held in London in 1939 in order to discuss the Palestine question and arrive at the just solution thereof. The Governments of the Arab States participated in (this conference) and asked for the preservation of the Arab character of Palestine and the proclamation of its independence. This conference ended with the issue of a White Paper in which England defined her policy towards Palestine, recognized its independence, and undertook to set up the institutions that would lead to its exercise of the characteristics of (this independence). She (also) declared that her obligations concerning the establishment of a Jewish national home had been fulfilled, since that home had actually been established. But the policy defined in the (White) Paper was not carried out. This, therefore, led to the deterioration of the situation and the aggravation of matters contrary to the interests of the Arabs.
7. While the Second World War was still in progress, the Governments of the Arab States began to hold consultations regarding the reinforcement of their cooperation and the increasing of the means of their collaboration and their solidarity, with a view to safeguarding their present and their future and to participating in the erection of the edifice of the new world on firm foundations. Palestine had its (worthy) share of consideration and attention in these conversations. These conversations led to the establishment of the League of Arab States as an instrument for the co-operation of the Arab States for their security, peace and well-being. The Pact of the League of Arab States declared that Palestine has been an independent country since its separation from the Ottoman Empire, but the manifestations of this independence have been suppressed due to reasons which were out of the control of its inhabitants. The establishment of the United Nations shortly afterwards was an event about which the Arabs had the greatest hopes. Their belief in the ideals on which that organization was based made them participate in its establishment and membership.
8. Since then the Arab League and its (member) Governments have not spared any effort to pursue any course, whether with the Mandatory Power or with the United Nations, in order to bring about a just solution of the Palestine problem: (a solution) based upon true democratic principles and compatible with the provisions of the Covenant of the League of Nations and the (Charter) of the United Nations, and which would (at the same time) be lasting, guarantee peace and security in the country and prepare it for progress and prosperity. But Zionist claims were always an obstacle to finding such a solution, (as the Zionists), having prepared themselves with armed forces, strongholds and fortifications to face by force anyone standing in their way, publicly declared (their intention) to establish a Jewish State.
9. When the General Assembly of the United Nations issued, on 29 November 1947, its recommendation concerning the solution of the Palestine problem, on the basis of the establishment of an Arab State and of another Jewish (State) in (Palestine) together with placing the City of Jerusalem

under the trusteeship of the United Nations, the Arab States drew attention to the injustice implied in this solution (affecting) the right of the people of Palestine to immediate independence, as well as democratic principles and the provisions of the Covenant of the League of Nations and (the Charter) of the United Nations. (These States also) declared the Arabs' rejection of (that solution) and that it would not be possible to carry it out by peaceful means, and that its forcible imposition would constitute a threat to peace and security in this area. The warnings and expectations of the Arab States have, indeed, proved to be true, as disturbances were soon widespread throughout Palestine. The Arabs clashed with the Jews, and the two (parties) proceeded to fight each other and shed each other's blood. Whereupon the UN began to realize the danger of recommending the partition (of Palestine) and is still looking for a way out of this state of affairs.

10. Now that the British mandate over Palestine has come to an end, without there being a legitimate constitutional authority in the country, which would safeguard the maintenance of security and respect for law and which would protect the lives and properties of the inhabitants, the Governments of the Arab States declare the following:

*First:* That the rule of Palestine should revert to its inhabitants, in accordance with the provisions of the Covenant of the League of Nations and (the Charter) of the United Nations and that (the Palestinians) should alone have the right to determine their future.

*Second:* Security and order in Palestine have become disrupted. The Zionist aggression resulted in the exodus of more than a quarter of a million of its Arab inhabitants from their homes and in taking refuge in the neighbouring Arab countries. The events which have taken place in Palestine have unmasked the aggressive intentions and the imperialist designs of the Zionists, including the atrocities committed by them against the peace-loving Arab inhabitants, especially in Dayr Yasin, Tiberias and others. Nor have they respected the inviolability of consuls, as they have attacked the consulates of the Arab States in Jerusalem. After the termination of the British mandate over Palestine the British authorities are no longer responsible for security in the country, except to the degree affecting their withdrawing forces, and (only) in the areas in which these forces happen to be at the time of withdrawal as announced by (these authorities). This state of affairs would render Palestine without any governmental machinery capable of restoring order and the rule of law to the country, and of protecting the lives and properties of the inhabitants.

*Third:* This state of affairs is threatening to spread to the neighbouring Arab countries, where feeling is running high because of the events in Palestine. The Governments of the Member States of the Arab League and the United Nations are exceedingly worried and deeply concerned about this state of affairs.

*Fourth:* These Governments had hoped that the United Nations would have succeeded in finding a peaceful and just solution of the problem of Palestine, in accordance with democratic principles and the provisions of the Covenant of the League of Nations and (the Charter) of the United Nations, so that peace, security and prosperity would prevail in this part of the world.

*Fifth:* The Governments of the Arab States, as members of the Arab League, a regional organization within the meaning of the provisions of Chapter VIII of the Charter of the United Nations, are responsible for maintaining peace and security in their area. These Governments view the events taking place in Palestine as a threat to peace and security in the area as a whole and (also) in each of them taken separately.

*Sixth:* Therefore, as security in Palestine is a sacred trust in the hands of the Arab States, and in order to put an end to this state of affairs and to prevent it from becoming aggravated or from turning into (a state of) chaos, the extent of which no one can foretell; in order to stop the spreading of disturbances and disorder in Palestine to the neighbouring Arab countries; in order to fill the gap brought about in the governmental machinery in Palestine as a result of the termination of the mandate and the non-establishment of a lawful successor authority, the Governments of the Arab States have found themselves compelled to intervene in Palestine solely in order to help its inhabitants restore peace and security and the rule of justice and law to their country, and in order to prevent bloodshed.

*Seventh:* The Governments of the Arab States recognize that the independence of Palestine, which has so far been suppressed by the British Mandate, has become an accomplished fact for the lawful inhabitants of Palestine. They alone, by virtue of their absolute sovereignty, have the right to provide their country with laws and governmental institutions. They alone should exercise the attributes of their independence, through their own means and without any kind of foreign interference, immediately after peace, security, and the rule of law have been restored to the country. At that time the

intervention of the Arab states will cease, and the independent State of Palestine will cooperate with the (other member) States of the Arab League in order to bring peace, security and prosperity to this part of the world. The Governments of the Arab States emphasize, on this occasion, what they have already declared before the London Conference and the United Nations, that the only solution of the Palestine problem is the establishment of a unitary Palestinian State, in accordance with democratic principles, whereby its inhabitants will enjoy complete equality before the law, (and whereby) minorities will be assured of all the guarantees recognized in democratic constitutional countries and (whereby) the holy places will be preserved and the rights of access thereto guaranteed.

*Eighth:* The Arab States most emphatically declare that (their) intervention in Palestine was due only to these considerations and objectives, and that they aim at nothing more than to put an end to the prevailing conditions in (Palestine). For this reason, they have great confidence that their action will have the support of the United Nations; (that it will be) considered as an action aiming at the realization of its aims and at promoting its principles, as provided for in its Charter.



**‘INDEPENDENCE OF ISRAEL’ - LETTER FROM ELIAHU EPSTEIN, AGENT OF THE PROVISIONAL GOVERNMENT OF ISRAEL, TO US PRESIDENT TRUMAN, 15 MAY 1948**

My Dear Mr. President:

I have the honor to notify you that the state of Israel has been proclaimed as an independent republic within frontiers approved by the General Assembly of the United Nations in its Resolution of November 29, 1947, and that a provisional government has been charged to assume the rights and duties of government for preserving law and order within the boundaries of Israel, for defending the state against external aggression, and for discharging the obligations of Israel to the other nations of the world in accordance with international law. The Act of Independence will become effective at one minute after six o'clock on the evening of 14 May 1948, Washington time.

With full knowledge of the deep bond of sympathy which has existed and has been strengthened over the past thirty years between the Government of the United States and the Jewish people of Palestine, I have been authorized by the provisional government of the new state to tender this message and to express the hope that your government will recognize and will welcome Israel into the community of nations.

Very respectfully yours, Eliahu Epstein  
Agent, Provisional Government of Israel



**PROVISIONAL COUNCIL OF STATE, LAW AND ADMINISTRATION ORDINANCE,  
NO. 1 OF 5708-1948, MAY 1948**

*[The Ordinance was signed on 19 May and published in the Official Gazette, No.2 on 21 May 1948.]*

BY VIRTUE of the power conferred upon the Provisional Council of State by the Declaration of the Establishment of the State of Israel, of the 5th Iyar, 5708 (14th May, 1948) and by the Proclamation of that date, the PROVISIONAL COUNCIL OF STATE hereby enacts as follows: -

Chapter One: The Administration

1.

- (a) The Provisional Council of State consists of the persons whose names are set out in the Schedule to this Ordinance. Representatives of Arabs being residents of the State who recognise the State of Israel will be co-opted on the Provisional Council of State, as may be decided by the Council; their non-participation in the Council shall not derogate from its power.

The Provisional Council of State.

(b) The Provisional Council of State itself prescribes the procedure for its meetings and business.

2.

(a) The Provisional Government consists of the persons whose names are set out in the Schedule to this Ordinance. Representatives of Arabs being residents of the State who recognise the State of Israel will be co-opted on the Provisional Government, as may be decided by the Provisional Council of State; their non-participation in the Provisional Government shall not derogate from its power.

(b) The Provisional Government shall act in accordance with the policy laid down by the Provisional Council of State, shall carry out its decisions, shall report to it on its activities and shall be answerable to it for its activities.

(c) The Provisional Government shall elect one of its members to be Prime Minister, and shall prescribe the functions of each of its members. A member of the Provisional Government shall be called "Minister".

(d) The Provisional Government may confer any of its powers upon the Prime Minister and upon any of the Ministers, in so far as that is not repugnant to any of the Ordinances of the Provisional Council of State.

(e) Decisions of the Provisional Government in respect of the functions of its members and in respect of the division of powers among the Ministers shall be published in the *Official Gazette*.

(f) The Provisional Government itself prescribes the procedure for its meetings and business.

The Provisional Government.

District administration.

3. The Provisional Government may divide the area of the State into districts and subdistricts and shall demarcate their boundaries.

Local authorities.

4. The municipal corporations, local councils and other local authorities shall continue to act within the areas of their jurisdiction and scope of their authority.

#### Chapter Two: Budget and Taxes

Budget.

5. The budget of the Provisional Government shall be fixed by an Ordinance of the Provisional Council of State.

Taxes etc.

6. No Government taxes or other obligatory payments to Government the imposition whereof has not yet been authorised by law may be imposed, and no Government taxes or obligatory payments to Government the imposition whereof is authorised by law may be increased, save in accordance with an Ordinance of the Provisional Council of State.

#### Chapter Three: Legislation

7.

Ordinances.

(a) The Provisional Council of State is the legislative authority. The laws shall be called "Ordinances".

(b) Every Ordinance shall be signed by the Prime Minister, the Minister of Justice and the Minister or Ministers charged with the implementation of the Ordinance.

Regulations.

8. Each Minister may make regulations for the implementation of the Ordinances which are within the scope of his authority, insofar as such Ordinances confer power to make regulations.

9.

Emergency regulations.

(a) If the Provisional Council of State deems it expedient so to do, it may declare that a state of emergency exists in the State, and upon such declaration being published in the *Official Gazette*, the Provisional Government may authorise the Prime Minister or any other Minister to make such emergency regulations as may seem to him expedient in the interests of the defence of the State, public security and the maintenance of supplies and essential services.

- (b) An emergency regulation may alter any law, suspend its effect or modify it, and may also impose or increase taxes or other obligatory payments.
- (c) An emergency regulation shall expire three months after it is made, unless it is extended, or revoked at an earlier date, by an Ordinance of the Provisional Council of State, or revoked by the regulation-making authority.
- (d) Whenever the Provisional Council of State thinks fit, it shall declare that the state of emergency has ceased to exist, and upon such declaration being published in the *Official Gazette*, the emergency regulations shall expire on the date or dates prescribed in such declaration.

10.

*Official Gazette.*

- (a) Every Ordinance shall come into force on the date of its publication in the *Official Gazette*, unless it has been provided therein that it shall come into force on an earlier or a later date than the date of publication. The date of the *Official Gazette* is deemed to be the date of publication.
- (b) The publication of an Ordinance in the *Official Gazette* shall be evidence that such Ordinance has been duly enacted and signed.
- (c) The provisions of this section apply also to regulations and emergency regulations.

Chapter Four: The Law

Existing law.

- 11. The law which existed in Palestine on the 5th Iyar, 5708 (14th May, 1948) shall remain in force, insofar as there is nothing therein repugnant to this Ordinance or to the other laws which may be enacted by or on behalf of the Provisional Council of State, and subject to such modifications as may result from the establishment of the State and its authorities.

12.

Termination of dependence on Britain.

- (a) Any privilege granted by law to the British Crown, British officials or British subjects, is hereby declared to be null and void.
- (b) Any provision in the law whereunder approval or consent of any of the Secretaries of State of the King of England is required or which imposes a duty to do anything in pursuance of his directions, is hereby declared to be null and void.
- (c) Any power assigned by the law to judges, officers or members of the Police Force by reason of their being British, shall henceforth vest in judges, officers or members of the Police Force who are holders of the same office or rank in the State of Israel.

13.

Repeal of enactments of the White Paper of 1939.

- (a) Sections 13 to 15 of the Immigration Ordinance, 1941, and regulations 102 to 107C of the Defence (Emergency) Regulations, 1945, are hereby repealed. Any Jew who at any time entered Palestine in contravention of the laws of the Mandatory Government shall, for all intents and purposes, be deemed to be a legal immigrant retroactively from the date of his entry into Palestine.
- (b) The Land Transfers Regulations, 1940, are hereby repealed retroactively from the 29th Iyar, 5699 (18th May, 1939). No judgment given on the basis of such Regulations shall be a bar to the lodging of a new claim in the same matter.

14.

Devolution of powers.

- (a) Any power vested under the law in the King of England or in any of his Secretaries of State, and any power vested under the law in the High Commissioner, the High Commissioner in Council, or the Government of Palestine, shall henceforth vest in the Provisional Government, unless such power has been vested in the Provisional Council of State by any of its Ordinances.
- (b) Any power vested under the law in British consuls, British consular officers or British passport control officers, shall henceforth vest in consuls and officers to be appointed for that purpose by the Provisional Government.

- Further adaptations of law.
15.  
 (a) "Palestine", wherever appearing in the law, shall henceforth be read as "Israel".  
 (b). Any provision in the law requiring the use of the English language is repealed.
- Authorised text.
16. The Minister of Justice may issue a new text of any law which existed in Palestine on the 5th Iyar, 5708 (14th May, 1948) and which is still in force in the State. Such text shall contain all the modifications resulting from the establishment of the State and its authorities, and upon its publication in the *Official Gazette* no other text of such law shall have effect.
- Chapter Five: Law Courts
- Law courts.
17. So long as no new law concerning law courts has been enacted, the law courts existing in the territory of the State shall continue to function within the scope of the powers conferred upon them by law.
- Chapter Six: Armed Forces
- Armed forces.
18. The Provisional Government may establish armed forces on land, on the sea and in the air, which shall have authority to do all lawful and necessary acts for the defence of the State.
- Chapter Seven: Transitional Provisions
- Residents and persons born in this country.
19.  
 (a) Any order, direction, notice, demand, certificate, instrument, authorisation, licence, patent, design, trade mark and any other right or concession, and any debt, obligation or liability made, given or imposed by the High Commissioner, the High Commissioner in Council, the Government of Palestine or its authorities or officers, and which was in force in the territory of the State on the 5th Iyar, 5708 (14th May, 1948), shall continue in force until varied, amended or revoked, unless otherwise provided in any of the Ordinances of the Provisional Council of State.  
 (b) Regulations, orders, notices and directions published between the 116th Kislev, 5708 (29th November, 1947) and the date of publication of this Ordinance, by the Jewish Agency for Palestine, the General Council (Vaad Leumi) of the Jewish Community in Palestine, the People's Administration, or by any of their departments, in order to secure the maintenance of supplies and essential services or other economic objects, shall continue in force until varied, amended or revoked by or on behalf of the Provisional Council of State.
- Companies, etc.
20.  
 (a) Any company, partnership or cooperative society which on the 5th Iyar, 5708 (14th May, 1948) was registered in Palestine and which had on that date a registered office or place of business in the territory of the State, shall henceforth be deemed to be registered in the State.  
 (b) Any company, partnership or cooperative society which on the 5th Iyar, 5708 (14th May, 1948) was registered in Palestine but did not have on that date a registered office or place of business in the territory of the State, may apply for its registration in the State without payment of fees within three months from the date of publication of this Ordinance.  
 (c) This section also applies *mutatis mutandis* to societies under the Ottoman Law of Societies, registered business names, and registered ships.  
 (d) The Minister of Justice shall make regulations for the implementation of this section.
- Payment of taxes, etc.
21. The taxes and payments of every kind whatsoever which had not been paid to the Government of Palestine by the 5th Iyar, 5708 (14th May, 1948) shall be paid to the Provisional Government.

- Title. 22. This Ordinance may be cited as the Law and Administration Ordinance, 5708-1948.
- Commence- 23. This Ordinance shall have effect retroactively as from the eve of the Sabbath, 6th  
ment. Iyar, 5708 (15th May, 1948), and its provisions amplify and interpret the provisions of the Proclamation of the Provisional Council of State of the 5th Iyar, 5708 (14th May, 1948).

SCHEDULE

*Members of the Provisional Council of State:*

Dr. Chaim Weizmann	
David Ben-Gurion	
Daniel Auster	Eliyahu Dobkin
Mordekhai Bentov	Herzl Vardi
Yitzchak Ben-Zvi	Zerach Wahrhaftig
Eliyahu Berligne	Rachel Cohen
Fritz Bernstein	Rabbi Kalman Kahana
Rabbi Wolf Gold	Saadia Kobashi
Meir Grabovsky	Rabbi Yitzchak Meir Levin
Yitzchak Gruenbaum	Meir David Loewenstein
Dr. Abraham Granovsky	Zvi Luria
Golda Myerson	Dr. Abraham Katznelson
Shmuel Mikunis	Felix Rosenblueth
Nachum Nir-Rafalkes	David Remez
Zvi Segal	Berl Repetur
Rabbi Yehuda Leib Hacoheh-Fishman	Mordekhai Shattner
David Zvi Pinkas	Ben-Zion Sternberg
Aharon Zisling	Bekhor Shalom Shitreet
Moshe Kolodny	Moshe Shapira
Eliezer Kaplan	Moshe Shertok

*Members of the Provisional Government:*

David Ben-Gurion	
Mordekhai Bentov	Eliezer Kaplan
Fritz Bernstein	Felix Rosenblueth
Yitzchak Gruenbaum	David Remez
Rabbi Yitzchak Meir Levin	Bekhor Shalom Shitreet
Rabbi Yehuda Leib Hacoheh-Fishman	Moshe Shapira
Aharon Zisling	Moshe Shertok

10th Iyar, 5708 (19th May 1948)

DAVID BEN-GURION, *Prime Minister*  
FELIX ROSENBLUETH, *Minister of Justice*



**PROVISIONAL COUNCIL OF STATE, ABANDONED AREAS ORDINANCE,  
NO. 12 OF 5708-1948, JUNE 1948**

*[The ordinance was signed on 24 June and published in the Official Gazette, No.7 on the 30 June 1948.]*

THE PROVISIONAL COUNCIL OF STATE hereby enacts as follows:-

1.
  - (a) "Abandoned area" means any area or place conquered by or surrendered to armed forces or deserted by all or part of its inhabitants, and which has been declared by order to be an abandoned area.
  - Interpretation. (b) "Property" means movable and immovable property, and includes animals, crops, fruits, vegetables and any other agricultural produce, factories, workshops, machinery, goods and commodities of all kinds, and also a right to movable or immovable property and any other right.
  - (c) "Abandoned property" means any property abandoned by its owner in an abandoned area.
2.
  - (a) The Government may, by order, declare any area or place conquered, surrendered or deserted as specified in section 1(a) to be an abandoned area, and upon such declaration being made, such area shall be considered an abandoned area for the purposes of this Ordinance and any regulation made thereunder.
  - (b) For the purposes of this Ordinance the Government may, by order, extend the whole or any part of the existing law to any abandoned area, subject to the safeguarding of the right of worship and the other religious rights of the inhabitants in so far as the safeguarding of such rights does not prejudice public security and order, and may also empower the Prime Minister or any other Minister to make such regulations as he may deem expedient as to matters relating to the defence of the State, public security, supply and essential services, schools, hospitals and clinics, health, labour, police or Arab Settlement Police, courts and the appointment of judges-whether with full or with limited jurisdiction - prisons, lock-ups and places of detention, and the expropriation and confiscation of movable and immovable property, within any abandoned area.
  - (c) A Minister empowered to make regulations for the implementation of this Ordinance may, subject to the approval of the Prime Minister, make regulations, prescribe punishments therein and issue directions concerning any movable or immovable property within any abandoned area.
3. The Minister of Finance is charged with the implementation of this Ordinance.
 

Implemen-  
tation of Ordinance.
4. This Ordinance shall have effect retroactively as from the 7th Iyar, 5708 (16th May, 1948).
 

Commence-  
ment.
5. This Ordinance may be cited as the Abandoned Areas Ordinance, 5708-1948.
 

Title.

17th Sivan, 5708 (24th June, 1948)

DAVID BEN-GURION  
*Prime Minister*

FELIX ROSENBLUETH  
*Minister of Justice*

ELIEZER KAPLAN  
*Minister of Finance*



**UN MEDIATOR ON PALESTINE COUNT FOLKE BERNADOTTE,  
SUGGESTIONS PRESENTED TO THE TWO PARTIES, 27 JUNE 1948**

I have the honour to present for the information of the Security Council the following three papers presented to the Arab and Jewish authorities on 28 June 1948, for their consideration in pursuance of my effort to find a common basis for discussion with the two parties looking towards a peaceful adjustment of the future situation of Palestine.

**PART I. INTRODUCTORY STATEMENT**

The resolution of the General Assembly of 14 May 1948, provides *inter alia* that the United Nations Mediator is to use his good offices to "promote a peaceful adjustment of the future situation of Palestine".

It follows that my prime objective as Mediator is to determine on the basis of the fullest exploration, whether there is any possibility of reconciling, by peaceful means, the divergent and conflicting views and positions of the two sides.

The co-operative attitude manifested thus far by both sides has made possible the truce which began on 11 June. This truce has brought a calmer atmosphere, more favourable to the task of mediation entrusted to me by the General Assembly. In this improved atmosphere I have talked with the representatives of both sides and have obtained a very clear impression of their positions on the question of the future of Palestine. I have also profited from the information afforded by the technical consultants whom each side has designated in response to my request.

The basic issues arising from the opposing parties relate to partition, the establishment of a Jewish State, and Jewish immigration.

I have thoroughly studied, weighed and appraised the positions taken by the two parties. I interpret my role as Mediator not as one involving the handing down of decisions on the future of Palestine, but as one of offering suggestions on the basis of which further discussions might take place and possibly counter suggestions be put forth looking toward a peaceful settlement of this difficult problem. Suggestions at this stage, then, must clearly be of such nature as to provide a reasonable framework of reference within which the two parties may find it possible to continue their consultations with me towards the end of a peaceful adjustment.

My analysis has taken into account the equities involved, and the aspirations, fears, motivations of the parties. It has also taken account of the realities of the existing situation. It has convinced me that on grounds of equity as well as on practical grounds it is impossible for me as Mediator to call upon either party to surrender completely its position. In the light of this analysis I see a possibility of an adjustment which would give adequate reassurance to both parties as regards the vital factors in their respective positions. But the realization of this possibility depends upon the willingness of the parties to explore all avenues for a peaceful adjustment and their readiness not to resume armed conflict as a means of settling their differences.

Despite the present conflict, there is a common denominator in Palestine which, happily, is acceptable to and affirmed by both sides. This is the recognition of the necessity for peaceful relations between Arabs and Jews in Palestine and of the principle of economic unity.

It is with this common denominator especially in mind that I put forth the accompanying suggestions in outline as a basis for discussion. These suggestions, I must emphasize, are submitted with no intimation of preciseness or finality. They are designed solely to explore the possible bases for further discussions and mediation, and to elicit from the parties their reactions and further views. Moreover, any plans which might result from these suggestions could be workable only if voluntarily accepted and applied. There can be no question of their imposition.

I should make perfectly clear my intentions as regards future procedure. If it develops that the suggestions herewith presented, or suggestions subsequently presented, which may arise from the reactions to those now put forth, provide a basis for discussion, I will carry on with the discussions as long as may prove necessary and fruitful. If, however, these or subsequent suggestions, if any should emerge, are rejected as a basis for discussion, which I earnestly hope will not occur, I shall promptly report the circumstances fully to the Security Council and shall feel free to submit such conclusions to the Security Council as I may consider appropriate.

*(Signed)* Count Folke Bernadotte  
United Nations Mediator on Palestine,  
Rhodes, Greece, 27 June 1948.

## PART II. SUGGESTIONS PRESENTED BY THE MEDIATOR ON PALESTINE

The Mediator advanced the following suggestions as a possible basis for discussion:

1. That, subject to the willingness of the directly interested parties to consider such an arrangement, Palestine, as defined in the original Mandate entrusted to the United Kingdom in 1922, that is including Transjordan, might form a Union comprising two members, one Arab and one Jewish.
2. That the boundaries of the two members be determined in the first instance by negotiation with the assistance of the Mediator and on the basis of suggestions to be made by him. When agreement is reached on the main outlines of the boundaries they will be definitively fixed by a Boundaries Commission.
3. That the purposes and function of the Union should be to promote common economic interests, to operate and maintain common services, including customs and excise, to undertake development projects and to co-ordinate foreign policy and measures for common defence.
4. That the functions and authority of the Union might be exercised through a central council and such other organs as the members of the Union may determine.
5. That, subject to the provision of the Instrument of Union, each member of the Union may exercise full control over its own affairs including its foreign relations.
6. Immigration within its own borders should be within the competence of each member, provided that following a period of two years from the establishment of the Union, either member would be entitled to request the Council of the Union to review the immigration policy of the other member and to render a ruling thereon in terms of the common interests of the Union. In the event of the inability of the Council to reach a decision on the matter, the issue could be referred by either member to the Economic and Social Council of the United Nations whose decision, taking into account the principle of economic absorptive capacity, would be binding on the member whose policy is at issue.
7. That religious and minority rights be fully protected by each member of the Union and guaranteed by the United Nations.
8. That Holy Places, religious buildings and sites be preserved and that existing rights in respect of the same be fully guaranteed by each member of the Union.
9. That recognition be accorded to the right of residents of Palestine who, because of conditions created by the conflict there have left their normal places of abode, to return to their homes without restriction and to regain possession of their property.

*(Signed)* Count Folke Bernadotte  
United Nations Mediator on Palestine  
Rhodes, Greece, 27 June 1948.

## PART III. ANNEX TO THE SUGGESTIONS: TERRITORIAL MATTERS

With regard to paragraph 2 of the suggestions it is considered that certain territorial arrangements might be worthy of consideration. These might be along the following lines:

- Inclusion of the whole or part of the Negev in Arab territory.
- Inclusion of the whole or part of Western Galilee in Jewish territory.

Inclusion of the City of Jerusalem in Arab territory, with municipal autonomy for the Jewish community and special arrangements for the protection of the Holy Places.

Consideration of the status of Jaffa.

Establishment of a free port at Haifa, the area of the free port to include the refineries and terminals.

Establishment of a free airport at Lydda.

(Signed) Count Folke Bernadotte  
United Nations Mediator on Palestine,  
Rhodes, Greece, 27 June 1948



**SECRETARY-GENERAL OF THE LEAGUE OF ARAB STATES, ABDUL RAHMAN AZZAM,  
LETTER TO UN MEDIATOR COUNT FOLKE BERNADOTTE, CAIRO, 3 JULY 1948**

*[Correspondence exchanged relating to Count Folke Bernadotte's suggestions of 27 June 1948  
- see **above** - and the proposed constitution for Palestine; see also following document.]*

I have the honour to inform Your Excellency that the Political Committee of the League of Arab States, composed of their Foreign Ministers, has received your letter dated 27 June 1948, and carefully examined the suggestions you have put forth, in your capacity as United Nations Mediator, with a view to arriving at a peaceful adjustment of the future situation of Palestine, and has asked me to bring the following to your notice, in reply to your letters of the same date addressed to the Foreign Ministers of the Arab States:

1. The Committee was glad to note what you recorded in the introductory statement accompanying your suggestions that the agreement to cease fire has brought a calmer atmosphere more favourable to the task of mediation entrusted to you by the General Assembly of the United Nations, and would like once more, before embarking on a careful analysis of the suggestions advanced and expressing its views thereon, to assure Your Excellency that it was only the Arab States' desire to cooperate with you in working out a peaceful solution of the Palestine problem and in creating the atmosphere best favourable for carrying out your task of mediation, and their equally keen desire to demonstrate their peaceful intentions to the world, that led them to agree to cease fire under the conditions Your Excellency proposed.
2. It had been agreed upon and decided that these conditions should be strictly observed in order to guard against the possible occurrence in the interval of any changes in the respective position of the parties concerned as they stood at the time of cease-fire on 11 June by which either party might benefit at the expense of the other.

The Arab States have loyally and most carefully respected these conditions, actuated in so doing by the desire to ensure the realization of the purpose at which they aimed. The other side, however, persisted in their disrespect and violation of these conditions, committing repeated breaches to which your attention has been duly drawn by the Arab States, and continued their provocative and aggressive activities in various parts of the country.

Undoubtedly your observers must have recorded all these activities by which the other side has greatly benefited so much so indeed that hundreds of immigrants of military age have entered the country, in addition to large quantities of arms, munitions and other war material. At the same time the other side has begun to fortify and consolidate its positions. It has actually occupied a number of strategic points and succeeded in provisioning some of its besieged forces. Furthermore, Zionist forces have prevented the Arab inhabitants of the areas they now occupy from gathering their harvest and used them for the erection of new fortifications.

All these activities are incompatible with the cease-fire conditions and detrimental to the position of the Arabs in the country, and the Committee avails itself of this opportunity once more to place on record these breaches and violations of the cease-fire conditions.

3. Your Excellency mentioned that the basic issues involved in the Palestine problem relate to partition, the establishment of a Jewish State and Jewish immigration, and stated that you had thoroughly studied, weighed and appraised the positions taken by the two parties. Your Excellency further interpreted your role of Mediator as one involving the offering of suggestions on the basis of which further discussions might take place, and that counter-suggestions might possibly be put forth in an endeavour to arrive at a peaceful settlement of the problem. You also declared that your analysis had taken into account the equities involved and the aspirations, fears and the motivations of the two parties, as well as the realities of the situation, and that you had come to the conclusion that it would be incompatible with the principles of equity and quite inconsistent with practical grounds to call upon either party to surrender completely its position, and that in the light of this analysis you saw a possibility of giving adequate assurances to both parties with regard to the vital factors in their respective positions. You concluded by stating that there was happily a common denominator which was acceptable to both sides - the recognition of the necessity for peaceful relations between Arabs and Jews in Palestine and of the principle of economic unity, and you stressed the point that it was with all these considerations in mind that you put forth your suggestions.
4. Your Excellency will recall what you have told the Political Committee at its meeting in Cairo on 15 June 1948, that you have accepted the task of Mediator unbound by any previous decisions. You will also recall the statement to the same effect you made before the special Sub-Committee at its meeting on 16 June 1948, when you declared at the close of the afternoon sitting that the suggestions you proposed to put forth would in no way be based on the status quo in Palestine.

The suggestions advanced surprised the Political Committee because they are a reproduction of the basis of the partition plan which led to the present armed dispute, and aim at ensuring to one party all its ambitions while neglecting the aspirations and rights of the Arabs, who are the original owners of the country.

5. In compliance with Your Excellency's desire, the Political Committee has very carefully studied the suggestions, and was indeed surprised to find that the very first - that of considering the territories of the Hashemite Kingdom of Transjordan as part of Palestine stood on a false basis. In fact, involving that kingdom in the Palestine problem does not only exceed the terms of reference of mediation, but also constitutes a deliberate confirmation of the Zionists' false assertion that Palestine comprises the territories of that kingdom, an allegation which has never been conceded.

The Political Committee really cannot understand the motive of such an implication, nor the reasons that prompted you to consider it as a possible solution of the Palestine problem, the more so as the Hashemite Kingdom of Transjordan is an independent sovereign State, the independence of which is internationally recognized, and moreover it is an original member of the League of Arab States. Furthermore, that kingdom, long before the termination of the Mandate, was a State which led an autonomous existence, with a Head of State and Government of its own people. At that time, Palestine was directly governed by the Mandatory Power.

The Hashemite Kingdom of Transjordan opposes the partition of Palestine and the establishment of a Jewish State therein, and its armies, together with those of other Arab States, have entered Palestine in order to deliver the country from the Zionist aggression and restore security, peace and order to the Holy Land.

His Excellency the Transjordan Prime Minister, who attended the meetings of the Political Committee, proclaimed these realities in the following forceful and most eloquent declaration:

"I believe it is incumbent upon me to say a word about Count Bernadotte's suggestion, because it exceeds his terms of reference to involve the Hashemite Kingdom of Transjordan in the Palestine problem, on the ground that it lay within the boundaries of the Mandate as defined in 1922 - a false claim upheld by the Zionists, and loudly proclaimed by them on every occasion, despite the fact that our country has become an independent sovereign State, whose independence has been recognized by many a Power, and that it is an original member of the League of Arab States.

"The problem now at issue is the problem of Palestine and of finding a solution thereto. The Hashemite Kingdom of Transjordan should never be implicated in that problem, nor should Transjordan be forced into a union with a Jewish State.

"Our position is clear, and has been proclaimed on every occasion. It is never to allow the creation of a Jewish State in Palestine, and to exclude partition. And our object is to cooperate with other Arab States in her deliverance. Once this aim is attained, the determination of her future status is the right and concern of her own people. Theirs alone is the last word. We have no other object or aim in view. This is our attitude, which is an interpretation of the opinion of His Hashemite Majesty and that of his Government and people."

The Political Committee strongly upholds His Excellency in his declaration of these facts, on which all are agreed, and in placing these facts before Your Excellency, the Committee expresses the hope that no doubts will be entertained as to their accuracy.

6. The suggestions put forth by Your Excellency may be summed up as follows:

"(a) The formation of a union in Palestine comprising two members, one Arab and one Jewish, with the willingness of the directly interested parties. The boundaries of the two member States to be determined with the assistance of the Mediator. The purposes and functions of the union should be to promote common economic interests, such as customs, excise, etc., to undertake the development of projects, and to co-ordinate foreign policy and measures of common defence, which lay within the full control of each of the members of the union.

"(b) Immigration to the respective territories of the two members of the union during the first two years should be within the competence of each member. Thereafter, either member would be entitled to request the council of the union to review the immigration policy of the other member and to render a ruling thereon in the terms of the common interest of the union. In the event of the inability of the Council to reach a decision on the matter, the issue should be referred to the Economic and Social Council of the United Nations, whose decision, in accordance with the principle of economic absorptive capacity, would be final.

"(c) Protection of religious and minority rights, preservation of the Holy Places and full guarantee of free access thereto, in accordance with the *status quo*.

"(d) Certain territorial arrangements, which might be worthy of consideration."

7. It is evident that these suggestions as a whole go to realize Zionist ambitions in respect of the partition of Palestine and the establishment of a Jewish State, in addition to the benefits they would derive from the economic unity by which you propose to bind both members.

As to immigration, which is the object of the fundamental dispute between the two parties, Your Excellency's suggestion does not only ensure the realization of all Zionist designs, but exceeds the provisions of the partition plan recommended by the General Assembly of the United Nations at its meeting of 29 November 1947. In fact, whereas the partition plan restricts immigration to a part of Palestine - the area to be allocated to the proposed Jewish State - the union proposal opens for it a far wider scope throughout the whole of Palestine and even the Hashemite Kingdom of Transjordan.

In this respect, the suggestion constitutes a discriminatory privilege to the Jews at the expense of the Arabs. Your Excellency further suggested that matters at issue between the two members of the union in connexion with the immigration policy be referred for final decision to the Economic and Social Council of the United Nations, which should in rendering its decision take into account the principle of economic absorptive capacity.

Considering that immigration is the pivot on which the dispute between the two parties revolves, and is being utilized by the Zionists as an effective instrument for the realization of their political designs in Palestine and other Arab countries, in accordance with their plan known as "The Biltmore Programme", the conception of the suggestion is liable to lead to the continuation of this dispute.

There remains the suggestion for the economic unity of the two members of the union. This is sure evidence that the political partition of Palestine is an artificial move and that economic unity is intended to remedy its flaws and defects.

It is a known fact that the Zionists cannot lead an economic existence independent of the Arabs. Economic unity therefore is intended for safeguarding Zionist interests and the exploitation of the Arabs. This is not the case with the Arabs who, thanks to their co-operation with other neighbouring countries, are in a position to lead an economic existence. Your Excellency will recall that the partition plan recommended by the United Nations Special Committee on Palestine, provided for the formation of economic unity between the Arab and Jewish States for the simple reason that the country cannot prosper economically without such unity. This clearly means that the country is indivisible economically. How could it then be divided politically?

As to the protection of minority rights and the preservation of the Holy Places, the Arabs have incessantly claimed it and worked for its realization. They have even expressed both to the Mandatory Power and the United Nations their willingness to accept all the guarantees necessary to ensure such protection.

Even the territorial arrangements annexed to the suggestions are based on partition and the establishment of a Jewish State, and are bound to lead to the same defects as the partition plan, which allocates to the Jews an area, half of the population of which are Arabs and possess the bulk of its land, while neglecting the rights of the Arabs and their natural aspirations.

Your Excellency will recall that the partition plan recommended by the General Assembly of the United Nations last year was categorically rejected by the Arabs and was the cause of the grave disturbances which led to so much bloodshed and destruction in Palestine as to have caused some of the supporters of the plan to abandon it.

The Security Council itself, after attempting during long months to find the means for its peaceful implementation, has failed and proposed the dissolution of the Partition Commission and the convocation of a special session of the General Assembly to reconsider the question.

8. The Political Committee took great care to give most careful consideration to the suggestions advanced in the hope of finding therein a remedy for the present state of things. It has compared them with the principles and ideals by which, as you mention you were guided in drawing them up. The Committee also compared them with the declarations you made in respect of your having assumed the role of Mediator unbound by any previous decisions, and that the suggestions were in no way based on the status quo in Palestine.

Unfortunately, the suggestions have proved to be most disappointing to the Arabs, because they aim at the realization of all Zionist ambitions and tend to grant to the Zionists more than was provided for by the partition plan, which was doomed to failure. Furthermore, the suggestions do not guarantee for the Arabs any of their demands, thus demonstrating that they did not weigh the causes of the present dispute and that no attempts were made at uprooting them. On the contrary, they made matters worse by the creation of additional causes of a nature to aggravate an already grave situation, and bring us no nearer to the peaceful solution which would put an end to aggression, safeguard legitimate rights, ensure the return of law and order and guarantee the restoration of security, peace and prosperity in this area.

For these reasons, the Political Committee deeply regrets to state that it cannot accept these suggestions as a suitable basis for discussion.

The Political Committee, considering the earnest desire of all the Arab States to co-operate closely with Your Excellency in your endeavours to arrive at a solution which would best guarantee the restoration of security and peace to Palestine, suggests the adoption of the attached proposal as a basis for discussion. In addition to its being based on the principles of justice and democracy, the proposal happily agrees, to a large extent, with many of the principles and ideals embodied in Your Excellency's introductory statement.

*(Signed)* Abdul Rahman AZZAM  
Secretary-General of the League of Arab States

DRAFT OF THE CONSTITUTION AND FUTURE GOVERNMENT OF PALESTINE

1. A provisional government, representative of all important sections of the citizenry in proportion to their numerical strength, should be set up as early as possible in Palestine;
2. The provisional government should, as soon as practicable, enact an electoral law for the setting up of a constituent assembly, prepare an electoral register, and hold elections for the constituent assembly;
3. The constituent assembly should also function as a legislature, and the provisional government should be responsible to it until elections for a legislature are held under the new constitution;
4. While the task of framing a constitution for Palestine must be left to the constituent assembly, the following principles must be strictly adhered to:
  - I. Palestine shall be a unitary and sovereign State;
  - II. It shall have a democratic constitution with an elected legislature and an executive responsible to the legislature;
  - III. The constitution shall provide guarantees for the sanctity of the Holy Places covering inviolability, maintenance, freedom of access and freedom of worship in accordance with the *status quo*;
  - IV. The constitution shall guarantee respect for human rights and fundamental freedoms without distinction as to race, sex, language or religion, and freedom of religious belief and practice in accordance with the status quo (including the maintenance of separate religious courts to deal with matters of personal status);
  - V. The constitution shall guarantee the rights of religious bodies or other societies and individuals to maintain, in addition to educational establishments administered by public authority, educational institutions of their own, subject to normal government supervision and inspection;
  - VI. The constitution shall recognize the right of Jews to employ Hebrew as a second official language in areas in which they are in a majority;
  - VII. The law of naturalization and citizenship shall provide, among other conditions, that the applicant should be a legal resident of Palestine for a continuous period to be determined by the constituent assembly;
  - VIII. The constitution shall ensure adequate representation in the executive and the administration of the distribution of representation in the legislature;
  - IX. The constitution shall authorize the legislature to invest local authorities with wide discretion in matters connected with education, health and other social services;
  - X. The constitution shall provide for the setting up of a supreme court, the jurisdiction of which shall include, *inter alia*, the power to pronounce upon the constitutional validity of all legislation, and it shall be open to any aggrieved party to have recourse to that tribunal;
  - XI. The guarantees contained in the constitution concerning the rights and safeguards of the minorities shall not be subject to amendment or modification without the consent of the minority concerned expressed through a majority of its representatives in the legislature.



**UN MEDIATOR COUNTÉ FOLKE BERNADOTTE, COMMENTS ON THE  
OBSERVATIONS OF THE ARAB LEAGUE STATES, 3 JULY 1948**

*[See previous document for the Arab League observations.]*

I. General comments

1. As indicated clearly in paragraph 6 of the introductory statement to my suggestions, these are merely suggestions which I have put forth. They are tentative ideas only, and I have never expected that they would meet with unqualified approval by either party. The reactions of each party, however, can be very helpful in my continuing efforts at mediation.
2. What is my role as Mediator? Apart from the trust put in me by the United Nations, I come before you single-handed. I can personally make no decisions, impose no sanctions. Every idea set forth

in my suggestions would require voluntary acceptance by both parties. I can force nothing on either party. As Mediator, I have but one purpose - to leave no stone unturned in my effort to bring about a peaceful adjustment of the situation in Palestine. I can make progress toward a just and reasonable settlement only as I could make progress in the truce negotiations by discovering some formulation on which there is a reasonable chance of gaining the agreement of both Arabs and Jews. Otherwise, it is inevitable that there will be a resumption of fighting unless some authority with greater power than I have can prevent it.

## II. Specific comments

I have read with great care and interest the reply of the Political Committee of the League of Arab States to my suggestions. The reactions of the Arab States are set forth with clarity and precision. I have the following specific comments to make on this reply.

1. As regards the comments on the supervision of the observance of the truce, I may inform you that the various notes which I have received from you on this matter have been referred to Colonel Bonde, my Deputy in charge of the truce supervision. At an early date I will be in position to present a full report on these complaints. I may add that complaints of this nature have come from both sides, in approximately equal volume.
2. As regards paragraph 4 of your reply, I may say that it is my conviction that the suggestions which I have put before you are in no way based on the status quo in Palestine either de facto or de jure, for the following reasons:
  - (a) The de facto situation is that a Jewish Provisional Government, recognized by an increasing number of States, exists in an area of Palestine without there being at this time any restrictions on its authority or power with regard to any of the basic functions of a sovereign State. That de facto situation, I know, is what you are fighting to eliminate; but the fact remains that it is there. In my suggestions I have hinted at the possibility of placing substantial restrictions on this Jewish political entity - restrictions on its authority which in no way exist at present.
  - (b) The de jure situation is that the resolution of 29 November of the General Assembly has not been annulled as a decision of that body, though the United Nations has not implemented it, and the United Nations Palestine Commission has been relieved of its responsibilities. That resolution provided a certain framework for a Jewish State in Palestine. I have not, however, considered myself bound by it, and I have presented in my suggestions a quite different arrangement, both as regards structure and territorial boundaries.
  - (c) I cannot, therefore, agree at all with your contention that my suggestions are "a reproduction of the basis of the partition plan..."
3. With reference to paragraph 5 of your reply, I cannot agree with the statement that my reference to the Kingdom of Transjordan in paragraph I of my suggestions "exceeded the terms of reference of mediation". My mandate under the resolution of the General Assembly of 14 May is broad, namely, to "promote a peaceful adjustment of the future situation of Palestine". My reference to Transjordan was a purely optional one and it was made very specific that this suggestion was "subject to the willingness of the directly interested parties to consider such an arrangement". That included primarily Transjordan, and if the Hashemite Kingdom of Transjordan is unwilling to consider the arrangement the suggestion is clearly impractical.
4. The motive for the reference to the Hashemite Kingdom of Transjordan in this context is to be found in the fact that Transjordan is adjacent to Palestine over a long frontier, and has in the past, as now, been closely associated with it. The suggestion for a union was advanced only in skeleton form, and very tentatively. Had my envoys been afforded the opportunity to explain the suggestion to you, they would have made it clear that such an arrangement could be worked out in a way which would in no wise affect the present sovereign status of the Hashemite Kingdom of Transjordan.
5. With regard to paragraph 7 of your reply, I cannot share your opinion that my "suggestions as a whole go to realize Zionist ambitions in respect of the partition of Palestine and the establishment of a Jewish State..." In this regard, I may make the following comments:

- (a) My suggestion would greatly increase the Arab population and influence in the Palestine area by closely associating Palestine with Transjordan.
  - (b) The Jewish member of this union would be subject to a number of important restrictions upon its present freedom of action.
  - (c) The benefits of economic union would work to the advantage of both Arab and Jewish members of the union.
  - (d) The Jewish member would be in a position which would virtually compel it to pursue policies which would ensure peaceful relations with the Arabs who surround it.
6. Concerning the reference to immigration in paragraph 7 of your reply, I may say that if my envoys had been consulted as to the meaning of this point in my suggestions, this part of your reply would have been unnecessary. My suggestions were presented in outline form only, and therefore their precise intent may at times have appeared obscure. I can assure you, however, that the sole intent of paragraph 6 of my suggestions is that each member would be exclusively entitled to control entry into its borders. Thus there could be no question of the Arab member being required to admit Jews into its borders against its consent. The intent of the suggestion is to provide a means of limiting Jewish immigration into the Jewish area before that saturation point is reached which might endanger neighbouring Arab areas and peoples.
7. With respect to the reference in paragraph 7 of your letter to economic unity as an advantage to the Jews, I must repeat that I cannot believe otherwise than that economic unity in Palestine, under whatever arrangement, would be of very great advantage to both Arabs and Jews. In fact, taking into account the present situation, I really believe that it is of even greater advantage to Arabs than to Jews.
8. I have noted the counter-suggestions which are appended to your letter. I was not prepared at the time I last met with the Sub-Committee to comment on these counter-suggestions. The other side, of course, was also entitled to offer counter-suggestions, and I thought it advisable not to comment on those of one side until the other side had at least had an opportunity to present to me its reactions and further views. I have now received the Jewish reply and have communicated my comments on it to the appropriate Jewish authorities.
9. I cannot conclude these brief comments without emphasizing the importance which I attach to your reference to the earnest desire of all the Arab States to co-operate closely with me in my endeavours "to arrive at a solution which would best guarantee the restoration of security and peace to Palestine". Your co-operation is vital. I am ready to continue my efforts with perseverance and patience, if you and the other party are earnestly prepared to strive for peace.



**FOREIGN MINISTER OF THE PROVISIONAL GOVERNMENT OF ISRAEL,  
MOSHE SHERTOK, LETTER BY THE TO UN MEDIATOR COUNTE FOLKE  
BERNADOTTE, 5 JULY 1948**

On behalf of the Provisional Government of Israel, I have the honour to offer the following observations on the suggestions presented by you under cover of your letter of 27 June as a possible basis for discussion in discharge of your task to "promote a peaceful adjustment of the future situation of Palestine".

1. The Provisional Government has noted with surprise that your suggestions appear to ignore the resolution of the General Assembly of 29 November 1947, which remains the only internationally valid adjudication on the question of the future government of Palestine. The Provisional Government also regrets to find that in formulating your suggestions you do not appear to have fully taken into account the outstanding facts of the situation in Palestine, namely, the effective establishment of the sovereign State of Israel within the area assigned to it in the Assembly's resolution, and other territorial changes which have resulted from the repulse of the attack launched against the State of Israel by Palestinian Arabs and by the Governments of the neighbouring Arab States.
2. The Provisional Government begs to recall that the Jewish people accepted the settlement laid down in the General Assembly's resolution as a compromise entailing heavy sacrifices on its part, and the territory assigned to the Jewish State as an irreducible minimum. It is, indeed, the convic-

tion of the Provisional Government that the territorial provisions affecting the Jewish State now stand in need of improvement, in view both of the perils revealed by Arab aggression for the Safety and integrity of Israel and of the results achieved by Israel in repelling this aggression. In this connexion the Provisional Government desires to point out that the territorial settlement laid down in the resolution was based on the partition of western Palestine between the Jewish people and the Arab population of Palestine. The inclusion of the Arab portion of Palestine in the territory of one of the neighbouring Arab States would fundamentally change the context of the boundary problem.

3. The Provisional Government cannot agree to any encroachment upon or limitation of the free sovereignty of the people of Israel in its independent State. While it is the basic aim and policy of Israel to establish relations of peace and amity with her neighbours on the basis of the closest possible collaboration in all fields, the international arrangements which may be necessary to give effect to this policy cannot be imposed upon Israel, but can only be entered into as a result of an agreement negotiated between the interested parties as free and sovereign States.
4. The Provisional Government would be ready to accept the provisions of the economic union as formulated in the Assembly's resolution if all their basic premises were to materialize. This is not, however, the eventuality envisaged in the suggestions. The partner State whom Israel is invited to join in a union is, both in its political identity and in its geographical dimensions wholly different from the Arab State provided for in the resolution. Jewish consent to the economic union in the context of the resolution cannot therefore be binding in the new situation. It must now be left to the free and unfettered discretion of the Government of Israel, in the exercise of its sovereign rights, to determine what arrangements should govern Israel's relations with her neighbour or neighbours in the field of economic co-operation.
5. The Provisional Government must be particularly emphatic in its opposition to any infringement of Israel's independence and sovereignty as regards her immigration policy. Complete and unqualified freedom to determine the size and composition of Jewish immigration was the very essence of the Jewish claim to statehood. The recognition of the moral validity and practical urgency of that claim in connexion with the issue of immigration lay at the roots of its acceptance by the international world. There can be no question of any Israeli Government accepting the slightest derogation, in favour of any joint or international body, from Israel's sovereignty as regards control of her immigration policy.
6. The Provisional Government was deeply wounded by your suggestion concerning the future of the City of Jerusalem, which it regards as disastrous. The idea that the relegation of Jerusalem to Arab rule might form part of a peaceful settlement could be conceived only in utter disregard of history and of the fundamental facts of the problem: the historic associations of Judaism with the Holy City; the unique place occupied by Jerusalem in Jewish history and present-day Jewish life; the Jewish inhabitants, two-thirds majority in the city before the commencement of Arab aggression, a majority greatly increased since then as a result of Arab evacuation the fact that the whole of Jerusalem, with only a few minor exceptions, is now in Jewish hands; and not least, the fact that after an exhaustive study of the problem and as a result of an overwhelming consensus of Christian opinion in its midst the General Assembly resolved that Jerusalem be placed under an international regime. The Provisional Government must make it clear that the Jewish people, the State of Israel and the Jews of Jerusalem will never acquiesce in the imposition of Arab domination over Jerusalem, no matter what formal municipal autonomy and right of access to the Holy Places the Jews of Jerusalem might be allowed to enjoy. They will resist any such imposition with all the force at their command. The Provisional Government regrets to have to say that your startling suggestion regarding Jerusalem, by encouraging false Arab hopes and wounding Jewish feelings, is likely to achieve the reverse of the pacifying effect which you undoubtedly had in mind.
7. The Provisional Government does not find it necessary at this stage to comment upon other points raised in the suggestions, as it hopes that the examination of its present observations on the major aspects of the scheme of settlement tentatively outlined by you may cause you to reconsider your whole approach to the problem.



**COMMENTS BY UN MEDIATOR COUNTÉ FOLKE BERNADOTTE ON THE ARAB COUNTER-SUGGESTIONS, TRANSMITTED BY LETTER TO THE POLITICAL COMMITTEE OF THE ARAB LEAGUE, 5 JULY 1948**

In the letter of 3 July setting forth the views of the Political Committee of the League of Arab States on my suggestions, there was attached a "proposal as a basis for discussion" under the heading "Draft of the Constitution and future Government of Palestine". I have studied this proposal with great care and now wish to communicate to you my views on it.

1. You will understand, I hope, that I must analyse and appraise your proposal in the light of my role as Mediator. As Mediator my fundamental] approach to any proposal must always be an assessment of the possibility it may afford for promoting a peaceful adjustment of the future situation of Palestine. In this regard, you will recall that in paragraph 6 of the introductory statement to my suggestions, I pointed out that my analysis of the existing situation in Palestine had "convinced me that on grounds of equity as well as on practical grounds, it is impossible for me as Mediator to call upon either party to surrender completely its position". I take this opportunity to reaffirm that conviction.
2. You will agree with me, I feel sure, that the proposal you have put forth incorporates in outline the basic tenets of the Arab position as presented to me in our earlier discussions. I gather that, on the whole, it is not designed to be a compromise proposal but rather a concise formulation of the Arab position. Although there is no commentary accompanying the Arab proposal, I take it for granted that it was not put forth on any assumption that the Jews would be likely to accept it as a basis for discussion.
3. As to the specific provisions of your proposal I may offer the following brief comments:
  - (a) In paragraph I of your proposal I note that the principle of proportional representation is recognized. In this regard, however, the use of the term "citizenry" involves an element of ambiguity, since the crucial question, from the standpoint of the Jewish minority, is the basis of determination of citizenship and a clear indication of how many of the Jews now in Palestine would be accepted as citizens in the proposed new unitary, sovereign State of Palestine. Paragraph 4 (VII) leaves this question entirely open. Moreover, a relevant question arises regarding the fate of those Jews not to be accorded citizenship rights.
  - (b) The system of proportional representation in paragraph I applies to the proposed provisional government. The principle of proportional representation in the permanent machinery of government is not as clearly set forth in the other paragraphs of the proposal, although this may have been the intent of paragraph 4 (VIII).
  - (c) In any case, however, the net effect of the proposal would be that the Jewish community of Palestine would become a permanent cultural and political minority in the unitary State of Palestine. The inclusion of the proportional representation provision in the Arab proposal is an apparent recognition of this fact.
  - (d) In paragraph 4 (VI) it is noted that the right of Jews to employ Hebrew as a second official language applies only to "areas in which they are in a majority". This would seem to be a very severe limitation on the recognition of the cultural rights and privileges of a substantial minority group. Moreover, the meaning of "areas" in this context is extremely ambiguous.
  - (e) Paragraph 4 (IX) similarly presents a very narrow version of accepted practice as regards municipal autonomy, since local authorities may be vested with discretionary power only with respect to "social services".
  - (f) It is of considerable significance that paragraph 4 (x) gives no hint as to the intended composition of the proposed Supreme Court or of the basis of selection of its members.
  - (g) The provision of paragraph 4 (XI) would seem to provide an adequate safeguard for such of the rights of the minority population as might be specifically enumerated in the proposed constitution, but no more than this.
  - (h) It is noteworthy also that the proposal makes no reference to economic rights, to immigration, to the police forces, or to the defence force of the proposed unitary State.
4. It may be contended with considerable cogency that the creation of a unitary and sovereign State in Palestine with the processes of government based on proportional representation, is fully consistent with democratic principles and procedures. But this does overlook certain vital facts which are

peculiar to Palestine. The Jews of Palestine have been all along and are now in fact a completely separate cultural and political community. Under the Mandate they were permitted to maintain their separate and virtually autonomous cultural and political institutions. Moreover, this Jewish community, from whatever motives and for whatever reasons, is imbued with an intensely nationalist spirit, a nationalism which rivals in intensity the nationalism of Palestinian Arabs.

5. A unitary State of Palestine with a substantial minority population of this kind could only be a troubled State unless the minority population and its nationalist aspirations were thoroughly crushed by forceful measures. It is futile to assume that the Jewish community could undergo a rapid change of heart.
6. You will understand, of course, that I have come to this problem as a Mediator. I have come to try to mediate a dispute between two parties locked in a violent conflict. And what do I find? I find in Palestine a substantial area which is fully under Jewish control, proclaimed as the territory of a Jewish State, and with a Provisional Government which has been recognized by a number of States. Whatever may be the merits of its existence or the conclusions as to how this Jewish political entity came to be, the fact remains that it is there.
7. Now, in your counter-suggestions it is proposed to eliminate this separate Jewish political entity by creating a unitary State in the whole of Palestine. But there is no suggestion as to how this is to be done. May I inquire whether there are any views as to how this might be done by peaceful means? As Mediator I am directed by the resolution of the General Assembly "to promote a peaceful adjustment of the future situation of Palestine". I am fully convinced that there is no possibility whatsoever of persuading or inducing the Jews to give up their present separate cultural and political existence and accept merging in a unitary Palestine in which they would be a permanent minority. The alternative method of achieving the Arab objective would be to wipe out the Jewish State and its Provisional Government by force. This course, as Mediator, I obviously cannot recommend.



**LETTER FROM UN MEDIATOR COUNT FOLKE BERNADOTTE TO  
FOREIGN MINISTER OF THE PROVISIONAL GOVERNMENT OF ISRAEL,  
MOSHE SHERTOK, 6 JULY 1948**

I have studied carefully the observations on my suggestions set forth in your letter to me of 5 July 1948, and take this opportunity to communicate to you briefly my comments upon them.

1. You will appreciate, I hope, the spirit in which my suggestions have been advanced and the objectives which were sought. As indicated clearly in the introductory statement to my suggestions, these ideas were put forth with no intimation of finality; they were exploratory only and designed specifically to invite further discussion and counter-suggestions from the interested parties. The success of my mediatory effort, you will agree, must inevitably depend upon the possibility of finding some common ground on which further discussions with the two parties might profitably proceed. There was involved, therefore, no question of formal acceptance or rejection of the specific ideas advanced, but only a determination as to whether there might be in those ideas some framework of reference within which progress toward ultimate agreement on details might be reasonably hoped for.
2. In this regard, I note your specific objections to some of the ideas outlined in my suggestions. I also note the hope expressed in paragraph 7 of your letter that I might reconsider my "whole approach to the problem". I interpret this to mean that you do not consider the general framework which I have outlined to be a suitable one for further discussion, looking toward a "peaceful adjustment of the future situation of Palestine". You have not, however, taken advantage of my invitation to offer counter-suggestions, unless I am to understand that your references in paragraphs 1 and 2 of your letter to the resolution of the General Assembly of 29 November 1947, imply that you will be unwilling to consider any suggestions which do not correspond to the provisions of that resolution.
3. In paragraph I of your letter it is stated that my suggestions "appear to ignore the resolution of the General Assembly of November 29, 1947..." I cannot accept this statement. As United Nations Mediator, it is true that I have not considered myself bound by the provisions of the 29 November resolution, since had I done so there would have been no meaning to my mediation. The failure to implement the resolution of 29 November 1947, and the open hostilities to which the Arab opposi-

tion to it led, resulted in the convoking of the second special session of the General Assembly to "consider further the future government of Palestine". This special Assembly, taking into account the new situation, adopted, on 14 May 1948, the resolution providing for a Mediator. It is equally true, however, that the basic objectives of the resolution of 29 November 1947, as regards a separate political and institutional existence for the Jewish and Arab communities of Palestine and for close economic ties between these communities, are maintained in my suggestions, although in a somewhat different framework. I may also assure you that in working up my suggestions I took fully into account the facts of the actual existence of the Jewish State in a defined area, the military situation and the present territorial situation as a result of the conflict thus far. But I could not ignore the fact that there is nothing really stable in Palestine so long as the prospect of early resumption of hostilities remains, and that the violent reaction of the Arab world to these very situations is also a vital factor in the equation, if one must focus on the possibility of peaceful adjustment.

4. As regards paragraph 2 of your letter, I may say first of all that it would not impress me as an argument of very great merit that the boundaries of a Jewish State in Palestine, which had been acceptable to the Jewish community, would require revision in the Jewish favour solely because the Arab part of Palestine might, by its own volition, decide to enter into a closer relationship or even a merger with a neighbouring Arab State. As regards any territorial adjustments to which either party might lay claims as a result of successes on the field of battle, it must be said that, quite aside from the question of fundamental principle involved, the conflict was only in its very early stages when the truce began and the military outlook for either side is by no means clearly predictable.
5. With reference to paragraph 3 of your letter, it need only be said that it was made abundantly clear in my suggestions that all of the arrangements proposed could have practical meaning only in the sense of voluntary agreement on the part of the parties concerned. It was specifically emphasized in paragraph 8 of my introductory statement that there could be no question of imposition. In view of these clear statements in my paper I find myself at a loss to understand the reasons for your statement.
6. As regards paragraph 4 of your letter, I note that your Government no longer considers itself bound by the provisions for economic union set forth in the 29 November resolution for the reason that the Arab State envisaged by that resolution has not been established. In paragraphs 1 and 2, however, the same resolution is taken as your basic position. Whatever may be the precise legal significance and status of the 29 November resolution, it would seem quite clear to me that the situation is not of such nature as to entitle either party to act on the assumption that such parts of that resolution as may be favourable to it may be regarded as effective, while those parts which may, by reason of changes in circumstances, be regarded as unfavourable, are to be considered as ineffective.
7. Paragraph 5 of your letter relates to immigration. The question of immigration into Palestine must be considered within the context of the total problem. Even within the limits of full sovereignty the question of immigration is related to the absorptive capacity of the country. Palestine from this point of view has become the object of international concern. It would, therefore, seem justifiable that the Economic and Social Council might be given an eventual say in the matter. Furthermore, such an arrangement might serve the useful purpose of maintaining a sympathetic international interest in and assistance for the settlement of Jewish immigrants in Palestine. Should unrestricted immigration indefinitely continue in Palestine there might, in the future, arise a serious economic and political problem beyond the control of any Jewish Government. It cannot be ignored that immigration affects not only the Jewish State and the Jewish people but also the surrounding Arab world.
8. Jerusalem stands in the heart of what must be Arab territory in any partition of Palestine. To attempt to isolate this area politically and otherwise from surrounding territory presents enormous difficulties. The special condition of Jerusalem - its large Jewish population and its religious associations - needs special consideration, and the way for discussion of these questions was left open. Arab domination of legitimate Jewish and other non-Arab interests in Jerusalem was never intended or implied in the suggestions. Moreover, while I fully appreciate that the question of Jerusalem is of very great concern, for historical and other reasons, to the Jewish community of Palestine, Jerusalem was never intended to be a part of the Jewish State. In this sense, the position of the Jewish State is unaffected and the question of Jerusalem has no relationship to its status. The status of Jerusalem, therefore, is separate from the question of the constitution and boundaries of a Jewish State. My suggestions fully safeguard the historical and worldwide religious interests in Jerusalem.

9. I wish you to know that I have but one interest in the future of Palestine, and that is to do everything within my power to bring peace to this troubled land. I am willing at all times to carry on such discussions and seriously to consider all suggestions which may hold any promise for a peaceful settlement of the problem.



**FOREIGN MINISTER OF THE PROVISIONAL GOVERNMENT, MOSHE SHERTOK,  
LETTER TO UN MEDIATOR COUNTE FOLKE BERNADOTTE REGARDING THE  
RETURN OF ARAB REFUGEES, HAKIRYA, 1 AUGUST 1948**

1. The Provisional Government has duly considered your note on the question of the return of Arab refugees and has authorized me to convey to you the following reply.
2. As I mentioned in the course of our interview on Monday, 26 July, we are not unmindful of the plight of the Arabs who, as a result of the present war, find themselves uprooted from their homes and cast adrift. Our own people have suffered too much from similar tribulations for us to be indifferent to their hardships. If, nevertheless, we find ourselves unable to agree on their re-admission to the Israel-controlled areas, it is because of over-riding considerations bearing on our immediate security, the outcome of the present war and the stability of the future peace settlement. We feel convinced that any measure of repatriation undertaken solely on humanitarian grounds, in disregard of the military, political and economic aspects of the problem, would prove to have been falsely conceived; it would defeat its purpose and result in graver complications than those which already exist.
3. The resolution of the Security Council of 29 May, the terms of which were renewed by the resolution of 15 July, specifically provided that the truce should not prejudice the rights, claims and position of either party. You interpreted this principle as meaning that no advantage should accrue to either side, at the expense of or as compared with the other. There can be no doubt that the return during the truce of thousands of displaced Arabs to the State of Israel - which is still beset by enemy armies, forms the target of violent political attack and may yet again become the object of a renewed military onslaught - would, in fact, gravely prejudice our rights and position. It would relieve the aggressor States of a large part of the pressure exerted on them by the refugee problem, while, on the other hand, it would most seriously handicap the war effort and war-readiness of Israel by bringing into its territory a politically explosive and economically destitute element and by saddling its Government with responsibility for all the ensuing complications.
4. Against this background, your reference to the return of Arab refugees as being one of the questions under dispute which it is the duty of both parties to try and settle peacefully, appears to us to miss the main point at issue. The root cause of the present conflict of which the mass flight of Arabs and their consequent suffering are mere corollaries - is the refusal of the Arab League to accept the State of Israel either as a matter of right or as an accomplished fact. As long as this intransigence persists, any attempt to tear the problem of Arab refugees out of its context and treat it in isolation can only, as already stated, aggravate the issue: it will render rightful defence more difficult and lend further encouragement to wanton aggression.
5. Nor do we feel that the issue is met by your argument that the present truce is of indefinite duration and that, therefore, the security aspect of Arab repatriation should not present a special problem. To begin with, once a large-scale return is authorized, it may be found difficult, if not impossible, to keep it within bounds. Even if formally men of military age are excluded, the practical result may well be the increase of irregulars inspired by the Mufti, who knows no truce. Moreover, the Arab States themselves, in their joint communication to the Security Council, have hedged their acceptance of the present truce with several conditions. They have thus reserved to themselves the right to terminate the truce whenever it suits them to resume the fighting. They continue to maintain an attitude of obstinate intransigence and defiance of the Security Council and the Mediator in regard to such basic provisions of the truce as the Jerusalem water supply and the opening of the Jerusalem-Tel-Aviv highway. Not a day passes without some prominent Arab spokesman threatening the resumption of hostilities. In these circumstances, the mere fact that the Security Council has ordered

- the truce to be of unlimited duration is not a firm enough foundation on which the Provisional Government could build so far-reaching a measure as the re-admission en masse of Arab refugees.
6. The difficulty is not minimized if the return is limited to the former residents of Jaffa and Haifa, for whom you enter a special plea. Both these cities constitute vulnerable points, on the peace and stability of which the well-being of Israel in the present delicate stage very largely depends. Both were centres of grave menace to Jewish security, and the re-creation of a situation pregnant with potential trouble in areas such as these is the last thing that any State still engaged in a struggle for its existence could contemplate. Incidentally, we fail to appreciate why on purely humanitarian grounds the former residents of Jaffa and Haifa have been singled out for special treatment and found, as a class, to be more deserving than those of any other town or village.
  7. On the economic side the reintegration of the returning Arabs into normal life, and even their mere maintenance, would present an insoluble problem. The difficulties of accommodation, employment and ordinary livelihood would be insuperable. You will, we feel sure, readily admit that the international assistance which you envisage is for the time being purely hypothetical. On the other hand, the Provisional Government would resist as utterly unjust an attempt to impose on its limited and heavily strained resources any part of the financial liability for the relief and resettlement of returning Arabs. Far from being ready to shoulder responsibilities on behalf of Arabs whom the Jews never intended to harm - with whom they were, indeed, anxious to live at peace the Provisional Government considers itself entitled and is indeed determined, to claim compensation from the Arab States for all the havoc and destruction, the loss of life, property and livelihood, which the criminal folly of their armed intervention in Palestine has wrought.
  8. Arab mass flight from within Israel and Israel-occupied areas is a direct effect of Arab aggression from outside. In justifying their invasion the Arab Governments claimed that they had responded to the call for rescue addressed to them by the Arabs of Palestine. The plain fact is, however, that but for the intervention of the Arab States, there would have been an overwhelming measure of local Arab acquiescence in the establishment of the State of Israel, and by now peace and reasonable prosperity would have reigned throughout its territory, to the enjoyment of Jews and Arabs alike. If the war has brought in its wake a mass exodus, mostly spontaneous and the exodus has resulted in great suffering, the responsibility for it rests on those who fomented and have carried on the war, as well as on those who aided and abetted them. The Arab Governments and the great Power which espoused their cause cannot have it both ways: do everything they can to undermine and destroy the State of Israel, and then, having failed, require the State of Israel to take over the liability for the results of their own reckless action.
  9. For the political, economic and security reasons stated, the Provisional Government is not in a position, as long as a state of war exists, to re-admit the Arabs who fled from their homes, on any substantial scale. The Palestinian Arab exodus of 1948 is one of those cataclysmic phenomena which, according to the experience of other countries, change the course of history. It is too early to say exactly how and in what measure the exodus will affect the future of Israel and of the neighbouring territories. When the Arab States are ready to conclude a peace treaty with Israel, this question will come up for constructive solution as part of the general settlement and with due regard to our counter-claim in respect of the destruction of Jewish life and property. The long-term interests of the Jewish and Arab populations; the stability of the State of Israel and the durability of the basis of peace between it and its neighbours; the actual position and fate of the Jewish communities in the Arab countries; the responsibility of the Arab Governments for their war of aggression and their liability for reparations, will all be relevant to the question of whether, to what extent and under what conditions the former Arab residents of the territory of Israel should be allowed to return. For such a comprehensive and lasting peace settlement the Provisional Government is ever ready, but it holds that it cannot in fairness be required to carry through unilateral and piecemeal measures of peace while the other side is bent on war.

(Signed) M. SHERTOK



**UN MEDIATOR COUNTÉ FOLKE BERNADOTTE, PROGRESS REPORT SUBMITTED  
TO THE UN SECRETARY-GENERAL IN PURSUANCE OF UNGA RESOLUTION 186 (S-2)  
OF 14 MAY 1948, 16 SEPTEMBER 1948 [EXCERPTS]**

[...] II. THE BASIC FACTORS IN THE PALESTINE SITUATION

1. The fundamental issues in Palestine today are partition, the Jewish State, Jewish immigration and Arab refugees. While the formal attitudes of the parties on the first three of these issues have not changed, it is unquestionable that since the adoption by the General Assembly, on 29 November 1947, of resolution 181 (II) providing for the partition of Palestine, there have been changes in the Palestine scene which are so decisively significant as to make some of the prevalent attitudes quite unrealistic.

*Partition*

2. The resolution adopted by the General Assembly on 29 November 1947 provided not for simple partition of Palestine, but for partition with economic union. It envisaged the creation of an Arab State, a Jewish State, and the City of Jerusalem as a corpus separatum under a special international regime administered by the United Nations. These three entities, largely because of justifiable doubts concerning the economic viability of the proposed Arab State and the City of Jerusalem, were to be linked together in an Economic Union of Palestine. The obvious disadvantages of territorial partition were thus to be corrected to some extent by economic union.
3. Execution of the plan of partition with economic union was possible only if there existed, or there could be fostered or induced, a willingness on the part of both Arabs and Jews in Palestine to co-operate. The chain of unfortunate events which began in Palestine almost immediately after the adoption of the resolution of 29 November demonstrated conclusively not only that the necessary Arab willingness to co-operate was lacking, but that a dangerous antagonism existed which was provoking virtual civil war even before the termination of the Mandate on 15 May 1948. In these ten months since the adoption of the partition resolution it has become increasingly clear that any plan based on the essential assumption of immediate co-operation between Arabs and Jews in Palestine must ignore the harsh facts of existing relationships there.
4. The instant question, therefore, is not whether it may be advisable to review and revise the resolution of 29 November 1947. It has already been outrun and irrevocably revised by the actual facts of recent Palestine history.

*The Jewish State*

5. The most significant development in the Palestine scene since last November is the fact that the Jewish State is a living, solidly entrenched and vigorous reality. That it enjoys de jure or de facto recognition from an increasing number of States, two of which are permanent members of the Security Council, is an incidental but arresting fact. The Provisional Government of Israel is today exercising, without restrictions on its authority or power, all the attributes of full sovereignty. The Jewish State was not born in peace as was hoped for in the resolution of 29 November, but rather, like many another State in history, in violence and bloodshed. The establishment of this State constitutes the only implementation which has been given to the resolution, and even this was accomplished by a procedure quite contrary to that envisaged for the purpose in the resolution. In establishing their State within a semi-circle of gunfire, the Jews have given a convincing demonstration of their skill and tenacity.
6. As I pointed out in my report to the Security Council of 12 July (S/888, pages 16-17), the Jewish State is "a small State, precariously perched on a coastal shelf with its back to the sea and defiantly facing on three sides a hostile Arab world. Its future may be assessed as uncertain, and if it survives this war its security will be likely to present a serious problem for a good time to come...". But whatever the future may hold for the infant Jewish State, the inescapable conclusion, today, is that a Jewish State in Palestine, fully sovereign, is actually in existence and that Arab determination to eliminate it could be realized only by armed force in sufficient strength to overwhelm it. In any case, resort to armed force as a means of settling the problem has been prohibited by the Security Council.

7. The most pressing need of the Jewish State since its inception on the termination of the Mandate has been the opportunity to consolidate its position, both internally and externally, and to perfect its administrative and political organization. Born in the throes of war, its road was instantly difficult. Time runs in its favour, and in this regard the two truces have been of especial advantage to the Provisional Government in the sense that the two periods of relative peace afforded it a necessary opportunity for consolidation and organizational development. Above all, the Jewish State needs peace. A new organism of limited resources, its hope for development must very largely depend, in the long run, on the cultivation of peaceful and mutually trusting relations with the neighbouring Arab States whose overwhelming numbers dwarf into insignificance any population total to which the Jewish State may aspire.

*The Arab attitude*

8. The Arabs, including not only Palestinian Arabs, but those of the seven Arab States, find it extremely difficult to accept even the fact a Jewish State in Palestine. While recognizing the right of many Jews now in Palestine to be there and to remain there as citizens of a Palestinian State, they bitterly reject Jewish nationalistic aspirations for a separate State. That the Arab States made a tragic mistake in employing force in Palestine cannot be questioned. But the very fact that they resorted to this extreme action and were willing to run the risk of thus offending the international community is in itself a measure of the intensity of their feeling on the question.
9. It is fruitless to conjecture whether Arabs or Jews might have won a decisive victory in Palestine had international intervention not brought the fighting to a halt. Jewish forces might have won more territory in Palestine or even all of Palestine, but they could not have conquered the Arab States nor won peace with them. Arab armies by sheer force of numbers, might in time have pressed the Jews to the wall of the sea but there is no indication that they could muster sufficient strength to deliver a mortal blow, and it may well be doubted that this could have been accomplished in view of probable international intervention. Had the war continued it would most likely have ended in a stalemate, which in itself would amount to a Jewish victory. But the United Nations had firmly determined that the war could not go on and that the Palestine dispute must be settled by peaceful means. And that is the Arab dilemma. The Jewish State, established under the cloak of United Nations authority, can be eliminated only by force. The United Nations, however, has decreed that force must not be employed. Therefore, the Arab States must resign themselves to the presence of the Jewish State or pursue the reckless course of defying the United Nations and thereby incurring liabilities the full burden and danger of which cannot be calculated in advance.
10. The combination of Jewish strength and international intervention has decided the issue of the Jewish State. This, of course, does not make it any more palatable to the Arabs. In my opinion, while in no sense condoning the armed intervention of the Arab States, it would be helpful to the solution of the problem if both the international community and the Jews of Israel were to be more understanding of the Arab viewpoint. The Arabs look upon the nationalistic Jews of Palestine as interlopers and aggressors. They point to the fact that the Arab population is the preponderant population of the country and that it has been an Arab country for many centuries. It is at least understandable that, in their fervour, they not only the historical claims of the Jews but even the legal basis for their presence in Palestine which the terms of the Mandate provided.
11. The Arabs also react severely to Jewish immigration into Palestine which they regard as a threat to the Arabs in the whole of Palestine and Transjordan as well. They harbour grave fears that a Jewish State in Palestine will not stay within its defined boundaries, and through population pressure resulting from unlimited immigration, encouragement and support from world Jewry, and burgeoning nationalism, a threat will be posed not only to Palestine but to the entire Arab Near East. A tolerant approach can appreciate the Arab views and fears, although on appraisal they may in large measure be found extravagant and unfounded. But since the Arabs nurture such viewpoints, no settlement can be on solid foundations unless every reasonable reassurance possible is afforded them, not only by the Jewish State but by the United Nations.
12. The Arabs have consistently advocated a unitary Arab State in Palestine, with full rights and guarantees for the Jewish minority, as the acceptable solution of the Palestine problem. In the light of de-

velopments during recent months the Arab position is unrealistic. It may be questioned, in any case, whether the Arab proposal was ever likely to serve the best interests of Palestinian Arabs. At this late stage in the problem and in view of all the circumstances, the cantonal and federal state schemes have no practical merit which would make them worthy of consideration. That territorial, political and economic unity would be highly desirable in Palestine cannot be doubted. That lacking such complete unity, some form political and economic, or at least economic, union would be a reasonable alternative, is also true. But the present antagonism between the Arab and Jewish communities renders impractical, for the moment at least, the application of any such arrangements.

#### *Jewish immigration*

13. The issue of Jewish immigration remains a burning issue in Palestine, but in the very nature of the case it is submerged in the larger issue of the existence of the Jewish State. It is entirely natural that the Jewish position, insistent upon a fully sovereign Jewish State, should reject any suggestion of restriction upon the authority of that State to determine its own immigration policy. The Arabs, on the hand, rejecting entirely the concept of the Jewish State, would also deny the right of Jewish immigration into an Arab-dominated Palestine. The settlement of the issue of the Jewish State will minimize the international importance of the immigration issue. The Jews, however, in the interest of promoting friendly relations with their Arab neighbours, would do well, in defining their immigration policy, to take carefully into account the basis of Arab fears and to consider measures and policies designed to allay them.

#### *Arab refugees*

14. A new and difficult element has entered into the Palestine problem as a result of the exodus of more than 300,000 Arabs from their former homes in Palestine. The measures being taken or contemplated to cope with this problem are described in part III of this report. The question of their ultimate resettlement, either in their former abodes or elsewhere, must be faced and solved. I have affirmed elsewhere in this report that the right of the refugees to return to their homes if they so desire must be safeguarded. Nevertheless, whether or not this right is exercised, most of these refugees will require assistance in some degree to re-establish themselves.

### III. RESUME OF THE NEGOTIATIONS

#### *The period 28 May to 15 July*

1. My functions as Mediator were defined by resolution 186 (S-2) adopted by the General Assembly at its 135th meeting on 14 May 1948. This resolution empowered the Mediator, *inter alia*, to "use his good offices with the local and community authorities in Palestine to... Promote a peaceful adjustment of the future situation of Palestine". Paragraph 3, part II, of the resolution directed the Mediator "to conform in his activities with the provisions of this resolution, and with such instructions as the General Assembly or the Security Council may issue".
2. On calling upon all Governments and authorities concerned to order a cessation of all acts of armed force for a period of four weeks, the Security Council, by its resolution of 29 May 1948 (S/801), instructed the Mediator "to make contact with all parties as soon as the cease-fire is in force with a view to carrying out his functions as determined by the General Assembly".
3. Immediately after my arrival in Cairo, on 28 May, I concentrated on the negotiations for establishing the four-week cease-fire called for by the Security Council's resolution of 29 May. As from 15 June, soon after the four-week cease-fire came into force, I undertook exploratory discussions with representatives of the parties at Cairo and Tel-Aviv on the broad question of the future of Palestine. In Cairo, the Political Committee of the Arab League set up a Sub-Committee, consisting of the Prime Ministers of Egypt, Transjordan and Lebanon, and the Secretary-General of the League of Arab States, to negotiate with me. In Tel-Aviv I consulted with the Minister for Foreign Affairs of the Provisional Government of Israel. From these discussions, in the course of which both sides set forth their claims, positions and objectives with regard to partition, Jewish immigration into Palestine, and the status of Jerusalem, it was immediately apparent that the time was probably not yet ripe for any

agreement on these fundamental issues. The four-week truce had come into effect after a short period of fighting, and the parties were in no mood for compromise. The opinions expressed regarding the future of Palestine were very divergent, and there was no softening of the position of either side on the fundamental issues. While the Arabs retained their firm stand against partition of any kind, the Jews were equally adamant in their attitude as regards an independent Jewish State, in accordance with Assembly resolution 181 (II) of 29 November 1947, and towards unrestricted immigration. However, in the course of the truce negotiations, the two parties had made it quite clear that they expected to receive from me, during the period of the truce, an indication of my ideas as to a possible basis of settlement. This, in their opinion, was the *raison d'être* of the truce. Notwithstanding, therefore, the complete divergence of aims and the very short time left at my disposal, I decided to submit to the two parties a set of tentative suggestions, with the primary intention to discover whether there might be found at this stage a common ground on which further discussion and mediation could proceed. It was my purpose to keep negotiations as fluid as possible, in the belief that the premature submission of formal proposals, and their probable rejection, might well destroy any chance of extending the truce, or even of maintaining it to the end of the four-week period.

4. The Arabs having refused my suggestion for a joint round-table conference, I invited the two parties to make available to me, at Rhodes, experts on the working level, not for political decisions but for consultation and technical information concerning the positions of their respective sides. Both parties accepted, and four Arab and two Jewish experts arrived in Rhodes on 21 and 23 June respectively, and consultations were held separately, lasting until 25 June.
5. On the basis of close analysis of the question and of ideas which emerged during the discussion, I presented to the parties, on 28 and 29 June respectively, under cover of my letter of 27 June (S/863), three brief papers, setting forth in outline my suggestions for a possible approach to the peaceful adjustment of the future situation of Palestine. These suggestions were as follows:

"(1) That, subject to the willingness of the directly interested parties to consider such an arrangement, Palestine, as defined in the original Mandate entrusted to the United Kingdom in 1922, that is, including Transjordan, might form a union comprising two members, one Arab and one Jewish.

"(2) That the boundaries of the two members be determined in the first instance by negotiation with the assistance of the Mediator and on the basis of suggestions to be made by him. When agreement is reached on the main outlines of the boundaries, they will be definitively fixed by a boundaries commission.

"(3) That the purposes and functions of the union should be to promote common economic interests, to operate and maintain common services, including customs and excise, to undertake development projects, and to coordinate foreign policy and measures for common defence.

"(4) That the functions and authority of the union might be exercised through a central council and such other organs as the members of the union may determine.

"(5) That, subject to the provisions of the instrument of union, each member of the union may exercise full control over its own affairs, including its foreign relations.

"(6) That immigration within its own borders should be within the competence of each member, provided that, following a period of two years from the establishment of the union, either member would be entitled to request the council of the union to review the immigration policy of the other member and to render a ruling thereon in terms of the common interests of the union. In the event of the inability of the council to reach a decision on the matter, the issue could be referred by either member to the Economic and Social Council of the United Nations, whose decision, taking into account the principle of economic absorptive capacity, would be binding on the member whose policy is at issue.

"(7) That religious and minority rights be fully protected by each member of the Union and guaranteed by the United Nations.

"(8) That Holy Places, religious buildings and sites be preserved, and that existing rights in respect of the same be fully guaranteed by each member of the Union.

"(9) That recognition be accorded to the right of residents of Palestine who, because of conditions created by the conflict there have left their normal places of abode, to return to their homes without restriction and to regain possession of their property."

6. Suggestions regarding territorial matters, presented in an annex, were as follows:

"With regard to paragraph 2 of the suggestions, it is considered that certain territorial arrangements might be worthy of consideration. These might be along the following lines:

"(1) Inclusion of the whole or part of the Negeb in Arab territory.

"(2) Inclusion of the whole or part of Western Galilee in Jewish territory.

"(3) Inclusion of the City of Jerusalem in Arab territory, with municipal autonomy for the Jewish community and special arrangements for the protection of the Holy Places.

"(4) Consideration of the status of Jaffa.

"(5) Establishment of a free port at Haifa, the area of the free port to include the refineries and terminals.

"(6) Establishment of a free airport at Lydda."

7. With regard to the formulation of the above suggestions, I reported to the Security Council on 12 July 1948 (S/888), as follows:

"(22) The resolution of the General Assembly of 14 May empowered the Mediator to use his good offices to 'promote a peaceful adjustment of the future situation of Palestine'. The indispensable condition for the attainment of this objective would be to find some common framework of reference within which the parties would be willing to accept further mediation. In accepted international usage the employment of 'good offices' involves offering friendly suggestions to facilitate adjustment of a controversy between conflicting parties. Mediation is a consequence of the tender of good offices, and the primary task of the Mediator is to initiate proposals calculated to harmonize conflicting interests and claims. In the very nature of the case, therefore, the Mediator must strive to encourage compromise rather than strict adherence to legal principles. As indicated in article 4 of part II of The Hague Convention on the Pacific Settlement of International Disputes, 'the part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen...' It is equally true that the Mediator can achieve success only by achieving voluntary agreement between the parties. His decisions have no binding effect and his suggestions or proposals may be rejected at will by the parties. It was on this basis that my suggestions of 27 June were put forth. In the introductory statement to those suggestions (S/863) I pointed out that:

" I interpret my role as Mediator not as one involving the handing down of decisions on the future of Palestine, but as one of offering suggestions on the basis of which further discussions might take place and possibly counter-suggestions be put forth looking toward a peaceful settlement of this difficult problem. My suggestions at this stage, then, must clearly be of such nature as to provide a reasonable framework of reference within which the two parties may find it possible to continue their consultations with me toward the end of a peaceful adjustment.'

"(23) The suggestions which I offered on 27 June as a possible focus of discussion had been formulated on the basis of the equities involved in the Palestine dispute - the aspirations, fears and motivations of the conflicting parties - and the realities of the existing situation in Palestine. I could not call upon either party to surrender completely its position, not only because this would be a betrayal of my role as Mediator, but also because there was no sound basis for doing so in the light of all the circumstances. It was fully realized, of course, that there could be no possibility of a peaceful adjustment of the dispute unless there was at least a moderate willingness on the part of both parties to explore all the avenues for a peaceful adjustment, and unless both of them were prepared, at some stage, to forego armed force as a means of attaining their objectives.

"(24) As Mediator, I had to seek possible solutions which would be voluntarily accepted by both parties. I sought, therefore, arrangements which might reveal some common denominator in the relations between Arabs and Jews in Palestine. In my talks with them, both parties freely admitted the utter necessity for peaceful relations between Arabs and Jews in Palestine, and both admitted the importance of economic unity in the country."

8. As already mentioned, the respective parties were not called upon to accept or reject the suggestions in the form in which they were offered, but were merely invited to indicate whether further discussions might profitably be carried on within the general framework outlined. Both parties, however in their replies rejected the framework suggested as a basis for discussion and uncompromisingly reaffirmed their respective positions. The full texts of the exchanges of views are appended as annex I.
9. The Provisional Government of Israel, in a letter dated 5 July 1948, objected to the deviations from the General Assembly resolution of 29 November 1947, and particularly to the suggestions concerning the regulation of immigration and the status of Jerusalem. They offered no counter-suggestions but urged a reconsideration of my "whole approach to the problem". In a letter to the Minister for Foreign Affairs of the Provisional Government of Israel, dated 6 July 1948, I commented as follows:

"(3) In paragraph I of your letter it is stated that my suggestions {appear to ignore the resolution of the General Assembly of 29 November 1947...} I cannot accept this statement. As United Nations Mediator, it is true that I have not considered myself bound by the provisions of the 29 November resolution, since, had I done so, there would have been no meaning to my mediation. The failure to implement the resolution of 29 November 1947, and the open hostilities to which the Arab opposition to it led, resulted in convoking of the second special session of the General Assembly to 'consider further the future government of Palestine'. This special Assembly, taking into account the new situation, adopted, on 14 May 1948, the resolution providing for a Mediator. It is equally true, however, that the basic objectives of the resolution of 29 November 1947 as regards a separate political and institutional existence for the Jewish and Arab communities of Palestine and for close economic ties between these communities, are maintained in my suggestions, although in a somewhat different framework. I may also assure you that in working up my suggestions I took fully into account the facts of the actual existence of the Jewish State in a defined area, the military situation and the present territorial situation as a result of the conflict thus far. But I could not ignore the fact that there is nothing really stable in Palestine so long as the prospect of early resumption of hostilities remains, and that the violent reaction of the Arab world to these very situations is also a vital factor in the equation, if one must focus on the possibility of peaceful adjustment.

"(7) Paragraph 3 of your letter relates to immigration. The question of immigration into Palestine must be considered within the context of the total problem. Even within the limits of full sovereignty the question of immigration is related to the absorptive capacity of the country. Palestine from this point of view has become the object of international concern. It would, therefore, seem justifiable that the Economic and Social Council might be given an eventual say in the matter. Furthermore, such an arrangement might serve the useful purpose of maintaining a sympathetic international interest in and assistance for the settlement of Jewish immigrants in Palestine. Should unrestricted immigration indefinitely continue in Palestine there might, in the future, arise a serious economic and political problem beyond the control of any Jewish government. It cannot be ignored that immigration affects not only the Jewish State and the Jewish people but also the surrounding Arab world.

"(8) Jerusalem stands in the heart of what must be Arab territory in any partition of Palestine. To attempt to isolate this area politically and otherwise from surrounding territory presents enormous difficulties. The special condition of Jerusalem - its large Jewish population and its religious associations - needs special consideration, and the way for discussion of these questions was left open. Arab domination of legitimate Jewish and other non-Arab interests in Jerusalem was never intended or implied in the suggestions. Moreover, while I fully appreciate that the question of Jerusalem is of very great concern, for historical and other reasons, to the Jewish community of Palestine, Jerusalem was never intended to be a part of the Jewish State. In this sense, the position of the Jewish State is unaffected and the question of Jerusalem has no relationship to its status. The status of Jerusalem, therefore, is separate from the question of the constitution and boundaries of a Jewish State. My suggestions fully safeguard the historical and world-wide religious interests in Jerusalem."
10. The Arabs, by a letter dated 3 July 1948, signed by the Secretary-General of the League of Arab States, offered counter suggestions which incorporated in outline the basic principles of the Arab

position. These counter-suggestions, providing for a unitary State in the whole of Palestine, offered little or no compromise.

11. With regard to these counter-suggestions, I submitted to the Arab representatives, by letter dated 5 July 1948, the following commentary:

"It may be contended with considerable cogency that the creation of a unitary and sovereign State in Palestine with the processes of government based on proportional representation, is fully consistent with democratic principles and procedures. But this does overlook certain vital facts which are peculiar to Palestine. The Jews of Palestine have been all along, and are now in fact, a completely separate cultural and political community. Under the Mandate they were permitted to maintain their separate and virtually autonomous cultural and political institutions. Moreover, this Jewish community, from whatever motives and for whatever reasons, is imbued with an intensely nationalist spirit, a nationalism which rivals in intensity the nationalism of Palestinian Arabs.

"A unitary State of Palestine with a substantial minority population of this kind could only be a troubled State unless the minority population and its nationalist aspirations were thoroughly crushed by forceful measures. It is futile to assume that the Jewish community could undergo a rapid change of heart.

"You will understand, of course, that I have come to this problem as a Mediator. I have come to try to mediate a dispute between two parties locked in violent conflict. And what do I find? I find in Palestine a substantial area which is fully under Jewish control, proclaimed as the territory of a Jewish State, and with a Provisional Government which has been recognized by a number of States. Whatever may be the merits of its existence or the conclusions as to how this Jewish political entity came to be, the fact remains that it is there.

"Now, in your counter-suggestions it is proposed to eliminate this separate Jewish political entity by creating a unitary State in the whole of Palestine. But there is no suggestion as to how this is to be done. May I inquire whether there are any views as to how this might be done by peaceful means? As Mediator I am directed by the resolution of the General Assembly "to promote a peaceful adjustment of the future situation of Palestine". I am fully convinced that there is no possibility whatsoever of persuading or inducing the Jews to give up their present separate cultural and political existence and accept merging in a unitary Palestine in which they would be a permanent minority. The alternative method of achieving the Arab objective would be to wipe out the Jewish State and its Provisional Government by force. This course, as Mediator, I obviously cannot recommend."

12. On 9 July, as a result of the Arab refusal to prolong the truce, hostilities started again, and I went immediately to Lake Success in order to acquaint the Security Council fully with the situation and to request its prompt and effective intervention.

#### *The period since 15 July*

13. The resolution of the Security Council of 15 July (S/902), ordering the Governments and authorities concerned to desist from further military action, also urged "upon the parties that they continue conversations with the Mediator in a spirit of conciliation and mutual concessions in order that all points under dispute may be settled peacefully".
14. Following my return to Rhodes on 19 July, after my short visit to Lake Success to attend the meetings of the Security Council, I consulted with Arab leaders on different occasions at Beirut, Amman and Alexandria. These conversations persuaded me that while the Arab States would maintain the truce, they would reject any suggestion of acceptance or recognition of the Jewish State, and would not meet with Jewish representatives. The Arab leaders had become greatly concerned and incensed about the mounting distress among the huge number of Arab refugees. They considered the solution of this problem fundamental to a settlement of the Palestine question. I recognized that, in the Arab States, public opinion on the Palestine question was considerably agitated and that each of my visits to Arab capitals projected the question into prominence in the Arab Press. I decided, therefore, in addition to the truce supervision, to concentrate my efforts in the immediate future on the problem of refugees and the demilitarization of Jerusalem, since no useful purpose could be served by taking

- precipitate action in forcing matters to a head. I concluded that a short "cooling-off" period as regards the basic political problems might best serve the cause of later mediation. I decided therefore, in the circumstances, that I could fulfil my previous commitment to attend the International Red Cross Conference in Stockholm. While there I would use the opportunity afforded by this Conference to further United Nations action in favour of immediate relief for Arab refugees.
15. The two visits which I paid to Tel-Aviv, at the end of July and early in August, made it apparent that the Jewish attitude had stiffened in the interval between the two truces, that Jewish in the settlement would probably be more ambitious, and that Jewish opinion was less receptive to mediation. A feeling of greater confidence and independence had grown out of Jewish military efforts during the interval between the two truces. Less reliance was placed in the United Nations and there was a growing tendency to criticize its shortcomings with regard to Palestine.
  16. Following my return to Rhodes from Stockholm on 3 September, I undertook further talks with Arab and Jewish leaders in Alexandria, and in Tel-Aviv in the period 6 to 9 September. These talks revealed that there was, at least for the time being, no prospect of voluntary agreement between the disputants, nor any willingness on the part of Arabs to negotiate with the Jews either directly or through the Mediator. But I did sense a more moderate and reasonable atmosphere in all quarters and a tendency to discuss more realistically the basic problems.
  17. As a result of these talks, I became convinced: (a) that it would be of utmost urgency that the General Assembly consider and reach decisions upon the Palestine question at its forthcoming session; (b) that if the General Assembly should reach firm and equitable decisions on the principal political issues there would be a reasonable prospect that settlement could be achieved if not by formal at least by tacit acceptance; and (c) that the truce could be maintained with reasonable fidelity throughout the General Assembly session but that it might be gravely doubted that it could be indefinitely prolonged beyond then in the absence of tangible progress toward a settlement.
  18. The flight log of the special plane made available to me by the Secretary-General in connexion with the mediation effort, and without which my task would have been virtually impossible, is appended as annex III.

*The Provisional Government's offer of direct negotiation*

19. On 6 August 1948, Mr. Shertok, the Foreign Minister of the Provisional Government of Israel, requested me to transmit to the "Governments of the Arab States now at war with Israel our offer that their representatives should meet the representatives of the Provisional Government of Israel for the purpose of peace negotiations". I complied with this request, cabling the Arab Governments concerned and stating that I was ready to transmit their reply to the Provisional Government of Israel. Replies were subsequently received from the Governments of Syria, Lebanon and Saudi Arabia, indicating that the Secretary-General of the League of Arab States would reply on their behalf. I have received no written reply but I was informed orally by the Secretary-General of the League of Arab States in Alexandria, on 6 September, that the Arab representatives were unwilling to enter into direct negotiations with representatives of the Provisional Government of Israel. I had also previously received a written reply, dated 11 August, from the Foreign Minister of Egypt, to the effect that the Egyptian Government had accepted the ceasefire ordered in the resolutions of 29 May and 15 July out of respect for the actions of the Security Council, and that, under these resolutions, the Mediator had been charged with the task of seeking a peaceful solution. The Egyptian Government could not recognize the authority of the so-called State of Israel and therefore considered it unnecessary to reply.
20. For my part, as I had on several occasions stated to both parties, I would welcome direct negotiations at my time the parties could agree to hold them, though I was well aware that at this particular time such an offer was probably premature since I had just discussed the question of settlement with the Arabs. I am convinced, however, that the offer was sincerely made. It had recently been brought to my attention by both Arab and Jewish officials that other offers for direct negotiations have been transmitted by Jewish representatives directly to Arab authorities. I have reaffirmed to both Arab and Jewish authorities that I would be very pleased should they find it possible to enter into direct negotiations and that I am prepared to offer every possible assistance toward that end.

#### IV. DEMILITARIZATION OF JERUSALEM

1. Jerusalem had greatly suffered during the period between the British evacuation and the entry into force of the first truce. When the latter began, the Old City was entirely in Arab hands, but by far the greater part of the New City was occupied by Jewish forces. Front lines were interlocked, with dangerous pockets and narrow no man's lands. In any general fighting in Jerusalem it was clear that the Old City in which are found most of the Holy Places, would not be spared. The destruction of the Church of the Holy Sepulchre, the Dome of the Rock or the Wailing Wall would be an irreparable loss. It would also inflame deep-rooted religious passions.
2. The success of the negotiations which resulted on 7 July in the agreement on the demilitarization of the Mount Scopus area encouraged me to press for an agreement covering a much wider area, namely that of the City of Jerusalem as delimited in General Assembly resolution 181 (II) of 29 November 1947 or, if this proved impossible, a smaller area of the city.
3. The end of the four-week truce was imminent. On 3 July a proposal was presented to the Special Sub-Committee of the Arab League in Cairo. A similar communication was addressed to Tel-Aviv. Under this proposal, an instrument was to be signed by both parties. It would contain provisions concerning the extent of the area to be demilitarized, the position and functions of United Nations bodies which might be used in the supervision of the demilitarization, the procedure of demilitarization, the prohibition of military operations in the demilitarized area, the prohibition of the entry of fighting personnel, prohibition of the entry of arms, ammunition and other military supplies, the rights of the civilian population, the entry of food, water and other civilian supplies, and access to the Holy Places.
4. While the Provisional Government of Israel was prepared to discuss the proposal under certain assumptions, the Arab States found it unacceptable as a whole. An emergency proposal was then made to the effect that, should the truce not be prolonged, the two parties should agree on an immediate cease-fire in Jerusalem pending a final decision on the question of demilitarization. The Provisional Government was ready to accept this proposal. The Arab States, through the Secretary-General of the Arab League, stated, on the other hand, that since they found unacceptable the proposal for the demilitarization of Jerusalem as a whole, they could not accept the proposal that, should the truce not be prolonged, there should be an immediate cease-fire in the City for the purpose of considering demilitarization.
5. I reported these facts to the Security Council in my report dated 12 July (S/888).
6. On 15 July, the Security Council, in its resolution ordering a new and indefinite truce in Palestine, also ordered "as a matter of special and urgent necessity an immediate and unconditional cease-fire in the City of Jerusalem (S/902). It further instructed the Mediator "to continue his efforts to bring about the demilitarization of the City of Jerusalem, without prejudice to the future political status of Jerusalem".
7. In the telegram containing their acceptance of that part of the Security Council's resolution concerning the cease-fire in Jerusalem the Political Committee of the Arab League stated that they had, given the necessary orders to their forces "on the understanding that talks would take place between the Arab States and the United Nations Mediator with a view to reaching an agreement to ensure security in Jerusalem without prejudice to the future or the position and rights of Arabs in that city". Despite an understanding to the contrary on the basis of my talks in Cairo on 3 July, the telegram also stated that "when the United Nations Mediator proposed on 3 July to demilitarize Jerusalem, the Arab States accepted the proposal, in principle".
8. In view of the fact that before the end of the first truce the Provisional Government of Israel had stated that it was prepared to discuss the proposal for the demilitarization of Jerusalem under certain assumptions, it seemed that negotiations with the two parties could be resumed under favourable conditions. Draft suggestions in the form of a working paper were then communicated to both parties as a basis for technical discussion.
9. On the Arab side, the Chairman and the Secretary of the Palestine Arab Higher Committee sent to me, from Damascus, on 25 July, a copy of the statement which they had communicated to the Governments of the Arab States asking them to reject in toto the proposal to demilitarize Jerusalem which "tends to obliterate its Arab and Islamic character, detach it from Palestine and establish an international administration therein, thus implementing the partition scheme. Furthermore, it is impossible actually to disarm the Jews, thus exposing the Holy City to their occupation".

10. The official answer of the Arab States transmitted to me by the Secretary-General of the League of Arab States on 31 July did not use the word "demilitarization". It stated: "The Arab States agree that there shall be a permanent cease-fire in Jerusalem to the end that this City shall be removed from the conflict without prejudice to the position and rights of the Arabs on to the ultimate status of the city in the settlement of the Palestine problem. Needless to emphasize that this objective cannot be attained unless the other side is ready not to attack the city or to exercise in it any military or paramilitary activities."
11. On the Jewish side, a communication signed by Mr. Shertok and dated 28 July 1948, read as follows: "(1) the Provisional Government reaffirms its rejection of the Mediator's plan of demilitarization... assumes that this particular scheme no longer stands; (2) the attitude of the Provisional Government to any plan of demilitarization emanating from the Mediator cannot but be influenced by the fact that the Mediator has proposed to place Jerusalem ultimately under Arab rule and that he has not withdrawn that proposal; (3) the Provisional Government is ready, as before, to examine such scheme which, without prejudging the ultimate settlement of the problem of Jerusalem or prejudicing the vital interests of the Jewish people in the Holy City, would protect it from further destruction in the event of hostilities being resumed in other parts of Palestine ". It had previously been made clear to Mr. Shertok that the question at issue was solely acceptance or rejection of the principle of demilitarization without reference to the working paper or any plan.
12. The above-quoted reply from Tel-Aviv appeared to indicate that the Jewish position regarding demilitarization had altered since the end of the first truce and raised the question whether the principle of demilitarization was still accepted by the Provisional Government. In answer to a request for clarification, Mr. Shertok replied that point (3) of his letter, quoted under paragraph II above, meant "acceptance in principle of any scheme which will ensure results desired". Demilitarization was not excluded".
13. On the basis of this answer, I requested Dr. Bernard Joseph, the representative in Jerusalem of the Provisional Government, to discuss with my representatives in the city the basic principles and, subsequently, the details of a demilitarization plan. After consulting Mr. Shertok, Dr. Joseph pointed out -on 3 August, that what the former had said was that "our Government's readiness to discuss any plan did not exclude the possibility of such plans including the demilitarization of Jerusalem. He (Mr. Shertok) did not go so far as to say that our Government agreed in principle that Jerusalem should be demilitarized ". And Dr. Joseph concluded {sin these circumstances, I would be going beyond the decision of our Government if, at this stage, I entered into negotiations or discussions with a view to elaborating an actual plan of demilitarization. On the other hand, if any plan with regard to the future of Palestine is put before our Government, even though it includes the demilitarization of the city as one of its objects, it will receive the most careful consideration."
14. The above communication was especially regrettable in view of the fact that the Arab reply to the identical request to enter into discussion with my representatives was in the affirmative, and was even accompanied by "notes on the demilitarization of Jerusalem" which could facilitate the discussion.
15. The worsening of the situation in Jerusalem, where heavy firing had been occurring nearly every night, compelled me at that time (early August) to concentrate my efforts on securing a permanent and unconditional ceasefire in the city both as an emergency measure and as a prerequisite to any further attempt at agreement on demilitarization.
16. On 19 August, I sent to the Security Council, on the eve of its adjournment at Lake Success, an interim report regarding the demilitarization of Jerusalem (S/979). I pointed out that the recent Jewish attitude, in my opinion, was due more to political reasons relating to the future status of Jerusalem than to mere military considerations regarding the present conflict". The attitude of the parties was not, however, the only obstacle: "even if both parties were to agree on the issue, demilitarization could not be put into effect without a strong adequately armed United Nations force to be provided immediately. Under these conditions, I wish to inform you that I have serious doubts whether demilitarization can be attained in the near future".
17. This report was promptly discussed by the Security Council and as a result of this discussion the President of the Security Council informed me by cable that the Security Council "desires to state

that it relies on the Mediator to make all efforts to achieve speedy results on this matter (the demilitarization of Jerusalem) to which the Security Council attaches serious importance."

18. Since my return from Stockholm, I have renewed my efforts towards the demilitarization of Jerusalem. In my discussion on the subject with Mr. Shertok in Tel-Aviv on 9 September, I pointed out that it was useless for me to make further representations to the Security Council concerning the need for a United Nations armed force in a demilitarized Jerusalem less the Jewish as well as Arab authorities were willing to accept demilitarization in principle as a prelude to detailed discussions.

#### V. REFUGEES

1. The question of refugees is considered in this part of the report only from the political point of view. The humanitarian and administrative aspects of this problem are dealt with in detail in part III of this report.
2. As a result of the hostilities in Palestine, an alarming number of persons have been displaced from their homes. Arabs form the vast majority of the refugees in Palestine and the neighbouring countries. The future of these Arab refugees is one of the questions under dispute, the solution of which presents very great difficulties.
3. From the start, I held the firm view that, taking into consideration all the circumstances, the right of these refugees to return to their homes at the earliest practical date should be established. With this consideration in mind, following an exploratory conversation on the matter with the Minister of Foreign Affairs of the Provisional Government of Israel on 26 July 1948, in Tel-Aviv, I submitted to him by cable from Rhodes on the same day the following proposal:

"The resolution of the Security Council of 15 July urges the parties to continue their 'conversations with the Mediator in a spirit of conciliation and mutual concession, in order that all points under dispute may be settled peacefully'. As indicated in my conversation with Mr. Shertok in Tel-Aviv on 26 July, one of the points under dispute is the return to their homes in Jewish-controlled area of Palestine of Arab refugees who fled because of war conditions.

"I am deeply concerned with the plight of some three hundred thousand Arab refugees scattered in Arab countries and Arab-controlled areas of Palestine. Their suffering will be intensified when winter comes. Most of them left practically all of their possessions behind and have no means at their disposal.

"I recognize the basis for the misgivings the Provisional Government might have with regard to the return of large numbers of these refugees during the war. These misgivings derive from security as well as economic and political considerations. But I must point out that the existing truce in Palestine is of indefinite duration and that the Security Council resolution has ordered the Governments and authorities concerned to desist from further military action.

"For humanitarian reasons and because I consider the principle sound and the danger to Jewish security slight, I make the following proposals:

"(1) That, without prejudice to the question of the ultimate right of all Arab refugees to return to their homes in Jewish-controlled Palestine if they desire, the principle be accepted that, from among those who may desire to so, a limited number, to be determined in consultation with the Mediator, and especially those formerly living in Jaffa and Haifa, be permitted to return to their homes as from 15 August.

"(2) That, among those who may wish to return, differentiation may be made between men of military age and all others in recognition of security considerations.

"(3) That the Mediator undertake to enlist the aid of appropriate international organizations and agencies in the resettlement and economic and social rehabilitation of the returning refugees".

4. These proposals were rejected by the Provisional Government of Israel in a reply received on 1 August. In this reply, the Provisional Government of Israel pointed out that it was aware of the serious plight of Arab refugees, but that action taken to deal with the problem on purely humanitarian grounds in disregard of its metro, political and economic aspects might even aggravate this problem. In the circumstances of the truce, security considerations alone make it impossible for the

Provisional Government to agree to the Mediator's proposal. The problem could only be considered by the Provisional Government when the Arab States are ready to conclude a peace treaty with the State of Israel. The full text of this reply (S/949) is to be found in annex II.

5. On the receipt of the Jewish reply, I reported to the Security Council on the question (S/948), reiterating that, notwithstanding the views expressed by the Provisional Government of Israel, it was my firm view that the right of the refugees to return to their homes at the earliest practicable date should be affirmed.
6. It is not yet known what the policy of the Provisional Government of Israel with regard to the return of Arab refugees will be when the final terms of settlement are reached. It is, however, undeniable that no settlement can be just and complete if recognition is not accorded to the right of the Arab refugee to return to the home from which he has been dislodged by the hazards and strategy of the armed conflict between Arabs and Jews in Palestine. The majority of these refugees have come from territory which, under the Assembly resolution of 29 November, was to be included in the Jewish State. The exodus of Palestinian Arabs resulted from panic created by fighting in their communities, by rumours concerning real or alleged acts of terrorism, or expulsion. It would be an offence against the principles of elemental justice if these innocent victims of the conflict were denied the right to return to their homes while Jewish immigrants flow into Palestine, and, indeed, at least offer the threat of permanent replacement of the Arab refugees who have been rooted in the land for centuries.
7. There have been numerous reports from reliable sources of large-scale looting, pillaging and plundering, and of instances of destruction of villages without apparent military necessity. The liability of the Provisional Government of Israel to restore private property to its Arab owners and to indemnify those owners for property wantonly destroyed is clear, irrespective of any indemnities which the Provisional Government may claim from the Arab States.
8. It must not be supposed, however, that the establishment of the right of refugees to return to their former homes provides a solution of the problem. The vast majority of the refugees may no longer have homes to return to and their resettlement in the State of Israel presents an economic and social problem of special complexity. Whether the refugees are resettled in the State of Israel or in one or other of the Arab States, a major question to be faced is that of placing them in an environment in which they can find employment and the means of livelihood. But in any case their unconditional right to make a free choice should be fully respected.

#### VI. THE RESOLUTION OF THE GENERAL ASSEMBLY OF 29 NOVEMBER 1947

##### *Arab and Jewish attitudes*

1. General Assembly resolution 181 (II) of 29 November 1947 provided for the partition of Palestine into a Jewish State, an Arab State and an international territory of the City of Jerusalem, within the framework of an economic union embracing all three. This plan was accepted by the representatives of the Jewish Agency but rejected by the Arab States and the spokesman of the Arab Higher Committee, who declared that they did not consider themselves bound by the resolution. On 14 May 1948, the Jews declared the existence of a State of Israel, and when on the following day the Mandate officially ended, the newly-proclaimed Provisional Government of Israel was in control of the most important parts of the area allotted to the Jewish State by the Assembly resolution. The Provisional Government of Israel claimed that it was acting according to that resolution as far as circumstances permitted, and that it made no claim to territory beyond the boundaries of the partition resolution. When the armies of the Arab States entered Palestine on 15 May, and became involved in conflict with the Jewish forces, the Provisional Government of Israel appealed to the Security Council against the attack of the Arab States and invoked the resolution of 29 November.
2. The Arab States, on the other hand, claiming that the resolution of the Assembly was illegal and unjust, contended that they had come legitimately to the assistance of the Arabs of Palestine. Their opposition to the resolution of 29 November has continued unabated.
3. The Provisional Government of Israel, according to recent pronouncements, has apparently modified its attitude to the resolution of 29 November. Although the general position of the Provisional Government of Israel rests broadly on the foundation of the Assembly resolution, it is now being urged that boundaries should be modified to take more fully into account both the present military

situation and the necessity for more readily defensible frontiers. In regard to Jerusalem, there is a more sceptical attitude towards internationalization and a marked tendency to press for the inclusion of at least the Jewish part of Jerusalem in the State of Israel

#### *Economic Union*

4. An essential feature of the plan of partition was the integration of the three proposed territorial entities into an economic union, by which the unity of the former mandated territory was to be preserved in respect of customs, currency and transport and communications. Such a union could, however, only function by agreement, tacit or expressed, between the parties. An economic union cannot be imposed on a completely unwilling partner, and the fact of Arab unwillingness to co-operate has inhibited the realization of the resolution of 29 November in one of its most essential features.

#### *The boundary provisions*

5. The boundary provisions of the General Assembly's resolution were also designed within the framework of economic union, which presupposes full freedom of transit, and therefore within that framework, no difficulty was foreseen in providing for separated parts of the Jewish and Arab States joined to their other parts merely at points of intersection of frontiers. This arrangement, while rational within the framework of an economic union, is open to serious objections if no such union exists. The assumptions of the Assembly resolution largely excluded military considerations in the determination of the boundaries between the three parts of Palestine. Also the proposed boundaries were related to the then existing distribution of population, a distribution which temporarily, at least, has been significantly affected by the large-scale movements of Arab refugees.

#### *The proposed Arab State*

6. The effective establishment of a Jewish State in an area which corresponds in large measure to that envisaged in the partition plan has already been accomplished by the events of the past few months. As regards the parts of Palestine under Arab control, no central authority exists and no independent Arab State has been organized or attempted. This situation may be explained in part by Arab unwillingness to undertake any step which would suggest even tacit acceptance of partition, and by their insistence on a unitary State in Palestine. The partition plan presumed that effective organs of State government could be more or less immediately set up in the Arab part of Palestine. This does not seem possible today, in view of the lack of organized authority springing from Arab Palestine itself, and the administrative disintegration following the termination of the Mandate.
7. The partition plan took into account that a partition of Palestine without economic union would leave the Arab State economically nonviable, unless the population should be forced to submit to a substantial fall in its standard of living. This problem was met in the partition plan by economic union, which, by maintaining the essential economic unity of the whole area, attempted to ensure that the flow of capital and labour and the consequent distribution of economic activity would not be greatly influenced by partition. Further, it attempted to meet a substantial fall in standards of social and public services in the Arab State by including the whole area in a single customs union, and by providing for a division of the revenues of the union in such a manner as to offset materially the effects of partition on the distribution of public expenditure and revenue.
8. A Jewish State, whose boundaries have not yet been established, has come into existence, although not in the manner envisaged in the resolution of 29 November. Thus, there now exists in Palestine a form of partition, though an Arab State, for which the partition plan provided has not materialized and there is no economic union. The problem of the future of the Arab part of Palestine and its economic viability is therefore thrust into the foreground.

#### *The problem of Jerusalem*

9. The Assembly resolution of 29 November provided that Jerusalem and the surrounding area, including Bethlehem, should be established as a *corpus separatum* under a special international regime, which also was to be an integral part of the economic union. It is quite evident that an area as small as this could hardly exist as a separate entity unless economically integrated into the lar-

ger surrounding territory. Such integration would have been effectively provided by the economic union, which guaranteed freedom of transit and the maintenance of a unified system of transport and communications. It also provided for adequate public revenue for the area by the reversion to it of a 5 to 10 per cent share of the revenues of the economic union. In so far, therefore, as the complexity of interests involved may require the treatment of Jerusalem as a special case by the creation of an international regime, and since economic union is not immediately practicable, the problem of economic viability assumes great importance.

#### VII. PROTECTION OF THE HOLY PLACES; COMMON SERVICES

1. By the provisions of resolution 186 (S/2), adopted by the General Assembly on 14 May, the Mediator was to use his good offices not only to "promote a peaceful adjustment of the future situation of Palestine", but also to "arrange for the operation of common services necessary to the safety and well-being of the population" and to "assure the protection of the Holy Places, religious buildings and sites in Palestine".

##### *Protection of the Holy Places*

2. Authorities on both sides have tried to preserve and protect the Holy Places, religious buildings and sites. Many religious buildings, however, are located in areas where heavy fighting has occurred, and some of them have been destroyed. Synagogues have thus been demolished in the Jewish quarter of the Old City of Jerusalem. Even during the present truce Jerusalem remains a critical spot where shelling by mortars and artillery in various parts of the city frequently takes place. Thus the Holy Places are in constant danger. Damage to many such structures cannot be fully repaired under existing conditions and further deterioration will occur. Military authorities have requisitioned many hospitals, hospices and schools belonging to religious orders. The Church of the Holy Sepulchre has been hit once, with no appreciable damage. The Church of Dormition in the Old City has been severely hit, but its walls are still standing. The Mount of Olives and the Garden of Gethsemane have been spared and their religious buildings remain intact. The Haram-esh-Sharif, including the Dome of the Rock, has suffered damage from shelling. Windows have been broken and inlaid work shattered. The Church of the Nativity and other religious sites in Bethlehem have suffered no damage.
3. Apart from the efforts of official authorities on both sides, the protection of the Holy Places, religious buildings and sites has been assured to the extent possible, particularly in Jerusalem, by the intervention of the United Nations observers. Representations regarding attacks against or the military occupation and use of religious buildings in the Jerusalem front lines have also been made by the Truce Commission.
4. The demilitarization of Jerusalem, more than any other action, would ensure the safety of its Holy Places and religious buildings.

##### *Common services*

5. As regards common services, arrangements for their operation are obviously impossible so long as the interested parties refuse to meet each other. Moreover, since the truce is interpreted by them literally, as only a suspension of hostilities accompanied by no change in spirit, there is no abatement of hostile feelings which would permit some resumption of normal intercourse.

#### VIII. CONCLUSIONS

1. Since I presented my written suggestions to the Arab and Jewish authorities on 27 June, I have made no formal submission to either party of further suggestions or proposals for a definitive settlement. Since that date, however, I have held many oral discussions in the Arab capitals and Tel-Aviv, in the course of which various ideas on settlement have been freely exchanged. As regards my original suggestions, I hold to the opinion that they offered a general framework within which a reasonable and workable settlement might have been reached, had the two parties concerned been willing to discuss them. They were flatly rejected, however, by both parties. Since they were put forth on the explicit condition that they were purely tentative, were designed primarily to elicit views and counter-suggestions from each party, and, in any event, could be implemented only if agreed upon by

both parties, I have never since pressed them. With respect to one basic concept in my suggestions, it has become increasingly clear to me that, however desirable a political and economic union might be in Palestine, the time is certainly not now propitious for the effectuation of any such scheme.

2. I do not consider it to be within my province to recommend to the Members of the United Nations a proposed course of action on the Palestine question. That is a responsibility of the Members acting through the appropriate organs. In my role as United Nations Mediator, however, it was inevitable that I should accumulate information and draw conclusions from my experience which might well be of assistance to Members of the United Nations in charting the future course of United Nations action on Palestine. I consider it my duty, therefore, to acquaint the Members of the United Nations, through the medium of this report, with certain of the conclusions on means of peaceful adjustment which have evolved from my frequent consultations with Arab and Jewish authorities over the past three and one-half months and from my personal appraisal of the present Palestinian scene. I do not suggest that these conclusions would provide the basis for a proposal which would readily win the willing approval of both parties. I have not, in the course of my intensive efforts to achieve agreement between Arabs and Jews, been able to devise any such formula. I am convinced, however, that it is possible at this stage to formulate a proposal which, if firmly approved and strongly backed by the General Assembly, would not be forcibly resisted by either side, confident as I am, of course, that the Security Council stands firm in its resolution of 15 July that military action shall not be employed by either party in the Palestine dispute. It cannot be ignored that the vast difference between now and last November is that a war has been started and stopped and that in the intervening months decisive events have occurred.

### SEVEN BASIC PREMISES

3. The following seven basic premises form the basis for my conclusions:

#### *Return to peace*

- (a) Peace must return to Palestine and every feasible measure should be taken to ensure that hostilities will not be resumed and that harmonious relations between Arab and Jew will ultimately be restored.

#### *The Jewish State*

- (b) A Jewish State called Israel exists in Palestine and there are no sound reasons for assuming that it will not continue to do so.

#### *Boundary determination*

- (c) The boundaries of this new State must finally be fixed either by formal agreement between the parties concerned or failing that, by the United Nations.

#### *Continuous frontiers*

- (d) Adherence to the principle of geographical homogeneity and integration, which should be the major objective of the boundary arrangements, should apply equally to Arab and Jewish territories, whose frontiers should not therefore, be rigidly controlled by the territorial arrangements envisaged in the resolution of 29 November.

#### *Right of repatriation*

- (e) The right of innocent people, uprooted from their homes by the present terror and ravages of war, to return to their homes, should be affirmed and made effective, with assurance of adequate compensation for the property of those who may choose not to return.

#### *Jerusalem*

- (f) The City of Jerusalem, because of its religious and international significance and the complexity of interests involved, should be accorded special and separate treatment.

#### *International responsibility*

- (g) International responsibility should be expressed where desirable and necessary in the form of international guarantees, as a means of allaying existing fears, and particularly with regard to boundaries and human rights.

### SPECIFIC CONCLUSIONS

4. The following conclusions broadly outlined, would, in my view, considering all the circumstances, provide a reasonable, equitable and workable basis for settlement:
- (a) Since the Security Council, under pain of Chapter VIII sanctions, has forbidden further employment of military action in Palestine as a means of settling the dispute should be pronounced formally ended either by mutual agreement of the parties or, failing that, by the United Nations. The existing indefinite truce should be superseded by a formal peace, or at the minimum, armistice which would involve either complete withdrawal and demobilization of armed forces or their wide separation by creation of broad demilitarized zones under United Nations supervision.
  - (b) The frontiers between the Arab and Jewish territories, in the absence of agreement between Arabs and Jews, should be established by the United Nations and delimited by a technical boundaries commission appointed by and responsible to the United Nations with the following revisions in the boundaries broadly defined in the resolution of the General Assembly of 29 November in order to make them more equitable, workable and consistent with existing realities in Palestine.
    - (I) The area known as the Negeb, south of a line running from the sea near Majdal east-southeast to Faluja (both of which places would be in Arab territory), should be defined as Arab territory;
    - (II) The frontier should run from Faluja north northeast to Ramleh and Lydda (both of which places would be in Arab territory, the frontier at Lydda then following the line established in the General Assembly resolution of 29 November;
    - (III) Galilee should be defined as Jewish territory.
  - (c) The disposition of the territory of Palestine not included within the boundaries of the Jewish State should be left to the Governments of the Arab States in full consultation with the Arab inhabitants of Palestine, with the recommendation, however, that in view of the historical connexion and common interests of Transjordan and Palestine there would be compelling reasons for merging the Arab territory of Palestine with the territory of Transjordan, subject to such frontier rectifications regarding other Arab States as may be found practicable and desirable.
  - (d) The United Nations, by declaration or other appropriate means, should undertake to provide special assurance that the boundaries between the Arab and Jewish territories shall be respected and maintained, subject only to such modifications as may be mutually agreed upon by parties concerned.
  - (e) The port of Haifa, including the oil refineries and terminals, and without prejudice to their inclusion in the sovereign territory of the Jewish State or the administration of the city of Haifa, should be declared a free port, with assurances of free access for interested Arab countries and an undertaking on their part to place no obstacle in the way of oil deliveries by pipeline to the Haifa refineries whose distribution would continue on the basis of the historical pattern.
  - (f) The airport of Lydda should be declared a free airport with assurance of access to it and employment of its facilities for Jerusalem and interested Arab countries.
  - (g) The City of Jerusalem, which should be understood as covering the area defined in the resolution of the General Assembly of 29 November, should be treated separately and should be placed under effective United Nations control with maximum feasible local autonomy for its Arab and Jewish communities with full safeguards for the protection of the Holy Places and sites and free access to them and for religious freedom.
  - (h) The right of unimpeded access to Jerusalem, by road, rail or air, should be fully respected by all parties.
  - (i) The right of the Arab refugees to return to their homes in Jewish-controlled territory at the earliest possible date should be affirmed by the United Nations, and their repatriation, resettlement and economic and social rehabilitation, and payment of adequate compensation for the property of those choosing not to return, should be supervised and assisted by the United Nations conciliation commission described in paragraph (k) below.
  - (j) The political, economic, social and religious rights of all Arabs in the Jewish territory of Palestine and of all Jews in the Arab territory of Palestine should be fully guaranteed and respected by the authorities. The conciliation commission provided for in the following paragraph should supervise the observance of this guarantee. It should also lend its good offices, on the invitation

of the parties, to any efforts toward exchanges of populations with a view to troublesome minority problems, and on the basis of adequate compensation for property owned.

- (k) In view of the special nature of the Palestine problem and the dangerous complexities of Arab-Jewish relationships, the United Nations should establish a Palestine conciliation commission. This commission, which should be appointed for a limited period, should be responsible to the United Nations and act under its authority. The commission assisted by such United Nations personnel as may prove necessary, should undertake.
- (I) To employ its good offices to make such recommendations to the parties or to the United Nations, and to take such other steps as may be appropriate, with a view to ensuring the continuation of the peaceful adjustment of the situation in Palestine;
  - (II) Such measures as it might consider appropriate in fostering the cultivation of friendly relations between Arabs and Jews;
  - (III) To supervise the observance of such boundary, road, railroad, free port, free airport, minority rights and other arrangements as may be decided upon by the United Nations;
  - (IV) To report promptly to the United Nations any development in Palestine likely to alter the arrangements approved by the United Nations in the Palestine settlement or to threaten the peace of the area.

#### ANNEX I

##### Correspondence exchanged between the parties and the United Nations Mediator, relating to the suggestions of 27 June 1948

1. Letter Dated 3 July 1948, Addressed to the United Nations Mediator by the Secretary-General of the League of Arab States (see above)
2. Comments by the Mediator on the above Observations of the League of Arab States Handed to the Committee in Cairo on 3 July 1948 (see above)
3. Comments by the Mediator on the Arab Counter-Suggestions, Transmitted to the Political Committee of the League of Arab States by Letter Dated 5 July 1948 (see above)
4. Letter Dated 5 July 1948 Addressed to the United Nations Mediator by the Minister for Foreign Affairs of the Provisional Government of Israel (see above)
5. Letter Dated 6 July 1948 from the Mediator to the Minister for Foreign Affairs of the Provisional Government of Israel (see above)

#### ANNEX II

##### Reply of the Provisional Government of Israel to the proposal regarding the return of Arab refugees

Letter from the Minister for Foreign Affairs of the Provisional Government to the United Nations Mediator, Hakiryia, 1 August 1948 (see above)

#### ANNEX III

##### Flight log [...]

### PART TWO: THE SUPERVISION OF THE TWO TRUCES

[...]

#### II. THE FOUR-WEEK TRUCE FROM 11 JUNE TO 9 JULY 1948

##### *Organisation of the truce supervision*

1. It was obvious from the outset that the supervision of the truce would constitute an extremely difficult and far from perfect operation. I realized that in order to achieve complete supervision of the observance of the truce in Palestine and in Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen, a very large number of observers would be necessary with considerable quantities of equipment and material. Within the short time available, there were inevitable obstacles in the way of obtaining the necessary personnel and equipment. I considered that the operation would be successful if it prevented a flare-up or a renewal of large-scale fighting during the truce.

2. The major difficulty encountered during the truce supervision was that the entire observation organization had to be created and set into operation after the truce had begun, and that there was almost no opportunity for advance preparation. I requested the services of five colonels of the Swedish Army to act as my personal representatives to assist in supervising the truce, and I appointed one of these, Colonel Thord Bonde, as my Chief of Staff for the truce supervision. I also requested the member States of the Truce Commission - Belgium, France and the United States of America - each to furnish 21 officers from their armed forces to act as military observers. These 63 observers arrived in Cairo between 11 and 14 June and were immediately despatched to Palestine and some of the Arab States. I also obtained from the Secretary-General of the United Nations on 21 June the services of 51 guards recruited from the Secretariat to assist the military observers, and subsequently requested Belgium, France and the United States of America each to send 10 more officers to act as observers. These 30 additional officers arrived during the period 27 June to 5 July. I also obtained from the United States armed forces some 10 auxiliary technical personnel such as aircraft pilots and maintenance men, radio operators, motor-vehicle drivers and maintenance men, and medical personnel.
3. At the beginning of the truce no equipment was available other than a chartered aircraft, which the Secretary-General had placed at my disposal. In order to carry out the operation it was necessary that equipment be obtained for communication, transportation and patrolling. I obtained some used vehicles, planes and radio equipment from the Governments of the United States of America and the United Kingdom, a naval corvette from France and three destroyers from the United States. This equipment was obtained between 12 and 14 June. It was not sufficient for the immense task involved, and some of the equipment, particularly the motor-vehicles and radio sets, soon became unserviceable due to the lack of repairs and spare parts.
4. It was not possible within the limits of personnel and equipment available to establish observation posts to cover all the ports, airfields, boundaries and coastlines of all seven Arab States as well as of Palestine. Since Palestine was the actual scene of the conflict, where Arab and Israeli armies were confronting each other during the suspension of hostilities, I decided that the main work of observation must take place there. I accordingly transferred the headquarters of the truce supervision from Cairo to Haifa, although my own headquarters had been established on neutral ground in Rhodes. For the purposes of observation Palestine was divided into five areas, each consisting of an area headquarters and one or more observation posts, depending on circumstances and requirements. With respect to the Arab States, observers were sent at various times to Damascus, Beirut, Bennt Jbail, Amman, Baghdad, the Suez area and Egyptian airfields and ports. Members of the Secretariat were also stationed at Amman, Beirut, Cairo, Haifa, Jerusalem and Tel-Aviv to maintain liaison with the respective Governments and to act as my representatives.
5. In connexion with the City of Jerusalem it was agreed between the Truce Commission and myself that the Commission would be responsible for the supervision of the ceasefire and truce in the city and that the observers would assist them and deal with incidents and breaches. Our respective spheres of authority were somewhat vague and were never clearly defined, but I received the fullest co-operation at all times from the members of the Truce Commission.
6. The observers were given detailed instructions on their role. In addition to investigating alleged breaches of the truce, they were charged with the task of carrying on routine observation and with dealing with incidents and complaints on the spot. They had no power to prevent a violation of the truce or to enforce their decisions. In the case of any complaint or incident where they could not achieve a settlement between the parties on the spot, their only recourse was to report the matter to their superiors or to me. Complaints by local civilians or troops were dealt with by the observers on the spot those by military commanders were dealt with by the Chief of Staff or an area commander and those by Governments were dealt with by myself. In cases requiring investigation, the inquiries were carried out by observers on the spot wherever possible.

*The operation of the truce supervision*

7. The number of incidents and complaints respecting alleged breaches of the truce were greatest during the early days of the truce before the observation operation was fully in force, and again during the last few days of the truce, when each side was engaged in intensive preparations in the

expectation of a renewal of hostilities on the termination of the truce. During the entire period of the four-week truce there was a constant stream of complaints from each side alleging violations by the other side. In all, some 500 complaints or incidents were dealt with by the observers. In a large number of cases the complaints proved to be entirely without substance, and in many cases the complaints from both sides were greatly exaggerated. Due to conflicting statements from each side it proved impossible to assess responsibility clearly in most cases.

8. In the City of Jerusalem a record was kept of 197 complaints, of which 39 were made by Arabs, 131 by Jews, and 27 were made by the observers themselves. The great majority of these complaints concerned cases of sporadic and individual sniping and firing, where it was impossible to determine who was the guilty party or persons. Other complaints arose out of attempts by each side to improve its position by fortifying houses and strategic points, digging trenches and erecting barriers. Other complaints dealt with looting and stealing household effects, crops and fruit. In general, the lack of time and personnel made it impractical to carry out more than superficial investigation except in the most serious cases. The observers had to content themselves in most cases with making representations to each side to curb their men and to prevent a continuance or repetition of the breach.
9. In the truce area, outside the City of Jerusalem, a record was kept of 258 complaints or incidents, of which 147 were Arab complaints, 59 were Jewish complaints and 52 were breaches of the terms of the truce (divided between Arabs and Jews) which were discovered and reported by the observers themselves. The most serious of these complaints dealt with attacks on villages and included the alleged occupation of villages, strategic hills and road junctions after the commencement of the truce. These cases were subjected to careful investigation by the observers, but they were invariably confronted by conflicting evidence from both sides. The observers were greatly hampered in their work because of the fact that they were not present in Palestine at the time of the commencement of the truce and, in view of the short period of the truce, it was not possible for them to determine the status quo of the battle lines as it existed at 0600 hours (GMT) on 11 June. In nearly all cases, therefore, they had to accept the status quo as they found it on their arrival. Other complaints dealt with incidents arising out of harvesting operations (where I ruled that each side could harvest up to a point midway between the opposing lines, and that the ordinary rules of land warfare would apply to harvesting behind the lines), sniping and firing, the erection of fortifications and road blocks, digging trenches, laying mines and barbed wire, the movement of troops and military supplies, and the illegal flying of planes.
10. With respect to the importation of war materials into the truce area very few complaints were made. In oral discussions which I had with Arab leaders they complained in general that the Jews were continuing to receive war materials. But apart from the case of the *Altalena* (which is dealt with below), the Arabs filed only two specific complaints against the Jews. The United States Government brought to my attention two cases, and the United Kingdom Government one case, of the alleged receipt of war material by the Provisional Government of Israel. The observers could find no evidence to support any of these complaints. The Provisional Government also lodged five complaints regarding the importation of war materials by the Arab States, but in these cases, too, no evidence was found to support the charges. Except for the early days of the truce, a constant patrol of Palestine's coast was maintained by land, sea and air and all incoming ships were carefully inspected by the observers. Observers were also stationed at airports in Palestine and maintained a close check on incoming planes. Due to the lack of personnel and equipment, the observers were deployed where it was considered that they were most needed, and it was not possible to maintain the same degree of observation in the Arab States. Unquestionably, if more personnel and equipment had been available, closer supervision could have been maintained in Palestine as well as in the seven Arab States, but I am convinced that if the two opposing forces did in fact manage to obtain war materials by clandestine methods, the amount would have been so limited as to have made no substantial difference to the relative strength of the two sides.
11. The question of the introduction of fighting personnel created no serious difficulties. With respect to the Arab States the supervision by observers was not adequate, but no complaints were made by the Provisional Government of Israel in this regard. With respect to Palestine, with the exception of the *Altalena* case, no evidence came to light that any fighting personnel entered the country.

12. Regarding the immigration of men of military age (18 to 45), I was concerned that they should not arrive in disproportionately large numbers and that those who arrived should be placed in camps so that they would not be mobilized or submitted to military training. As in the case of war materials and fighting personnel, the observers kept a close check, except for the first few days of the truce, on all incoming ships and planes in Palestine, and a periodic check in the Arab States. Arab leaders complained orally to me that the Jews were smuggling large numbers of men of military age into Palestine, but in the two specific complaints lodged by them no evidence was found by the observers. The only exception was the case of the *Altalena*, where the Irgun Zvai Leumi claimed that some 800 men, women and children were brought to Israel. In all, during the period of the truce some 260 to 265 Jewish men of military age were admitted and placed in camps. In this regard too, if more observers and equipment had been available the supervision of the truce would have been more effective, but I am satisfied that this aspect of the supervision was carried out in a proper manner, and that, if any men of military age were smuggled into the truce area, their number would be very small. The Israeli authorities protested against the refusal of the United Kingdom to permit Jewish men of military age who were interned in Cyprus to leave for Palestine. I informed them that this was a unilateral decision of the United Kingdom, for which I was not responsible and that, so far as I was concerned, the same rules applied to immigration from Cyprus as from other places.
13. The problem of irregular forces in both Arab and Jewish occupied territory proved to be troublesome. These irregulars in many cases considered themselves as not bound by the provisions of the cease-fire and truce agreement, and were responsible for breaches of the truce on both sides. The only course of dealing with the problem was for me to insist that the Arab and Israeli forces and their respective Governments accept full responsibility for all activities occurring in the areas occupied by them.
14. During the truce three violations of its terms occurred of such serious nature that I reported them to the Security Council. In the case of the *Altalena* incident, the Irgun Zvai Leumi attempted to bring war materials and men of military age to Palestine. The Provisional Government of Israel took strong police action to prevent the landing, and the ship was set on fire, but some of the men and arms had already been successfully landed in Israel. The Provisional Government of Israel was informed that its explanation regarding the disposition of the men and arms was not satisfactory. Another violation occurred when the Egyptian forces refused to permit convoys carrying relief supplies under United Nations control to pass through their territory to isolated Jewish settlements in the Negeb, and fired on them. The incident was settled temporarily but re-occurred toward the end of the truce. The third violation reported to the Security Council was the failure of the Transjordan and Iraqi forces to permit the flow of water to Jerusalem through the pipeline and pumping stations controlled by them. Despite repeated representations to the Arab authorities and the decision of the Security Council on 7 July, no water flowed to Jerusalem during the truce.

#### *The City of Jerusalem*

15. The City of Jerusalem posed the most difficult problem of the truce supervision. Prior to the outbreak of hostilities its population was about 165,000 of which about 100,000 were Jews and about 50,000 were Arabs. Before the termination of the Mandate a considerable part of the Arab population had left the city. At the commencement of the truce Israeli forces were in occupation of the greater part of the City, and the Arab Legion was in occupation of the Old City (containing most of the Holy Places), and a small part of the New City. The Arabs, however, were in control of all the main supply routes to the city and the Jews were completely cut off, except for a very rough and tortuous route known as the "Burma Road", which the Jews had opened as an emergency by-pass of the Arab-held portions of the Tel-Aviv-Jerusalem road, a few days before the commencement of the truce. The Arabs also controlled Ras el Ain, the source of Jerusalem's water supply, part of the pipe-line and the pumping station at Latrun.
16. The opposing forces in Jerusalem confronted each other across lines that were very close - in some places opposite sides of the same street. Feeling was tense and there was frequent sniping and occasional firing of machine guns, mortars and artillery, as well as attempts by both sides to improve their lines and strengthen their positions. As it was, Jerusalem accounted for nearly half the total of complaints and incidents during the entire truce. As a result of successful negotiations

by the Truce Commission and the United Nations observers, an agreement, commonly referred to as the "No man's land Agreement", was arrived at on 16 June, whereby each of the opposing parties withdrew its forces to an agreed line, and a no man's land was established between the two lines, the houses and buildings in the no man's land being evacuated. Although this agreement did not eliminate all incidents, it was on the whole generally accepted and adhered to, and reduced both the possibility of friction and the number of incidents.

17. Among the terms of the truce that the parties had agreed to was a provision that essential supplies should be sent to Jerusalem for the relief of the population, in such a manner as to ensure that reserve stocks of supplies should be substantially the same at the end of the truce as at the beginning. It was originally intended that the International Red Cross Committee should supervise these relief convoys, but when it was found that it could not do so for reasons of internal policy, the Truce Commission, assisted by United Nations observers and Secretariat personnel, assumed that function. The first convoy was sent to Jerusalem on 17 June, and after considerable negotiation, on 23 June the quotas of supplies were agreed upon. Convoys, under escort of United Nations observers, were checked at Tel-Aviv before starting, at Latrun and Babel-Wad en route, and at Jerusalem on arrival. With respect to water supplies, however, efforts to induce the Arabs to permit the resumption of the flow of water through the pipe-line to Jerusalem ended in failure, and was reported to the Security Council as a violation of the terms of the truce.
18. At the beginning of the truce Mount Scopus had remained as an island of Jewish occupation behind the Arab lines in Jerusalem. Israeli forces were in possession of the Hadassah Hospital and the Hebrew University and controlled the Arab village of Issawiya, while the Arab Legion was in possession of the Augusta Victoria Hospice. It was evident that this area would become the scene of violent battle in case the truce terminated. Accordingly, on 7 July, the Arab and Israeli military commanders in Jerusalem executed an agreement with the Truce Commission and the senior United Nations observer in Jerusalem for the demilitarization of the Mount Scopus area, and the United Nations accepted responsibility for the security of the area and for providing food and water supplies. This agreement, despite the shortage of United Nations personnel to enforce it, was carried into effect and was also observed by both sides during the period of hostilities between the two truces.
19. The provisions of the Security Council's resolution regarding the protection of and free access to the Holy Places could not be successfully implemented. The essential difficulty lay in the fact that access to most of the Holy Places involved the crossing and recrossing of front lines. In view of all the circumstances, the safety of the Holy Places and freedom of access to them could not be assured.
20. Despite all the difficulties attendant upon the supervision of the truce in Jerusalem and the numerous incidents that occurred, it is noteworthy that no major fighting took place there during the entire period of the truce. This fact is a tribute to the work of the Truce Commission, the United Nations observers and Secretariat personnel, and to the co-operation they received from both the Arab and Jewish military commanders.

#### *The end of the truce*

21. Towards the end of the four-week truce when it appeared doubtful whether the truce would be prolonged, both sides were engaged in active preparations for the renewal of hostilities. Nervousness and tension were increasing and at the same time the authority and security of the observers were decreasing. When it became apparent that the truce would not be prolonged, in order to avoid the possibility of the observers and their technical staff becoming objects of attack, and to prevent their equipment falling into the hands of either side, all personnel and equipment were withdrawn to the Jewish coast on 7 July and were evacuated on 8 and 9 July.
22. The Truce Commission continued its work in Jerusalem, and a Swedish Colonel, who was my personal representative, and a senior member of the United Nations Secretariat together with eight United Nations guards, remained on duty in Jerusalem to assist the Truce Commission and to control the demilitarized Mount Scopus area. Secretariat personnel also remained at their posts in Amman, Beirut, Cairo, Damascus and Tel-Aviv, and at my headquarters in Rhodes, to act as my representatives and to maintain liaison with the respective Governments.

*Assessment of the supervision of the first truce*

23. In a detailed report now in preparation I draw the following conclusions respecting the observation of the four-week truce:

"As I have indicated previously the truce supervision was a most difficult and, in many respects, novel operation. The urgency was great and time was short. The observation organization had to be created in its entirety. The area to be covered was immense and the personnel and equipment available were never sufficient. Matters of logistics were never completely satisfactory, and communications facilities were very limited and inadequate. As a result, the operation was not always as efficient or as thorough as I would have desired it to be. But with all its difficulties and shortcomings the truce supervision in my opinion achieved its purpose.

"It is true, as indicated in my report to the Security Council on 12 July 1948 (S/888), that the mere effluxion of time during the cessation of hostilities would favour the Jews. It is inherent in any truce that the preservation of the status quo prevents the attackers from attaining their objective and enables the defenders to consolidate their position. On the other hand, it is, of course, also true that each side is prevented from defeating the other, a consideration that affects the attacked as well as the attacker. Taking all factors into account, I adhere fully to my previous statement that 'I am convinced that no substantial military advantage was gained by either side as a result of the operation of the truce supervision'. The observation organization dealt with some 500 incidents and alleged breaches of the truce, and only three violations of the truce had to be reported to the Security Council. The great majority of complaints arose as the result of isolated incidents and the activities of irregular troops and local villagers; and in many cases the alleged breaches were found to be greatly exaggerated. During the entire four-week period there was not one case of major fighting or large-scale military operations in Palestine.

"On 5 July 1948, before the end of the truce, in my cabled report to the President of the Security Council (S/865), I stated as follows: 'On the whole, the truce has worked well. There have been complaints from both sides as to the alleged violations of the terms of (the) truce agreement. There have been instances of violation, but all fighting on a major scale has been stopped, and it can be said quite confidently that the truce has worked well, and by 9 July 1948, neither State will have gained any significant military advantage from its application. In the meantime, through the operation of the truce, much bloodshed and destruction have been avoided and many lives spared.'

"After the end of the truce with the benefit of a more detailed examination of the record and the opportunity for further assessment of the operation, I stand fully by that statement.

### III. THE TRUCE ORDERED BY THE SECURITY COUNCIL ON 15 JULY 1948

*Organization of the truce supervision*

1. The Security Council's resolution of 15 July (S/902), having been adopted under Chapter VII of the Charter, constituted an order and not an appeal to the parties. Consequently, it was not necessary to enter into any negotiations with the parties for a voluntary truce agreement, and the cease-fire became effective in Jerusalem on 16 July and in the rest of the truce area on 18 July.
2. During the renewal of the fighting between 8 and 18 July the Israeli forces had improved their position and extended the area under their occupation. In so far as the subsequent work of truce supervision was concerned, the most notable changes were the capture by Israeli forces of the source of Jerusalem's water at Ras el Ain, and the fighting at Latrun, where the Arab Legion retained control of a portion of the Tel-Aviv-Jerusalem road between Latrun and Bab-el-Wad, but where the pumping station finally came to be in no man's land between the opposing forces. The Israeli forces also occupied Ramleh, Lydda, Nazareth and a number of Arab villages, most of whose inhabitants fled, thus augmenting the numbers of the refugees and the difficulties of the refugee problem. It is noteworthy that on the termination of the first truce, large-scale hostilities and active warfare, including the aerial bombardment of cities, had broken out.
3. Since this new truce was of indefinite duration and was to remain in force, subject to further decision by the Security Council or the General Assembly, until a peaceful adjustment of the future situation of

Palestine was reached, a more elaborate system of truce supervision was necessary. At the commencement of the truce there were again no observers or equipment present in the truce area, and the observation organization had to be re-created and equipped after the truce was in force. Consequently, the truce supervision once again was late in starting. Profiting from the experience of the four-week truce and the greater period of time that was available, however, it was possible to plan for a larger operation covering a wider range, and one that would be more effective in practice.

4. Before leaving Lake Success on 16 July to return to Rhodes, I had approached the member States of the Truce Commission and they had agreed to furnish 300 officer observers, apportioned as follows: Belgium, 50; France, 125; and the United States of America, 125. By 1 August 1948, 137 of these observers had arrived (47 Belgian, 50 French and 40 United States) and had been despatched to Palestine. I appointed as my Chief of Military Staff and personal representative, Major-General Lundstrom of the Swedish Air Force. He and nine Swedish officer observers attached to my personal staff, arrived on 29 July. By the middle of August practically all of the 300 officer observers had arrived, and it became evident that even this number would not be sufficient to discharge fully the task of observation. I accordingly requested the services of 300 enlisted men (50 Belgian, 125 French and 125 United States) to act as observers and to assist the officer observers in their work. Of this additional 300 observers, 84 United States enlisted men had arrived at the time of writing this report. I also obtained 4 French and 78 United States enlisted men to serve the observers as auxiliary technical personnel. These included aircrewmembers, clerks, communications and motor transport personnel and medical assistants.

5. In order to carry out its tasks the observation organization required facilities for communications, reconnaissance and transportation, for which radio equipment, planes, ships and motor vehicles were needed. The work of supervision during the first truce had been severely hampered by the shortage of such equipment. During the second truce, although equipment was difficult to obtain and was slow in arriving, the facilities were greatly improved. At the present time sufficient planes and ships are available, but there is still an urgent need for more motor vehicles, particularly spare parts for repairs, and some special radio equipment. The following equipment has been made available:

*Radio equipment.* A considerable amount of radio equipment has been supplied by the United Nations and the United States of America, and some by the United Kingdom. This equipment consists of go radio sets, varying from 16 motor-vehicle mounted radio stations to 40 "walkie-talkie" sets, 16 power generators, 4 teletype machines, 16 field telephones, and a large quantity of miscellaneous equipment including transformers, batteries, cables, testers and spare parts.

*Aircraft.* The United Nations has contracted for 14 small planes, and the United States of America has furnished 4 C-47 Dakotas.

*Ships.* France furnished one naval corvette and the United States of America 3 destroyers.

*Motor vehicles.* The United Kingdom supplied 50 jeeps, 20 jeep trailers and 2 automobiles, and the United States of America 12 jeeps and 5 trucks.

In addition certain aircraft and vehicle spare parts, and field rations and medical supplies were received from the United Kingdom and the United States of America. The Secretary-General continued to make available to me a chartered aircraft for covering the truce area and trips to capitals of the various Governments.

6. As Palestine continued to be the scene of the conflict and the place where the opposing forces confronted each other, I decided that the main work of observation should again take place in that country. Haifa was again chosen as the headquarters of the observation organization. The Chief of Military Staff was assisted by a Central Truce supervision Board, of which he was the Chairman and the senior American, Belgian and French officer observers were members. It was originally intended that there should also be regional truce supervision boards, but this was found to be impractical and in their place special investigating teams were established, as required, and attached to the Truce Supervision Headquarters. The observers were divided into a number of groups, of which one was assigned to each Arab army and to each Israeli army group. One group was assigned to Jerusalem, one to cover the coast and ports of the truce area, and one to control convoys between Tel-Aviv and Jerusalem. At the end of August another group was created to cover airports in the truce area. The original plan of organization and the detailed instructions given to each observer are set out in document S/928.
7. By 1 August, observers were stationed as follows:

*Israel:* Haifa, 49; Tel-Aviv, 26; Tiberias, 8.

*Jerusalem:* 10.

*Arab areas of Palestine:* Gaza, 7; Nablus, 8; Ramallah, 1.

*Lebanon:* Beirut, 8.

*Syria:* Damascus, 7.

*Transjordan:* Amman, 7.

The Provisional Government of Israel had complained that, during both the first and second truces, the truce supervision work was confined almost exclusively to Palestine, and that it was inadequate in the Arab States. There was some force in this complaint, and I endeavoured, while recognizing that the primary task must be discharged in Palestine, to extend the scope of the observation organization to cover the entire truce area. On 8 September, the distribution and location of observers was as follows:

*Israel:* Haifa, 76; Aqir, 2; Natanya, 4; Rama David, 4; Tel Aviv, 28; Tiberias, 13.

*Jerusalem:* 79.

*Arab areas of Palestine:* Hebron, 4; Gaza, 14; Nablus, 15; Ramallah, 7.

*Egypt:* Alexandria, 5; Cairo, 5; El Arish, 3; Port-Said, 1.

*Iraq:* Baghdad, 3; Basra, 3.

*Lebanon:* Beirut, 17.

*Syria:* Damascus, 14.

*Transjordan:* Aqaba, 2; Amman, 16.

United Nations Secretariat personnel continued at their stations at Amman, Beirut, Cairo, Damascus and Tel-Aviv, and were also attached to the Truce Supervision Headquarters in Haifa.

8. All complaints are submitted to investigation by observers in the field and, where necessary, by a special investigation team. In cases where they cannot be settled by observers on the spot, they are referred, together with the observer's report, to Haifa Headquarters for disposal. The less serious cases are referred to the Chief of Staff, and the more serious ones to the Central Truce Supervision Board. Decisions by both the Chief of Staff and the Central Truce Supervision Board are transmitted to me for review and are then dispatched to the Governments concerned. Major violations, if not immediately rectified by the parties, are reported to the Security Council.

#### *The operation of the truce supervision*

9. One of the shortcomings of the first truce was the inability of the observers to establish the status of the front lines as they existed at the time of the commencement of the truce. Since observers were not present in Palestine during the first few days of the second truce, the establishment of agreed front lines has again been a difficult problem. However, one of the first instructions issued to each observer group commander was to submit to Haifa Headquarters a map showing the exact front lines as they existed at the time of the commencement of the cease-fire, and if that proved impossible, at the time the observers first reached the spot. Negotiations have proceeded steadily between the observers and the respective military commanders and, except for a few disputed areas, the front lines have been established and maps delineating them have been signed by both sides. As of 8 September, the front lines had been settled over a distance of some 350 kilometres and only some 50 kilometres remained to be settled. This procedure is not applicable to the Negeb area, much of which is wasteland, where there are no front lines but, rather, a number of fortified settlements controlled by Israeli forces over a large area. Experience has shown that there is a decrease in both friction and the number of incidents as soon as the front lines are completely determined and agreed to by the opposing forces.
10. The number of complaints and incidents reported during the second truce is much less than during the first truce. During the first seven weeks of the second truce, from 18 July to 4 September, there were some 300 complaints and incidents compared to some 500 during the four-week truce. Out of the 286 complaints and incidents of which records have been kept, 151 were complaints made by Arabs, 86 were made by Jews, 46 were reported by the United Nations observers (30 against Arabs and 16 against the Jews), and 3 were complaints made by the French Consul in Jerusalem (two against the Jews and one against the Arabs). The following table shows both the nature and number of complaints made against each side:

<i>Nature of complaint</i>	<i>Against Arabs</i>	<i>Against Jews</i>
Troop movements, traffic in war materials, and military training	7	7
Attacks and raids on positions and villages, and abductions	17	47
Seizure and occupation of positions	10	8
Firing on United Nations personnel	7	10
Threatening the arrest of UN personnel or preventing their work	8	12
Shelling, mortaring or air bombardment	20	24
Sniping, machine-gunning, hand-grenading and ambushing	18	21
Harvesting incidents	0	15
Fortifying roads and buildings, and mine-laying	15	17
Illegal aircraft flights	2	12
Offences against laws and customs of war	1	11
	105	182

As of 4 September, of the total number of complaints recorded, 87 had been settled or closed, 43 had been investigated and were under review by the Central Truce Supervision Board or the Chief of Staff, and 157 were still under investigation by observers.

11. Although the total number of complaints during the second truce has been much less than during the first truce, the nature of the complaints has been, on the whole, more serious than during the earlier period. Completely unfounded and grossly exaggerated complaints, though still frequent, have been less in number. It is necessary for the observers to engage in lengthier and more intensive investigations. Delay in completing investigations and issuing reports, which has been the subject of unfavourable comment from both parties, is now being overcome.
12. One aspect of the truce supervision that has been cause for some concern is the uncooperative attitude displayed by some local commanders, troops and irregulars on both sides. This has been expressed in some instances in a tendency to take matters into their own hands, and to defy the authority of the observers. This attitude has sometimes been encouraged by official public pronouncements of responsible leaders. The work of observers has thus been rendered more difficult and dangerous. In my instructions to the observers I had previously pointed out that a breach of the truce by one side did not release the other side from its obligation, under the Security Council's resolution to refrain from taking military action. I had also warned each side that it was responsible for maintaining the truce and for the activity of irregulars in the area occupied by it, and that neither party was entitled to take the law into its own hands. The situation in Jerusalem, however, deteriorated and there was a growing disposition to ignore the authority of the United Nations. I therefore appealed to the Security Council on 18 August (S/977) to issue a warning to both sides. On 19 August the Security Council adopted a resolution (S/983) informing each party that it was responsible for the actions of irregular forces and all persons in the territory under its control and must punish offenders against the truce, that no party could violate the truce on the ground of reprisals or retaliation and that no party was entitled to gain military or political advantage through violation of the truce. This resolution of the Security Council has strengthened the hand of the observers in dealing with both parties.
13. Apart from having found it necessary to report the seriousness of the situation in Jerusalem to the Security Council (which is dealt with later), I have also reported four other serious violations of the terms of the truce to the Security Council. The first case was the blowing up of the Latrun pumping station, the second concerned the Red Cross Zone in Jerusalem; the third was the killing of two United Nations observers at Gaza, and the fourth was the attack on three Arab villages, Ein Ghazal, Jaba and Ijzim.
14. At the commencement of the second truce the Latrun pumping station was in no-man's land between the Arab Legion and Israeli forces. It was considered to be in United Nations hands. There was, however, no United Nations personnel available to guard it. On 11 August, I arranged for repair work to start immediately. It was hoped that the repairs would be completed in two days and that water would again be pumped to Jerusalem. During the night of 11-12 August, however, the pumping station was completely destroyed by demolition charges. I reported the matter to the Security

Council on 12 August stating that preliminary investigation indicated that the violation was committed by Arab irregulars. The Security Council requested (S/970) that I make all efforts and take steps to ensure the water supply to Jerusalem. The investigation of responsibility for the violation was continued, and at the same time I initiated steps to obtain equipment and parts to repair the pumping station. After an intensive investigation I reported to the Security Council on 4 September (S/993) that the destruction of the pumping station was a flagrant violation of the terms of the truce which was perpetrated by Arabs, possibly irregulars. I also reported that every effort was being exerted to effect arrangements to repair and ensure the future operation of the pumping station.

15. The second serious violation of the terms of the truce occurred in connexion with the Red Cross zone in Jerusalem which included Government House, the Jewish Agricultural School and the Government Arab College. Egyptian, Transjordanian and Israeli forces were all located in close proximity in the vicinity of the zone and a number of incidents had occurred there. On the night of 16-17 August, Israeli forces launched an attack on Egyptian positions south of the zone. Although the attack was repulsed, the Israeli forces remained in occupation of part of the zone, and refused to withdraw unless the Arab Legion complied with a previous order of the observers to withdraw from positions occupied by them in no man's land at Nabi Dawid and Deir Abu Tor, and unless the Egyptian and Transjordanian forces agreed to the establishment of, and withdrawal from, an enlarged neutral zone in the area surrounding the Red Cross zone. The Central Truce Supervision Board decided on 27 August that the Israeli forces had committed two flagrant violations of the terms of the truce in launching the attack and in retaining troops in the Red Cross zone, and ordered them to withdraw by 29 August. At the same time the Board decided to create a neutral zone, supervised by United Nations observers around the Red Cross zone, and ordered all troops to be withdrawn from the neutral zone by 29 August. The parties delayed in accepting the two decisions but, as a result of persistent negotiations by the observers, all three forces finally accepted, and on 4 September all troops were withdrawn from both areas. On the same day I sent a report on the matter to the Security Council (S/992). I am convinced that the settlement arrived at in this case and the establishment of the enlarged neutral zone will help to ameliorate the generally tense situation in Jerusalem. The Israeli authorities are protesting against the failure of the Arab Legion to comply with the Board's order that they withdraw from the positions occupied by them at Nabi Dawid and Deir Abu Tor. The observers are exerting strong efforts to induce the Arab forces to withdraw from those positions.
16. The third serious violation of the terms of the truce occurred on 28 August when two French observers, Lt.-Col. Joseph Queru and Captain Pierre Jeannel, were killed at Gaza by Saudi Arabian irregular troops under Egyptian military command. I reported the matter to the Security Council on 6 September (S/994), and pointed out that, although there was an element of United Nations responsibility in that the Egyptian forces did not receive advance notice of the arrival of the Auster plane carrying the two observers, and the pilot was not properly briefed, nevertheless Egyptian anti-aircraft guns fired at the plane in violation of the truce, and the two unarmed observers were murdered and robbed by troops under Egyptian command after the officers had landed and left their plane. The Egyptian Government was notified of its responsibility and appropriate redress was requested.
17. The fourth serious violation of the terms of the truce concerned a Jewish attack on three Arab villages, Ein Ghazal, Jaba and Ijzim. The Secretary-General of the League of Arab States and some Arab States complained against the attack on these three villages, which are located south of Haifa in Israeli territory, claiming that there were 4,000 refugees and tens of thousands captured and massacred. As I reported to the Security Council on 30 July (S/934), the preliminary investigation disclosed that the villages were deserted and had been damaged, but that there was no evidence of massacre or capture, and that the Israeli authorities had admitted that some of the inhabitants had been killed or made prisoners during a "police raid". The Provisional Government of Israel claimed that it had taken police action against the villages to stamp out sniping and activity of irregulars who were blocking the Tel-Aviv-Haifa road. After intensive investigation by observers, who succeeded in locating more than 8,000 of the villagers and in establishing that less than 130 were killed or missing, the Central Truce Supervision Board found that the villages were attacked by the Jews between 18 and 25 July by air and land, and the inhabitants had been forced to evacuate; after the evacuation the villages of Ein Ghazal and Jaba were destroyed by the Israeli forces. The attack could not be ex-

cused as a police action as there had been fighting prior to the truce, and at the commencement of the truce the villagers had offered to negotiate with the Jews, who had apparently failed to explore the offer. On 9 September I informed the Provisional Government of Israel that the type of action undertaken by their military forces was unjustified, and that the measures taken involving the systematic destruction of two villages, were excessive and constituted a violation of both the spirit and letter of the terms of the truce. I also informed the Provisional Government of Israel that the Arab villagers should be allowed to return forthwith and that it must do everything possible to rehabilitate them, including the restoration at its expense of all houses damaged or destroyed. The procedures for carrying these decisions into effect were to be worked out between the Chief of Staff and the Governments concerned. On 12 September I reported the case to the Security Council (S/999).

18. In addition to their investigation of complaints referred to them, the observers deal with many incidents on the spot. In a number of cases they have succeeded in settling minor complaints or in preventing incidents and violations of the truce by their presence and prompt action. It is not possible to calculate the number of violations that have been prevented or minimized by the daily work of the observers. Despite some evidence of contrary tendencies, I am convinced that their presence has had a useful psychological 'effect and has been a restraining influence on both sides.
19. Another important function of the observation organization is in carrying on constant reconnaissance and patrolling by land, sea and air for incoming ships and planes, to prevent the introduction of war material and fighting personnel into the truce area and to keep a check on the immigration of men of military age. This work is performed mainly by the two observer groups in charge of coasts and ports and of airports.
20. With respect to the introduction of men of military age into the truce area, a change was made in the previous practice. During the first truce men of military age arriving in Israel were placed in camps to ensure that they were not mobilized or submitted to military training. At the commencement of the second truce, however, in accordance with a statement I had made to the Security Council at Lake Success, I decided that these men were not to be placed in camps, but were to be given special identity cards and assigned to particular areas where they would be periodically checked by the observers. From the time this practice was instituted on 23 July until 8 September, 14,359 immigrants arrived in Israel of which 4,295 were men of military age. With respect to the Arab areas of Palestine and the seven Arab States, it has not been possible to maintain an adequate check on the introduction of men of military age, due to the immense area involved and the limitations of personnel and equipment.
21. In connexion with the Holy Places, periodic visits by observers indicate that, apart from Jerusalem, there is no serious problem regarding their preservation. The tense situation in Jerusalem, however, makes it impossible under present circumstances to ensure either their protection or free access to them, and the position is similar to what it was during the first truce.
22. The problem of furnishing essential supplies to the beleaguered Jewish settlements in the Negeb presented considerable difficulty and was only recently solved. The Egyptian supply lines from their forces in Gaza to those in the area south of Jerusalem cut across the Jewish supply lines from Tel-Aviv to the Negeb. Neither side had permitted the other to use the crossroads near El Faluja. The Jews had been supplying the Negeb settlements at night by plane. The Egyptian forces had refused to allow the passage of convoys under United Nations supervision until after the air traffic was stopped. The central Truce Supervision Board decided that the Jews and the Egyptians could each use the road exclusively for six hours daily, under United Nations supervision. The Board also decided that the Israeli forces should cease supplying the settlements by air except for the settlements that are inaccessible by road, in which case the flights were to be made only under United Nations supervision. I confirmed the findings of the Board and issued the decision on 14 September, and I am hopeful that the decision will reduce friction and the number of incidents in that sector.

#### *The City of Jerusalem*

23. During the second truce, the Truce Commission again collaborated with me and my representatives in supervising the truce in Jerusalem. The number of observers has been constantly increased, as they became available, and at the present time there are 79 observers stationed there.

24. During the interval between the two truces there were only slight changes in the relative battle-lines of the opposing forces. The city is effectively partitioned between the two forces, with the Israel forces holding the greater part of the city and the Arab Legion holding the Old City and a small part of the New City. The "No man's land Agreement" that was effective during the first truce, however, came to an end and it has not been possible to renew it: Except for an area in the Mount Zion and Deir Abu Tor region, the present truce lines have been fixed.
25. The situation in Jerusalem during the second truce has become considerably worse than it was during the first truce. There occurs an almost nightly exchange of fire from both sides which it is impossible to break down into specific complaints and incidents. Sniping and indiscriminate rifle fire are regular occurrences and the firing of machine-guns, mortars, artillery and Verey lights on some nights is suggestive of a large-scale military operation.
26. On my return from Lake Success I devoted special attention to the problem of Jerusalem. As I reported to the Security Council on 1 August (S/939), my first discussions with both parties on the subject of demilitarization led me to believe that they were inspired with a common desire to avoid further fighting and destruction in Jerusalem. On 7 August (S/955) I reported that both parties had agreed to start conversations with a view to making arrangements to keep Jerusalem out of the conflict, and that these discussions did not exclude demilitarization. On 12 August (S/961) I reported to the Security Council my efforts to stop the firing in Jerusalem. On 18 August (S/977) I reported that the situation in Jerusalem was gradually getting out of hand, that both parties had come deliberately to ignore the authority of the United Nations, and that a further deterioration of the situation might lead to a general resumption of hostilities. In response to my appeal the Security Council on 19 August adopted a resolution (S/983) warning the parties that they were responsible for the activities of irregulars in their respective areas, that reprisals and retaliations were not permitted, and that neither party would be entitled to gain by any truce violation.
27. The warning contained in the Security Council's resolution of 19 August (S/983) has strengthened the hand of the observers in dealing with both parties, and has prevented a further deterioration of the situation in Jerusalem as elsewhere. Violations of the terms of truce nevertheless continue. It is my firm conviction that the problem of these violations in Jerusalem and the problem of demilitarization are inevitably linked together, and that the former cannot be fully eliminated unless the latter is solved.
28. The agreement for the demilitarization of the Mount Scopus area was observed during the interval between the truces and continued in effect during the second truce. The situation there, which was always difficult because of the lack of United Nations personnel to enforce it, has also deteriorated. The United Nations is responsible for supplying water and food to the area, but the Arabs will not permit necessary repairs to the water pipe-line, and both Arabs and Jews have obstructed food convoys to the area. Owing to Arab objections it has also not been possible to implement the replacement of Jewish police personnel.
29. In the matter of bringing essential supplies to Jerusalem by convoy, considerably more difficulty has been encountered than during the first truce. On 2 August the Truce Commission (S/938) felt constrained to draw the attention of the Security Council to the Arabs' refusal to allow water and food supplies to reach Jerusalem. After considerable negotiation it was finally agreed that United Nations convoys would be permitted to bring supplies to Jerusalem, but the convoys were occasionally subjected to sniping and firing. Since the latter part of August, however, the situation respecting convoys has improved and they are now functioning smoothly. The destruction of the Latrun pumping station has made it impossible for water in adequate quantities to flow to Jerusalem, but the Jews have in the meantime built an auxiliary water pipe-line, of small capacity, along the "Burma Road" which provides a minimum amount of water to Jerusalem.
30. In general, the situation in Jerusalem is one of high tension. Despite constant and painstaking efforts by the Truce Commission and the United Nations observers, the situation, although improved, is still precarious.

*Assessment of the supervision of the second truce*

31. The outstanding feature of the second truce is that it is of indefinite duration, and not for a fixed period. While this truce applies to the same immense area and gives rise to many of the same dif-

fic problems as the first truce, it has been possible to organize the supervision effort on a more elaborate and adequate scale. Although the shortage of personnel and equipment is still a serious problem, in neither case has the shortage been as severe as during the first truce, and the work of truce supervision in consequence has been more efficient and thorough.

32. Although the number of incidents and alleged breaches of the terms of truce has been fewer than during the first truce, the violations have been of a more serious nature, and at times the truce itself has appeared to be in a precarious position. Nevertheless, no large-scale military operations have occurred in Palestine, and a sense of profound satisfaction may be derived from the knowledge that the cessation of hostilities has unquestionably prevented a great deal of destruction, ruin and bloodshed, and has resulted in the saving of many lives.

[...]

#### V. SOME CONCLUSIONS REGARDING THE TRUCE OPERATION

1. The supervision of the truce is a continuing responsibility and it is neither necessary nor desirable at this stage to formulate any definitive views concerning the operation. The experience thus far gained in the supervision of two truces extending over a total period of more than three months has been very valuable, however, and on the basis of this experience certain analyses and conclusions may even now be usefully set forth.
2. In assessing in general terms the entire period of truce, my dual role of Mediator and of supervisor of truce observation is an important factor. Conditions of truce, even though subject to frequent minor and occasional major infractions by both parties, provide a peaceful basis indispensable to the task of mediation. At the same time, organizing and supervising truce observance make imperative demands on time and staff. I am inevitably drawn into the settlement of disputes arising solely out of the truce, and it maybe readily appreciated that my position and decisions as truce supervisor cannot, in the minds of the disputants, be easily dissociated from my role in the more fundamental task of mediation.
3. The situation in Jerusalem has been considerably more tense and difficult during the second truce than during the first. This fact is due to a complex of reasons among which are the change in military dispositions between truces, and the increased concentration of manpower which appears to have taken place there in the interval between the truces. The special importance which each side attaches to the status of Jerusalem in a general settlement of the Palestine problem is, in the circumstances, a constant influence tending to heighten the tension there.
4. However, the situation in Jerusalem has shown recent improvement. The decision of the Security Council on 19 August fixing the responsibility of the parties under the cease-fire order, a considerable increase in the number of United Nations observers stationed there, and intensive efforts to achieve localized demilitarization agreements, have produced beneficial results. Nevertheless, the conditions in Jerusalem are such that not even the increased number of observers now there could for long maintain the truce in the City if it should appear likely that a settlement would be indefinitely deferred.
5. United Nations supervision of the regular food convoys for Jerusalem has been an important feature of both truces. The movement of these convoys involved difficult negotiation and constant supervision and escort. Apart from some sniping activity during the early days of each truce, the convoy system has worked remarkably well. On the other hand, persistent efforts to ensure the flow of water to Jerusalem through the main pipe-lines have met with failure during both truces, the destruction of the La-trun pumping station having so far nullified all efforts to solve the problem during the second truce.
6. The period of the first truce coincided with the ripening of cereal crops in Palestine. Since the front lines ran almost entirely through land belonging to Arab cultivators, a great number of fields bearing crops was in no man's land or behind Jewish positions. Attempts by Arabs to harvest crops in no man's land and in the vicinity of and sometimes behind Jewish positions often led the Jews to react by firing on the harvesters. This was a major complication during the first truce, both before and after my ruling of 16 June, and explains many of the breaches of truce and the difficulties of truce observation over a wide area. During the second truce, incidents of this nature have been relatively few, since the harvest season for cereal crops is over. The efforts of observers in securing local agreements regarding harvesting of crops undoubtedly saved many crops that would otherwise have been lost.

7. The fact that in the Negeb there is no continuous front line has been, during both truces, a special cause of difficulty as a result of the need for each side to by-pass the other's positions in order to supply some of its own positions. Convoys under United Nations supervision largely solved the problem, though not without friction, during the first truce. During the second truce a similar system was proposed, but agreement on conditions could not be reached with the parties. Consequently, on 14 September I laid down the terms governing future convoys in the Negeb.
8. In considering the effectiveness of the truce supervision, attention must be paid to two distinct, though related, aspects of the problem. On the one hand, there is the problem of observing the actual fighting fronts, of dealing with incidents which may arise there and preventing, if possible, any further outbreak of hostilities. On the other hand, there is the observation which is necessary over a vast area to check whether or not materials and men are being moved in a manner to confer a military advantage contrary to the terms of the truce. As regards the second aspect of this problem, an important consideration is that the area under observation covers a very large part of the Middle East and that the necessity to concentrate a majority of the limited number of observers at my disposal near the fighting fronts restricts the number available for duties elsewhere. The availability of an increased number of observers has enabled me to ensure a more extensive supervision, especially in territories outside Palestine.
9. Experience has shown that the more quickly action can be taken to deal with a local violation, the more easily incidents are controlled or prevented. It must be admitted that, on occasion, slowness to act, often because of circumstances beyond control, has hampered the operation of the truce supervision. Although the Secretary-General of the United Nations has given me the fullest cooperation and every assistance available to him, it is apparent that the United Nations was not in position as regards observer personnel, armed guards, communications and transportation equipment or budgetary provision to set up rapidly the elaborate machinery of truce observation required.
10. The second truce differed from the first principally in the fact that it was ordered by the Security Council under threat of further action under Chapter VII of the Charter, and that no time-limit was set. This introduced a new element into the situation as compared with the first truce, in that the second truce involved compliance with a Security Council order. There is a tendency on each side to regard alleged breaches by the other side of a truce which has been ordered by the Security Council as calling for prompt action by that Council. Both sides now evidence a sense of grievance and complain that the compulsory prolongation of the truce is contrary to their interests. This feeling is inevitably reflected in their attitudes toward the observers and truce obligations in general. The truce undoubtedly imposes a heavy burden on both sides, but even so, the burden of war would be heavier.
11. The truce is not an end in itself. Its purpose is to prepare the way for a peaceful settlement. There is a period during which the potentiality for constructive action, which flows from the fact that a truce has been achieved by international intervention, is at a maximum. If, however, there appears no prospect of relieving the existing tension by some arrangement which holds concrete promise of peace, the machinery of truce supervision will in time lose its effectiveness and become an object of cynicism. If this period of maximum tendency to forego military action as a means of achieving a desired settlement is not seized, the advantage gained by international intervention may well be lost.

### PART THREE: ASSISTANCE TO REFUGEES

#### I. NATURE OF THE PROBLEM

##### *The number of refugees*

1. As a result of the conflict in Palestine, almost the whole of the Arab population fled or was expelled from the area under Jewish occupation. This included the large Arab populations of Jaffa, Haifa, Acre, Ramleh and Lydda. Of a population of somewhat more than 400,000 Arabs prior to the outbreak of hostilities, the number presently estimated as remaining in Jewish-controlled territory is approximately 50,000. On the other hand, it is estimated that some 7,000 Jewish women and children from Jerusalem and various areas occupied by the Arabs sought refuge within Jewish-controlled territory.
2. As of 10 September 1948, confirmed estimates (which may be subject to later modification owing to migratory movements, addition of those who have exhausted their personal resources, and certain others who have been in hiding in isolated areas) give a total of 360,000 Arab refugees, distributed approximately as follows:

Iraq	3,000
Lebanon	50,000
Syria	70,000
Transjordan	50,000
Arab Palestine	
(a) Nablus-Tulkarm-Ramalla	80,000
(b) Gaza	65,000
Egypt	12,000
Total	330,000

The remaining are scattered along access roads or distributed in tiny isolated communities or hiding places over a wide area.

#### *Acute stage*

3. This situation reached an acute stage owing to the fact that just before the second truce (18 July 1948) Ramleh and Lydda, to which many thousands had fled from Jaffa and other localities, also fell. Moreover, while those who had fled in the early days of the conflict had been able to take with them some personal effects and assets, many of the late-comers were deprived of everything except the cloths in which they stood, and apart from their homes (many of which were destroyed) lost all furniture and assets, and even their tools of trade.
4. By the terms of resolution 186(S-2) adopted by the General Assembly on 14 May 1948, the promotion of the welfare of the inhabitants of Palestine was included among my responsibilities. By the middle of July the refugee problem had become grave and it was apparent to me that urgent measures had to be taken from humanitarian reasons. Moreover, the refugee problem is intimately related to the problem of Palestine settlement. When subsequently an appeal from the League of Arab States was addressed to the Secretary-General of the United Nations and transmitted some late in July, I took prompt action. This appeal, after drawing attention to the creation of a bureau at Cairo to organize and coordinate to aid and assist them, added:

"It is felt that the situation of misery and distress of a large number of refugees merits the attention of the United Nations organization concerned with the assistance and welfare of refugees, and this request is therefore being made to Your Excellency with a view to initiating such action as is required to relieve the acuteness and gravity of the situation."

The Executive secretary of the Preparatory Commission of the International Refugee organization, to whom this request was referred by the Secretary-General of the United Nations, in replying expressed doubts as to the eligibility of the Arab refugees, under Annex I of the constitution of the International Refugee Organization, but added:

"even if this could be established, the Preparatory commission nevertheless regretfully concludes that prior claim on its limited resources would still be had by a large number of persons the Organization had not yet been able to assist, but which have long had urgent refugee status. Such priorities taken together with restricted financial position would make difficult any assumption of new operating responsibilities in areas in question".

## II. PRELIMINARY SURVEY

1. On 21 July 1948, I addressed a request to the Secretary-General of the United Nations, asking for the immediate dispatch to my headquarters at Rhodes of a senior official from the Department of Social Affairs for the purpose of surveying this grave problem. On his arrival, this officer proceeded at once to Palestine to make a rapid survey of the situation linking up his enquiry with a preliminary survey of refugees which had been made on the spot by an Officer of the League of Red Cross Societies.
2. Palestinian Arabs are not citizens of the Arab States in which they have sought refuge. In Arab Palestine they were without the care or protection of any recognized government, and the existing local and community authorities were unable to meet the necessities of a body of refugees that in some instances outnumbered the local residents by approximately 2:1. They had been under the Pal-

estine Administration of the United Kingdom as Mandatory Power. Upon the termination of that Mandate on 15 May 1948, as residents of Palestine they were in a territory for whose future the United Nations had assumed responsibility.

3. In Arab occupied Palestine a rapid preliminary survey of the social situation was completed on 7 August 1948 and, on the basis of observation and a random sampling of 500 small units, it was estimated that 12 per cent of the refugee population consisted of infants from 0-2 years of age; 18 per cent from 3-5 years of age; 36 per cent from 6-18 years of age; while slightly more than 10 per cent were pregnant women and nursing mothers. To these should be added some 8 per cent of aged, sick or infirm people, representing in all a vulnerable total of approximately 85 per cent. Early refugee groups had been accommodated in houses, but later groups congested and overflowed all available forms of shelter. Some 22 per cent were simply camped on the ground under trees. Water supplies were inadequate, unprotected and a menace to health by infection and lack of control. In most places there was absolutely no sanitary accommodation, and since water was drawn from surface collections, and typhoid is endemic, grave possibilities in this regard at this season of the year were likely. In fact, an examination of a number of cases in the Ramallah area showed 49 positive typhoid fever cases (6 August 1948).
4. As regards food, an attempt was being made to issue bread (in most places facilities for cooking or baking were absent), and in some localities a small issue of money was being made to refugees in order that they might supplement the standard issue of 500 grammes of bread per day with a few olives, tomatoes, lentils etc. Actually, this issue of bread was irregular both in amount and distribution.
5. There was virtually no provision among the great mass of the Arab refugees for the special needs of infants, young children, nursing mothers, pregnant women, the aged or the sick. The hospital accommodation throughout the whole area has been at all times far below the recognized basic provision. It is therefore completely inadequate to the requirements of a refugee population consisting largely of vulnerable groups. Registered doctors, nurses and other medical auxiliary personnel are similarly deficient in number. The lack of clothing and bedding was already a matter of great discomfort and cause for complaint. With the onset of cold and rainy weather about the middle of October, it was not only likely that it would become a serious problem, but the fact that the water supply was barely sufficient for drinking purposes, and quite insufficient for washing clothes or the cleanliness of body or hair, multiplied the possibilities that typhus and perhaps relapsing fever would be greatly increased. The absence of water also handicapped the treatment of the grossly prevalent eye diseases. Apart from typhoid and some endemic enteritis and dysentery, no major risks were immediately apparent, but circumstances were favourable to the establishment both of minor and major water-borne and insect-borne diseases of an epidemic character.

#### *Immediate needs*

6. The immediate needs in order of importance were considered to be:
  - (a) Food and protected water supplies adequate in quantity and regularly distributed;
  - (b) Preventive medical provision against epidemic disease by inoculation, and hospital provision on and emergency basis;
  - (c) Work of activity to occupy the attention of the refugees;
  - (d) Tentage accommodation for 60,000 persons before 15 October; and
  - (e) Clothing and bedding.

#### *Repatriation*

7. As previously stated, these refugees had come from areas under the control of the Jewish forces. The immediate solution of the problem appeared to be the return to their homes of those refugees who desired to return. Even though in many localities their homes of those refugees who desired to return. Even though in many localities their homes had been destroyed, and their furniture and assets dispersed, it was obvious that a solution for their difficulties could be more readily found there than elsewhere. I accordingly submitted to the Provisional Government of Israel, on 26 July, a proposal that, without prejudice to the question of the ultimate right of all Arab refugees to return to their homes in Jewish-controlled Palestine if they desired, the principle be accepted that a limited number, determined by consultation, might be permitted to return to their homes as from 15

August 1948, differentiation being made in recognition of security considerations. I also stated that I would undertake to enlist the aid of appropriate international organizations and agencies in the resettlement and, economic and social rehabilitation of the returning refugees. The Provisional government of Israel, however, replied on 1 August 1948, in substance, that as long as a state of war existed it was not in a position to re-admit on any substantial scale the Arabs who fled.\* On later occasions it has re-affirmed its unwillingness to take back any refugees at the present time.

#### *Phases of the problem*

8. The problem, wherever undertaken, has three phases:
- (a) Immediate relief of absolute basic needs;
  - (b) A programme from September to December 1948 inclusive, based on exact figures obtained by registration, and a skilled study by experts as to the whole supply, transportation and distribution aspects of a planned programme; and
  - (c) A long-range programme if, as appears inevitable, operations would need to be continued through the winter of 1948 and until August-September 1949, when harvesting will be completed.

[...]

### VI. CONCLUSIONS

1. Conclusions which may be derived from the experience to date are summarized as follows:
  - (a) As a result of the conflict in Palestine there are approximately 360,000 Arab refugees and 7,000 Jewish refugees requiring aid in that country and adjacent States.
  - (b) Large number of these are infants, children, pregnant women and nursing mothers. Their condition is one of destitution and they are "vulnerable groups" in the medical and social sense.
  - (c) The destruction of their property and the loss of their assets will render most of them a charge upon the communities in which they have sought refuge for a minimum period of one year (through this winter and until the end of the 1949 harvest).
  - (d) The Arab inhabitants of Palestine are not citizens or subjects of Egypt, Iraq, Lebanon, Syria and Transjordan, the States which are at present providing them with a refuge and the basic necessities of life. As residents of Palestine, a former mandated territory for which the international community has a continuing responsibility until a final settlement is achieved, these Arab refugees understandably look to the United Nations for effective assistance.
  - (e) The temporary alleviation of their condition, which is all that my disaster relief programme can promise them now, is quite inadequate to meet a continuing need, unless the resources in supplies and personnel available be of permanent value in establishing social services in the countries concerned, or improving greatly existing services. This applies particularly to general social administrative organizations, maternal and child care services, the training of social workers, and the improvement of food economics.
  - (f) The refugees, on return to their homes, are entitled to adequate safeguards for their personal security, normal facilities for employment, and adequate opportunities to develop within the community without racial, religious or social discrimination.
  - (g) So long as large numbers of the refugees remain in distress, I believe that responsibility for their relief should be assumed by the United Nations in conjunction with the neighbouring Arab States, the Provisional government of Israel, the specialized agencies, and also the Voluntary bodies or organizations of a humanitarian and non-political character.
2. In concluding this part of my report, I must emphasize again the desperate urgency of this problem. The choice is between saving the lives of many thousands of people now or permitting them to die. The situation of the majority of these hapless refugees is already tragic, and to prevent them from being overwhelmed by further disaster and to make possible their ultimate rehabilitation, it is my earnest hope that the international community will give all necessary support to make the measures I have outlined fully effective. I believe that for the international community to accept its share of responsibility for the refugees of Palestine is one of the minimum conditions for the success of its efforts to bring peace to that land. [...]



**PROVISIONAL COUNCIL OF STATE, AREA OF JURISDICTION AND POWERS  
ORDINANCE (NO.29 OF 5708-1948), PASSED BY THE KNESSET, 22 SEPTEMBER 1948**

THE PROVISIONAL COUNCIL OF STATE hereby enacts as follows:-

Area of application of law.

1. Any law applying to the whole of the State of Israel shall be deemed to apply to the whole of the area including both the area of the State of Israel and any part of Palestine which the Minister of Defence has defined by proclamation as being held by the Defence Army of Israel.

Area of competence.

2. Any person or body of persons competent by virtue of a law as aforesaid to hold office or act in the whole of the State of Israel shall be deemed to be competent to hold office or act in the whole of the area including both the area of the State of Israel and any part of Palestine which the Minister of Defence has defined by proclamation as being held by the Defence Army of Israel.

Commencement; validation of acts.

3. This Ordinance shall have effect retroactively as from the 6th Iyar, 5708 (15th May, 1948), and all acts done which, but for the provisions of this Ordinance, would be without effect are hereby validated retroactively.

Title.

4. This Ordinance may be cited as the Area of Jurisdiction and Powers Ordinance, 5708-1948.

12th Elul, 5708 (16th September, 1948)

DAVID BEN-GURION, *Prime Minister and Minister of Defence*  
FELIX ROSENBLUETH, *Minister of Justice*



**CABLEGRAM FROM THE PREMIER AND ACTING FOREIGN SECRETARY OF THE  
ALL-PALESTINE GOVERNMENT, AHMED HILMI PASHA, TO THE UN SECRETARY-  
GENERAL CONCERNING THE CONSTITUTION OF THE ALL-PALESTINE  
GOVERNMENT, 28 SEPTEMBER 1948**

I have the honor to inform Your Excellency that in virtue of the natural right of the people of Palestine for self-determination which principle is supported by the Charters of the League of Nations, the United Nations and others and in view of the termination of the British Mandate over Palestine which had prevented the Arabs from exercising their independence, the Arabs of Palestine who are the owners of the country and its indigenous inhabitants and who constitute the great majority of its legal population have solemnly resolved to declare Palestine in its entirety and within its boundaries as established before the termination of the British Mandate an independent state and constituted a government under the name of the All-Palestine Government deriving its authority from a Representative Council based on democratic principles and aiming to safeguard the rights of minorities and foreigners, protect the Holy Places and guarantee freedom of worship to all communities.

Ahmed Hilmi Pasha  
Premier and Acting Foreign Secretary



**PALESTINE ARAB HIGHER COMMITTEE, PALESTINIAN  
PROCLAMATION OF INDEPENDENCE, GAZA, 1 OCTOBER 1948**

Acting on the basis of the natural and historic right of the Arab people of Palestine to freedom and independence - a right for which they have shed the noblest blood and for which they have fought against the imperialistic forces which together with Zionism, have combined to meet (these people) and prevent them from enjoying that (right),

We, members of the Palestinian National Council, meeting in the city of Gaza, proclaim on this day, the 28th of the Dhi al-Qi'da, 1367 (A.H.), corresponding to October 1st, 1948, the full independence of the whole of Palestine as bounded by Syria and Lebanon from the north, by Syria and Transjordan from the east, by the Mediterranean from the west, and by Egypt from the south, as well as the establishment of a free and democratic sovereign State. In this (State), citizens will enjoy their liberties and their rights, and (this State) will march forward, in a fraternal spirit, side by side with its sister Arab States, in order to build up Arab glory and to serve human civilization. (In doing this, they) will be inspired by the spirit of the nation and its glorious history, and will resolve to maintain and defend its independence. May God bear witness to what we say.



**NATIONAL COUNCIL CONFERENCE, TEMPORARY STATUTE OF THE ALL-PALESTINE GOVERNMENT, GAZA, 1 OCTOBER 1948**

*[Following a meeting on 23 Sept. 1948 in Gaza, the Palestinian Interim Civil Administration, appointed by the Political Committee of the Arab League earlier that year, decided to consider itself the govt. of All-Palestine. Members were: Ahmad Hilmi Abdul-Baqi (Prime Minister), Jamal Husseini (Foreign Affairs), Awni Abdul Hadi (Social Affairs), Michele Abokorios (Treasurer), Raja'i Husseini (Defence), Hussein Al-Khalidi (Health), Awni Freij (Economy), Amin Akil (Agriculture), Yusef Sahioun (Public Affairs), Akram Zuheir (Education), Ali Hassan (Justice), Anwar Nuseibeh (Govt. Secretary). The following resolutions were declared at the final session of the Conference in Oct. 1948 in Gaza].*

*Article 1:* The statute is to be known as the temporary statute of the All-Palestine Government.

*Article 2:* In accordance with this statute, the government is to consist of a national council, a cabinet and a supreme council.

This item specifies the following apparatus of the government:

*First,* The Supreme Council: consists of the chairman of the national council as chairman and, as members, the prime minister and the head of the supreme court. Among its duties: to appoint the prime minister, to approve members of the cabinet and to call the national council for meetings.

*Second,* The Defence Council: consists of the chairman of the national council as its chairman, and the prime minister and defence minister, as members.

*Third,* The National Council.

*Fourth,* The Cabinet: it has, together with the Supreme Council, all executive and legislative powers.

*Fifth,* The Supreme Court.

*Article 3:* (A). This statute will stay in effect until a founder committee writes a constitution for the country, and determines the type of government.

(B). It is the National council that decides the date to elect the founder committee.

*Article 4:* The National Council consists of delegates from representational committees in Palestine. They are the delegates invited to attend the first meeting. The cabinet, however, has the authority to nominate a suitable person to replace another member who might have resigned, died or whose membership has ceased.

*Article 5:* The supreme Council consists of the chairman of the National Council, as its chairman, and the prime minister and the head of the supreme court as members.

*Article 6:* The National Council is to convene once every six months. The chairman, however, has the right to call for emergency meetings when necessary. On the other hand, the chairman has to call for such a meeting if it is requested in writing by at least 50 members.

*Article 7:* Members of this office are: the chairman, his two deputies, and the two secretaries, which the council elects. As long as the council exists, the office will continue to perform its own duties.

*Article 8:* The All-Palestine government is a legitimate system to practice all legislative, judicial and executive powers, in accordance with the texts of the statute, in the whole of Palestine

within its borders prior to the end of the British mandate on 15 May 1948. The judicial system will carry out its duty independent from the legislative and executive powers. This would be guaranteed by a special law.

*Article 9:* the cabinet is the executive power of the government, which is authorized by, and answerable to, according to this statute, the council. The cabinet would continue its work as long as it has the confidence of the council.

*Article 10:* In case the cabinet resigned, the resignation would be submitted to the chairman of the council. If it was accepted by the Supreme Council the chairman would ask who was suitable to form a new cabinet.

*Article 11:* All international agreements, political treaties, financial loans and economic deals which the cabinet may sign, will become effective only after the council has ratified them. The Council will authorize the cabinet to negotiate necessary loans to run the affairs of the country, and to organise the national struggle. These loans would be effective as soon as they are signed.

*Article 12:* The legislative power is restricted to the National Council which has the right to ratify or refuse proposed laws presented by the cabinet. The cabinet, however, will still have the right to issue decrees, laws, regulations and orders related to war, such as martial law, without referring them to the Council, which would discuss them in its next session.

*Article 13:* It is the cabinet that has the right to propose laws and regulations, and to present them to the National council for discussion and ratification. Any member of the council, however, can propose to the cabinet, through the office of the council, any law or regulation he wishes the council to ratify. If the cabinet refuses to present the proposed law or regulation, they could be forced through for discussion by request of at least 30 members of the council.

*Article 14:* Jerusalem is the capital of the government. The cabinet enjoys the right to choose another centre for the government.

*Article 15:* A National Defense Council is to be formed of the chairman of the National council, the prime minister, and the defence minister. This council has the absolute authority to take all possible means to defend Palestine, and its unity within the whole of its borders.

*Article 16:* The Supreme Council has the following authorities:

Accepting the resignation of the cabinet.

To confirm or change a death sentence, or pardon a person convicted with a death sentence. The head of the Supreme Court would have to be replaced by the justice minister when a death sentence issued by the head of the Supreme Court is being confirmed.

1. To order the execution of laws presented by the cabinet and ratified by the National Council.

2. To accept the credentials of diplomats representing Arab and foreign states.

*Article 17:* This statute will become effective after the approval of the National Council, which has the right to amend it or replace it in accordance with the national interest, by a majority of at least two thirds of the attending members of an official session.



### UN SECURITY COUNCIL, RESOLUTION 59, 19 OCTOBER 1948

The Security Council,

*Having* in mind the report of the Acting Mediator concerning the assassination on 17 September 1948 of the United Nations Mediator, Count Folke Bernadotte, and United Nations observer Colonel Andre Serot, the report of the Acting Mediator concerning difficulties encountered in the supervision of the truce and the report of the Truce Commission for Palestine concerning the situation in Jerusalem,

1. *Notes* with concern that the Provisional Government of Israel has to date submitted no report to the Security Council or to the Acting Mediator regarding the progress of the investigation into the assassinations;

2. *Requests* that Government to submit to the Security Council at an early date an account of the progress made in the investigation and to indicate therein the measures taken with regard to negligence on the part of officials or other factors affecting the game;
3. *Reminds* the Governments and authorities concerned that ail the obligations and responsibilities of the set forth in its resolutions 54 (1948) of 15 July and 56 (1948) of 19 August 1948 are to be discharged fully and no good faith;
4. *Reminds* the Acting Mediator of the desirability of an equitable distribution of the United Nations observers for the purpose of observing the truce on the territories of both parties;
5. *Determines*, pursuant to its resolutions 54 (1948) and 56 (1948), that the Governments and authorities have the duty:
  - (a) To allow duly accredited United Nations observers and other truce supervision personnel bearing proper credentials, on official notification, ready access to al places where their duties require them to go including airfields, ports, truce lines and strategic points and areas;
  - (b) To facilitate the freedom of movement of truce supervision personnel and transport by simplifying procedures on United Nations aircraft now in effect, and by assurance of safe-conduct for an United Nations aircraft and other means of transport;
  - (c) To co-operate fully with the truce supervision personnel in their conduct of investigations into incidents involving alleged breaches of the truce, including the making available of witnesses, testimony and other evidence on request;
  - (d) To implement fully by appropriate and prompt instructions to the commanders in the field all agreements entered into through the good offices of the Mediator or his representatives;
  - (e) To take all reasonable measures to ensure the safety and safe-conduct of the truce supervision personnel and the representatives of the Mediator, their aircraft and vehicles, while in territory under their control;
  - (f) To make every effort to apprehend and promptly punish any and all persons within their jurisdictions guilty of any assault upon or other aggressive act against the truce supervision personnel or the representatives of the Mediator.



### **US PRESIDENT HARRY S. TRUMAN, STATEMENT ON ISRAEL, 24 OCTOBER 1948**

THE REPUBLICAN candidate for President has seen fit to release a statement with reference to Palestine. This statement is in the form of a letter dated October 22, 1948, 10 days before the election.

I had hoped our foreign affairs could continue to be handled on a non-partisan basis without being injected into the presidential campaign. The Republican candidate's statement, however, makes it necessary for me to reiterate my own position with respect to Palestine.

I stand squarely on the provisions covering Israel in the Democratic platform.

I approved the provisions on Israel at the time they were written. I reaffirm that approval now.

So that everyone may be familiar with my position, I set out here the Democratic platform on Israel:

"President Truman, by granting immediate recognition to Israel, led the world in extending friendship and welcome to a people who have long sought and justly deserve freedom and independence.

"We pledge full recognition to the State of Israel. We affirm our pride that the United States, under the leadership of President Truman, played a leading role in the adoption of the resolution of November 29, 1947, by the United Nations General Assembly for the creation of a Jewish state.

"We approve the claims of the State of Israel to the boundaries set forth in the United Nations' resolution of November 29 and consider that modifications thereof should be made only if fully acceptable to the State of Israel.

"We look forward to the admission of the State of Israel to the United Nations and its full participation in the international community of nations. We pledge appropriate aid to the State of Israel in developing its economy and resources.

"We favor the revision of the arms embargo to accord to the State of Israel the right of self-defense. We pledge ourselves to work for the modification of any resolution of the United Nations to the extent that it may prevent any such revision.

"We continue to support, within the framework of the United Nations, the internationalization of Jerusalem and the protection of the holy places in Palestine."

I wish to amplify the three portions of the platform about which there have been considerable discussion.

On May 14, 1948, this country recognized the existence of the independent State of Israel. I was informed by the Honorable Eliahu Epstein that a Provisional Government had been established in Israel. This country recognized the Provisional Government as the *de facto* authority of the new State of Israel. When a permanent government is elected in Israel it will promptly be given *de jure* recognition.

The Democratic platform states that we approve the claims of Israel to the boundaries set forth in the United Nations resolution of November 29, 1947, and consider that modification thereof should be made only if fully acceptable to the State of Israel.

This has been and is now my position.

Proceedings are now taking place in the United Nations looking toward an amicable settlement of the conflicting positions of the parties in Palestine. In the interests of peace this work must go forward.

A plan has been submitted which provides a basis for a renewed effort to bring about a peaceful adjustment of differences. It is hoped that by using this plan as a basis of negotiation, the conflicting claims of the parties can be settled.

With reference to the granting of a loan or loans to the State of Israel, I have directed the departments and agencies of the executive branch of our Government to work together in expediting the consideration of any applications for loans which may be submitted by the State of Israel.

It is my hope that such financial aid will soon be granted and that it will contribute substantially to the long-term development and stability of the Near East.



**POPE PIUS XII, 'IN MULTIPLICIBUS CURIS', ENCYCLICAL ON PRAYERS  
FOR PEACE IN PALESTINE, CASTEL GANDOLFO, 24 OCTOBER 1948**

To the Venerable Brethren, the Patriarchs, Primates, Archbishops, Bishops, and other Ordinaries in Peace and Communion with the Apostolic See.

1. Among the multiple preoccupations which beset us in this period of time, so full of decisive consequences for the life of the great human family, and which make Us feel so seriously the burden of the Supreme Pontificate, Palestine occupies a particular place on account of the war which harasses it. In all truth We can tell you, Venerable Brethren, that neither joyous nor sad events diminish the sorrow which is kept alive in Our soul by the thought that, in the land in which our Lord Jesus Christ shed His blood to bring redemption and salvation to all mankind, the blood of man continues to flow; and

- that beneath the skies which echoed on that fateful night with the Gospel tidings of peace, men continue to fight and to increase the distress of the unfortunate and the fear of the terrorized, while thousands of refugees, homeless and driven, wander from their fatherland in search of shelter and food.
2. To make Our sorrow more grievous, there is not only the news which continually reaches Us of the destruction and damage of sacred buildings and charitable places built around the Holy Places, but there is also the fear that this inspires in Us for the fate of the Holy Places themselves scattered throughout Palestine, and more especially within the Holy City.
  3. We must assure you, Venerable Brethren, that confronted with the spectacle of many evils and the forecast of worse to come, We have not withdrawn into Our sorrow, but have done all in Our power to provide a remedy. Even before the armed conflict began, speaking to a delegation of Arab dignitaries who came to pay homage to Us, We manifested our lifelong solicitude for peace in Palestine, and, condemning any recourse to violence, We declared that peace could only be realized in truth and justice; that is to say by respecting the rights of acquired traditions, especially in the religious field, as well as by the strict fulfillment of the duties and obligations of each group of inhabitants.
  4. When war was declared, without abandoning the attitude of impartiality which was imposed by Our apostolic duty, which places Us above the conflicts which agitate human society, We did not fail to do Our utmost, in the measure which depended upon Us, and according to the possibilities offered to Us, for the triumph of justice and peace in Palestine and for the respect and protection of the Holy Places.
  5. At the same time, although numerous and urgent appeals are received daily by the Holy See, We have sought as much as possible to come to the aid of the unhappy victims of the war, sending the means at Our disposal to Our representatives in Palestine, the Lebanon, and Egypt for this purpose, and encouraging the formation among Catholics in various countries of undertakings organized for the same purpose.
  6. Convinced, however, of the insufficiency of human means for the adequate solution of a question the complexity of which no one can fail to see, We have, above all, had constant recourse to prayer, and in Our recent Encyclical Letter, *Auspicia Quaedam*, We invited you, Venerable Brethren, to pray, and to have the faithful entrusted to your pastoral care pray, in order that, under the auspices of the Blessed Virgin, matters may be settled in justice and peace, and concord may be happily restored in Palestine. As We said on June 2nd to members of the Sacred College of Cardinals, informing them of Our anxieties for Palestine, We do not believe that the Christian world could contemplate indifferently, or in sterile indignation, the spectacle of the sacred land (which everyone approached with the deepest respect to kiss with most ardent love) trampled over again by troops and stricken by aerial bombardments. We do not believe that it could permit the devastation of the Holy Places, the destruction of the great sepulcher of Christ.
  7. We are full of faith that the fervent prayers raised to Almighty and Merciful God by the Christians throughout the world who, together with the aspirations of so many noble hearts, are ardently inspired by truth and good, will render less arduous to the men who hold the destinies of peoples the task of making justice and peace in Palestine a beneficial reality and of creating, with the efficient co-operation of all those interested, an order that may guarantee security of existence and, at the same time, the moral and physical conditions of life conducive to spiritual and material well-being, to each of the parties at present in conflict.
  8. We are full of faith that these prayers and these hopes, an indication of the value that the Holy Places have for so great a part of the human family, will strengthen the conviction in the high quarters in which the problems of peace are discussed that it would be opportune to give Jerusalem and its outskirts, where are found so many and such precious memories of the life and death of the Savior, an international character which, in the present circumstances, seems to offer a better guarantee for the protection of the sanctuaries. It would also be necessary to assure, with international guarantees, both free access to Holy Places scattered throughout Palestine, and the freedom of worship and the respect of customs and religious traditions.
  9. And God grant that the day may soon dawn when Christians may resume their pilgrimages to the Holy Places, there to see more clearly revealed, as they contemplate the evidence of the love of Jesus Christ, Who gave His life for His brethren, how men and nations may live harmoniously together, at peace with their world and themselves.

10. With reliance, then, on this hope, as a pledge of heavenly favors and in token of our affection, gladly in the Lord do we impart to you, Venerable Brethren, and to your flocks, as to all who will take this appeal of Ours to heart, Our Apostolic Benediction.

Given at Castel Gandolfo, near Rome, on the 24<sup>th</sup> day of October, in the year 1948, the 10<sup>th</sup> of Our Pontificate.



### UN SECURITY COUNCIL RESOLUTION 61, 4 NOVEMBER 1948

The Security Council,

*Having decided* on 15 July 1948 that, subject to further decision by the Security Council or the General Assembly, the truce shall remain in force in accordance with resolution 54 (1948) of that date and with resolution 50 (1948) of 29 May 1948 until a peaceful adjustment of the future situation of Palestine is reached,

*Having decided* on 19 August that no party is permitted to violate the truce on the ground that it is undertaking reprisals or retaliations against the other party, and that no party is entitled to gain military or political advantage through violation of the truce,

*Having decided* on 29 May that, if the truce was subsequently repudiated or violated by either party or by both, the Situation in Palestine could be reconsidered with a view to action under Chapter VII of the Charter of the United Nations,

*Takes note* of the request communicated to the Government of Egypt and the Provisional Government of Israel by the Acting Mediator on 26 October 48 following upon the decisions adopted by the Security Council on 19 October 1948;

*Calls upon* the interested Governments, without prejudice to their rights, claims or positions with regard to a peaceful adjustment of the future situation of Palestine or to the position which the Members of the United Nations may wish to hike in the General Assembly on such peaceful adjustment:

- (1) To withdraw those of their forces which have advanced beyond the positions held on 14 October the Acting Mediator being authorized to establish provisional lines beyond which no movement of troops shall take place;
- (2) To establish, through negotiations conducted directly between the parties, or, failing that, through the intermediaries in the service of the United Nations permanent truce lines and such neutral or demilitarized zones as may appear advantageous, in order to ensure henceforth the full observance of the truce in that area. Failing an agreement, the permanent lines and neutral zones shall be established by decision of the Acting Mediator;

*Appoints* a committee of the Council, consisting of the five permanent members together with Belgium and Colombia, to give such advice as the Acting Mediator may require with regard to his responsibilities under this resolution and, in the event that either party or both should fail to comply with sub-paragraphs (1) and (2) of the preceding paragraph of this resolution within whatever time limits the Acting Mediator may think it desirable to fix, to study as a matter of urgency and to report to the Council on further measures it would be appropriate to take under Chapter VII of the Charter.



### UN SECURITY COUNCIL, RESOLUTION 62, 16 NOVEMBER 1948

*[Resolution calling on the parties in the Arab-Israeli war to conclude armistice agreements that would lead to a lasting peace. The talks were held in Rhodes during the following year.]*

The Security Council,

*Reaffirming* its previous resolutions concerning the establishment and implementation of the truce in Palestine, and recalling particularly its resolution 54 (1948) of 15 July 1948 which determined that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter of the United Nations,

*Taking note* that the General Assembly is continuing its consideration of the future government of Palestine in response to the request of the Security Council in its resolution 44 (1948) of 1 April 1948,

*Without prejudice* to the actions of the Acting Mediator regarding the implementation of Security Council resolution 61 (1948) of 4 November 1948,

1. *Decides* that, in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, an armistice shall be established in all sectors of Palestine;
2. *Calls upon* the parties directly involved in the conflict in Palestine, as a further provisional measure under Article 40 of the Charter, to seek agreement forthwith, by negotiations conducted either directly or through the Acting Mediator, with a view to the immediate establishment of the armistice, including:
  - (a) The delineation of permanent armistice demarcation lines beyond which the armed forces of the respective parties shall not move;
  - (b) Such withdrawal and reduction of their armed forces will ensure the maintenance of the armistice during the transition to permanent peace in Palestine.



**UN GENERAL ASSEMBLY, RESOLUTION 212 (III):  
ASSISTANCE TO PALESTINIAN REFUGEES, 19 NOVEMBER 1948**

*Whereas* the problem of the relief of Palestine refugees of all communities in one of immediate urgency and the United Nations Mediator on Palestine in his progress report of 18 September 1948, part Three, states that "action must be taken to determine the necessary measures (of relief) and to provide for their implementation" and that "the choice is between saving the lives of many thousands of people now or permitting them to die",

*Whereas* the Acting Mediator, in his supplemental report of 18 October 1948, declares that "the situation of the refugees is now critical" and that "aid must not only be continued but very greatly increased if disaster is to be averted",

*Whereas* the alleviation of conditions of starvation and distress among the Palestine refugees is one of the minimum conditions for the success of the efforts of the United Nations to bring peace to that land,

The General Assembly

1. *Expresses* its thanks to the Governments and organizations which, and the individual persons who, have given assistance directly or in response to the Mediator's appeal;
2. *Considers*, on the basis of the Acting Mediator's recommendation, that a sum of approximately \$29,500,000 will be required to provide relief for 500,000 refugees for a period of nine months from 1 December 1948 to 31 August 1949, and that an additional amount of approximately \$2,500,000 will be required for administrative and local operational expenses;
3. *Authorizes* the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to advance immediately a sum of up to \$5,000,000 from the Working Capital Fund of the United Nations, the said sum to be repaid before the end of the period specified in paragraph 2, from the voluntary governmental contributions requested under paragraph 4;
4. *Urges* all State Members of the United Nations to make as soon as possible voluntary contributions in kind or in funds sufficient to ensure that the amount of supplies and funds required is obtained, and states that, to this end, voluntary contributions of non-member States would also be accepted, contributions in funds may be made in currencies other than the United States dollar, in so far as the operations of the relief organization can be carried out in such currencies;
5. *Authorizes* the Secretary-General to establish a Special Fund into which contributions shall be paid, which will be administered as a separate account;
6. *Authorizes* the Secretary-General to expend the funds received under paragraphs 3 and 4 of this resolution;

7. *Instructs* the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to establish regulations for the administration and supervision of the Fund;
8. *Requests* the Secretary-General to take all necessary steps to extend aid to Palestine refugees and to establish such administrative organization as may be required for this purpose, inviting the assistance of the appropriate agencies of the several Governments, the specialized agencies of the United Nations, the United Nations International Children's Emergency Fund, the International Committee of the Red Cross, the League of Red Cross Societies and other voluntary agencies it being recognized that the participation of voluntary organizations in the relief plan would in no way derogate from the principle of impartiality on the basis of which the assistance of these organizations is being solicited;
9. *Requests* the Secretary-General to appoint a Director of United Nations Relief for Palestine Refugees, to whom he may delegate such responsibility and he may consider appropriate for the overall planning and implementation of the relief programme;
10. *Agrees* to the convoking, at the discretion of the Secretary-General of an ad hoc advisory committee of 7 members to be selected by the President of the General Assembly to which the Secretary-General may submit any matter of principle or policy upon which he would like the benefit of the committee's advice;
11. *Requests* the Secretary-General to continue and to extend the implementation of the present relief programme until the machinery provided for by the present resolution is set up;
12. *Urges* the World Health Organization, the Food and Agriculture Organisation the International Refugee Organization, the United Nations International Children's Emergency Fund, and other appropriate organizations and agencies, acting within the framework of the relief programme herein established, promptly to contribute supplies, specialized personnel and other services permitted by their constitutions and their financial resources, to relieve the desperate plight of Palestine refugees of all communities;
13. *Requests* the Secretary-General to report to the General Assembly, at the next regular session, on the action taken as a result of this resolution.



### UN GENERAL ASSEMBLY, RESOLUTION 194, 11 DECEMBER 1948

The General Assembly,

*Having considered* further the situation in Palestine,

1. *Expresses* its deep appreciation of the progress achieved through the good offices of the late United Nations Mediator in promoting a peaceful adjustment of the future situation of Palestine, for which cause he sacrificed his life; and extends its thanks to the Acting Mediator and his staff for their continued efforts and devotion to duty in Palestine;
2. *Establishes* a Conciliation Commission consisting of three States members of the United Nations which shall have the following functions:
  - (a) To assume, in so far as it considers necessary in existing circumstances, the functions given to the United Nations Mediator on Palestine by resolution 186 (S-2) of the General Assembly of 14 May 1948;
  - (b) To carry out the specific functions and directives given to it by the present resolution and such additional functions and directives as may be given to it by the General Assembly or by the Security Council;
  - (c) To undertake, upon the request of the Security Council, any of the functions now assigned to the United Nations Mediator on Palestine or to the United Nations Truce Commission by resolutions of the Security Council; upon such request to the Conciliation Commission by the Security Council with respect to all the remaining functions of

the United Nations Mediator on Palestine under Security Council resolutions, the office of the Mediator shall be terminated;

3. *Decides* that a Committee of the Assembly, consisting of China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America, shall present before the end of the first part of the present session of the General Assembly, for the approval of the Assembly, a proposal concerning the names of the three States which will constitute the Conciliation Commission;
4. *Requests* the Commission to begin its functions at once, with a view to the establishment of contact between the parties themselves and the Commission at the earliest possible date;
5. *Calls* upon the Governments and authorities concerned to extend the scope of the negotiations provided for in the Security Council's resolution of 16 November 1948 and to seek agreement by negotiations conducted either with the Conciliation Commission or directly, with a view to the final settlement of all questions outstanding between them;
6. *Instructs* the Conciliation Commission to take steps to assist the Governments and authorities concerned to achieve a final settlement of all questions outstanding between them;
7. *Resolves* that the Holy Places - including Nazareth - religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing right and historical practices; that arrangements to this end should be under effective United Nations supervision, that the fourth regular session of the General Assembly in its detailed proposals for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval;
8. *Resolves* that, in view of its association with three world religions, the Jerusalem area, including 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, should be accorded special and separate treatment from the rest of Palestine and should be placed under effective United Nations control;  
*Requests* the Security Council to take further steps to ensure the demilitarization of Jerusalem at the earliest possible date;  
*Instructs* the Commission to present to the fourth regular session of the General Assembly detailed proposals for a permanent international regime for the Jerusalem area which will provide for the maximum local autonomy for distinctive groups consistent with the special international status of the Jerusalem area;  
The Conciliation Commission is authorized to appoint a United Nations representative, who shall co-operate with the local authorities with respect to the interim administration of the Jerusalem area;
9. *Resolves* that, pending agreement on more detailed arrangements among the Governments and authorities concerned, the freest possible access to Jerusalem by road, rail or air should be accorded to all inhabitants of Palestine;
10. *Instructs* the Conciliation Commission to seek arrangements among the Governments and authorities concerned which will facilitate the economic development of the area, including arrangements for access to ports and airfields and the use of transportation and communication facilities;
11. *Resolves* that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practical date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible;  
*Instructs* the Conciliation Commission to facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and the payment of compensation, and to

maintain close relations with the Director of the United Nations Relief for Palestine Refugees and, through him, with the appropriate organs and agencies of the United Nations;

12. *Authorizes* the Conciliation Commission to appoint such subsidiary bodies and to employ such technical experts, acting under its authority, as it may find necessary for the effective discharge of its functions and responsibilities under the present resolution;

The Conciliation Commission will have its official headquarters at Jerusalem. The Authorities will be responsible for taking all measures necessary to ensure the security of the Commission. The Secretary-General will provide a limited number of guards for the protection of the staff and premises of the Commission;

13. *Instruct* the Conciliation Commission to render progress reports periodically to the Secretary-General for transmission to the Security Council and to the Members of the United Nations;
14. *Calls upon* all Governments and authorities concerned to cooperate with the Conciliation Commission and to take all possible steps to assist in the implementation of the present resolution;
15. *Requests* the Secretary-General to provide the necessary staff and facilities and to make appropriate arrangements to provide the necessary funds required in carrying out the terms of the present resolution.



**WORLD COUNCIL OF CHURCHES, AMSTERDAM ASSEMBLY,  
REPORT OF COMMITTEE IV: CONCERNS OF THE CHURCHES –  
THE EMERGENCE OF ISRAEL AS A STATE, 1948 [EXCERPTS]**

On the political aspects of the Palestine problem and the complex conflict of "rights" involved we do not undertake to express a judgement. Nevertheless, we appeal to the nations to deal with the problem not as one of expediency - political, strategic or economic - but as a moral and spiritual question that touches a nerve centre of the world's religious life.

Whatever position may be taken towards the establishment of a Jewish state and towards the "rights" and "wrongs" of Jews and Arabs, of Hebrew Christians and Arab Christians involved, the churches are in duty bound to pray and work for an order in Palestine as just as may be in the midst of our human disorder; to provide within their power for the relief of the victims of this warfare without discrimination; and to seek to influence the nations to provide a refuge for "displaced persons" far more generously than has yet been done.

**REFUGEES AND UPROOTED PEOPLES**

Resolution proposed by the Committee on Christian Reconstruction and Inter-Church Aid of the Amsterdam Assembly:

The World Council of Churches, recalling that the origin of its refugee division was the concern of the churches for Jewish refugees, notes with especially deep concern the recent extension of the refugee problem to the Middle East by the flight from their homes in the Holy Land of not less than 350,000 Arab and other refugees.

It receives, with an urgent sense of its Christian duty, the appeal which originally came from Christian leaders in Palestine. It records appreciation of the prompt co-operation offered by the UN mediator in Palestine with the projects of relief initiated by the churches and interchurch bodies, and in commending the actions in this field already taken.

***RESOLVES***

To urge the churches to include in their provisions for refugees additional emergency help for the urgent situation in the Middle East, and to channel this help in such a way as both to achieve a distinctive and maximum Christian effort in this field, and to ensure its co-ordination with the measures initiated;

To recommend that, through its refugee commission, the World Council of Churches should:

- Appeal for money, food, medical supplies, and blankets;
- In connection with the International Missionary Council, appoint a special field representative to co-ordinate Christian action with the mediator's programme;
- Urge and assist all Christians in Palestine and neighbouring countries to cooperate in this work in every way practicable.



**PROVISIONAL COUNCIL OF STATE, EMERGENCY REGULATIONS  
(CULTIVATION OF WASTE LANDS) (EXTENSION OF VALIDITY),  
ORDINANCE NO. 36 OF 5709-1949, 6 JANUARY 1949**

THE PROVISIONAL COUNCIL OF STATE hereby enacts as follows:-

Extension of  
validity, I.R.  
No. 27 of 12th  
Tishri, 5709  
(15.10.48), p.  
3.

1. The validity of the Emergency Regulations (Cultivation of Waste Lands), 5709-1948, in the amended form set out in the Schedule to this Ordinance, is hereby extended until a declaration of the Provisional Council of State is published, under section 9(d) of the Law and Administration Ordinance, 5708-1948, to the effect that the state of emergency has ceased to exist.

2. (a)

(1) Any agreement, act or confirmation made, done or given under the Regulations set out in the Schedule to this Ordinance shall have effect even after the said declaration of the Provisional Council of State is published, as though that declaration had not been published.

(2) The provisions of regulation 21 of the Regulation set out in the Schedule to this Ordinance, and the provisions contained in those Regulations as to the duty or right of any person to have recourse to a committee established under the said regulation 21, shall have effect even after the said declaration of the Provisional Council of State is published, as though that declaration had not been published.

(b) A reference in any contract or other document to the Emergency Regulations (Cultivation of Waste Lands), 5709-1948, or to the whole or a part of any regulation thereof, shall be deemed to be a reference to the Regulations set out in the Schedule to this Ordinance or to the whole or a part of a corresponding regulation thereof.

(c) The provisions of this section shall not derogate from the provisions of the Interpretation Ordinance, 1945.

3. This Ordinance may be cited as the Emergency Regulations (Cultivation of Waste Lands) (Extension of Validity) Ordinance, 5709-1949.

**SCHEDULE**

**EMERGENCY REGULATIONS CONCERNING THE CULTIVATION OF  
WASTE LANDS AND THE USE OF UNEXPLOITED WATER RESOURCES**

1. In these Regulations -

- "crops" include cereals, fruit and vegetables of all kinds;
- "cultivation" means the operations necessary to obtain crops from the land by a method which the Minister of Agriculture deems efficient, and includes the operations necessary to prevent deterioration of a plantation;
- "cultivator" means a person to whom waste land has been handed over for cultivation under these Regulations and includes the Minister of Agriculture where he himself cultivates waste land under regulation 7 (a);

Interpretation.

- "land" means land of any kind whatsoever, except land situate in a municipal area within the meaning of the Municipal Corporations Ordinance, 1934, and includes a plantation and any thing fixed to any land and used or capable of being used for its cultivation, and also water available for the cultivation of the land;
  - "owner", in respect of any land, includes the reputed owner;
  - "waste land" means land capable of yielding crops and which, in the opinion of the Minister of Agriculture, is uncultivated;
  - "water available for the cultivation of the land" means water situate on or in, or passing through, any land or ordinarily used for its irrigation, and includes borings, wells, springs, pipes, pools and other water reservoirs supplying or containing such water or through which such water passes.
- 2.
- (a) The Minister of Agriculture may warn the owner of waste land to cultivate the land or to ensure that it is cultivated.
- (b) The warning shall be in writing and shall be signed by the Minister of Agriculture, and it may be made known in any of the following ways, as the Minister of Agriculture may in each case think fit:
- (1) by delivery to the owner of the land; or
  - (2) by posting it up at the place of residence of the owner of the land or, if his place of residence is unknown, at or near the place where he was last known to reside; or
  - (3) by posting it up in a conspicuous position upon the land or at the entrance thereto; this form of publication shall also be valid in the event of the owner of the land being unknown.
- (c) No act done in respect of waste land under these Regulations shall be invalidated on the ground that the warning did not come to the knowledge of the owner of the land.
3. The owner of the waste land may, within 14 days of the publication of the warning, apply to the Minister of Agriculture at the address indicated for this purpose in the warning, and submit proof that he has already begun, or will begin as soon as possible, to cultivate the waste land and that he will continue such cultivation.
4. If the owner of the waste land does not apply to the Minister of Agriculture as specified in regulation 3, or if the Minister of Agriculture is not satisfied that the owner of the land has begun or is about to begin or will continue to cultivate the land, the Minister of Agriculture may assume control of the land in order to ensure its cultivation.
- 5.
- (a) The period during which the Minister of Agriculture retains control of waste land or for which he hands over waste land for cultivation shall not extend beyond a term of five years from the day on which he assumed control thereof.
- (b) Where the Minister of Agriculture assumes control of waste land or hands over waste land for cultivation, the provisions of the Land Transfer Ordinance (cap. 81) shall not apply to such assumption of control or handing-over.
- 6.
- (a) The Minister of Agriculture shall notify the owner of waste land, in such a manner as he may in each case think fit, that he has assumed control of the land, and he shall keep a register of the waste lands of which he has assumed control, containing a detailed description of the lands.
- (b) The register shall be maintained at the Ministry of Agriculture and shall be open for inspection free of charge by any person interested in the land.

- Cultivation of waste lands.
7. To ensure the cultivation of waste land of which he has assumed control, the Minister of Agriculture may -
- (a) cultivate the land himself through workers employed by him; or
  - (b) hand over the land for cultivation to another person.
- 8.
- Trusteeship.
- (a) The Minister of Finance shall act as trustee for the owner of the waste land or other property of which the Minister of Agriculture has assumed control under these Regulations.
  - (b) The Minister of Finance may delegate all or any of his powers under subregulation (a) to another person.
- Cultivation agreements.
9. The conditions under which waste land is handed over for cultivation under regulation 7 (b) shall be laid down in a written agreement between the Minister of Agriculture, the cultivator and the Minister of Finance as trustee for the owner of the land.
- 10.
- Income from waste land.
- (a) The owner of the land shall be entitled to the whole of the net income that shall accrue from the cultivator under the said cultivation agreement.
  - (b) Save as provided in subregulation (a), the owner of the land shall not be entitled to any compensation or payment in respect of the use of his land by the cultivator.
- 11.
- Crops of waste land.
- (a) All crops obtained from waste land as a result of its cultivation by a cultivator shall be the property of the cultivator, and no other person shall have any rights therein.
  - (b) Without prejudice to the provisions of subparagraph (a), the Minister of Agriculture may, at the end of the season, grant to the owner of the land a part of the crops of the land or of their value; the size of such part shall be determined by the Minister of Agriculture.
12. Subject to the provisions of the agreement made under regulation 9, the cultivator may, during the period of cultivation, use the water available for the cultivation of the land.
- 13.
- Use of implements, etc.
- (a) The Minister of Agriculture, or another cultivator with his written approval, may, during the period of cultivation, use the whole or any part of the buildings, machinery, vehicles, animals, installations, tools and other implements situate on the waste land and ordinarily used for the purpose of its cultivation.
  - (b) In return for the use of such property as aforesaid, the cultivator shall pay to the owner thereof compensation at a rate to be fixed in each case by a committee established under regulation 21.
14. Where the Minister of Agriculture, or another cultivator with his written approval, has invested labour or money in waste land for one or more of the following purposes, namely:
- Investment of labour and money.
- (a) light ploughing for summer crops, manuring, deep ploughing, irrigation, treatment of plantations or other similar operations;
  - (b) repairs and technical improvements necessary for the cultivation of the waste land;
  - (c) the erection of permanent or temporary buildings for the purpose of the cultivation of the land or the accommodation of the persons cultivating it;
  - (d) otherwise improving the land, the water or the plantations,

A committee established under regulation 21 shall, after the expiration of the period of cultivation, determine whether the investment is of benefit also to the owner of the land, and if so, it shall determine the amount of the benefit and require the owner of the land to pay such amount to the cultivator.

Cultivators  
(Protection)  
Ordinance  
not to apply.

15. The provisions of the Cultivators (Protection) Ordinance (cap.38) shall not apply to waste lands cultivated under these Regulations, and the cultivator shall not be entitled to the protection afforded by those provisions.

16.

Unexploited  
means of  
agricultural  
cultivation.

(a) The Minister of Agriculture may assume control, for a period not exceeding five years, of any animal, machine, tool or implement capable of being used for agricultural purposes, and of any building in a rural area, which are not used for the requirements of the defence of the State or public security and which in his opinion are not sufficiently utilised, and he may use them, in such a manner and on such conditions as he may think fit, for the purpose of the cultivation of waste lands, against payment of compensation to the owner at a rate to be fixed in each case by a committee established under regulation 21.

(b) Where the Minister of Agriculture assumes control of a building in a rural area under subregulation (a), the provisions of the Land Transfer Ordinance (cap.81) shall not apply to such assumption of control.

17.

Unexploited  
water  
resources.

(a) The Minister of Agriculture may assume control, for a period not exceeding five years, of water resources and water installations which in his opinion are not sufficiently utilised, and he may use them for agricultural purposes in such a manner and on such conditions as he may think fit.

(b) The owner of the water resources or water installation may, in the twelfth, twenty-fourth, thirty-sixth and forty-eighth months of their or its being under the control of the Minister of Agriculture, apply to a committee established under regulation 21, for the restoration to his control of the whole or a part of the water resources or water installation on the ground that he needs them or it for agricultural purposes of his farm. The committee shall decide to restore the water resources or water installation to the applicant's control if and to the extent that it is satisfied that such restoration is required by him for the said purposes.

(c) The owner of the water resources or water installations shall be entitled to the net income derived from their or its use, and shall not be entitled to any other compensation for such use. An account of the income shall be prepared at the end of each successive period of six months reckoned from the day of the assumption of control of the water resources or water installation by the Minister of Agriculture, or at shorter intervals.

(d) Where the Minister of Agriculture assumes control of any water resources or water installation, the Land Transfer Ordinance (cap.81) shall not apply to such assumption of control.

18.

Borings.

(a) The Minister of Agriculture may complete unfinished borings and for this purpose assume control of machinery, tools and implements against payment of rent to the owner thereof at a rate to be fixed in each case by a committee established under regulation 21.

(b) After land on which boring operations have been completed under this regulation is restored to its owner, a committee established under regulation 21 shall determine whether the boring operations the land, and if so, it shall determine the amount of the benefit, and require the owner of the land to pay such amount to the Minister of Finance. Such a debt shall automatically constitute a

first charge on the installation erected or completed by the boring operations and on the area on which it was erected or completed.

19.

- (a) All payments and benefits to which an owner of waste land or other property is entitled under regulations 10, 11 and 13 shall be effected or delivered to the Minister of Finance. All payments due from an owner of waste land to a cultivator under regulation 14 shall be effected to the cultivator by the Minister of Finance, but only to the extent of the net income received by him in connection with the land.
- (b) The Minister of Finance may sell any part of the crops delivered to him under regulation 11(b).
- (c) If upon cessation of the Minister of Agriculture's control over any property of which he had assumed control under these Regulations, there remains in the hands of the Minister of Finance a surplus of net income received in connection with the property, the surplus shall be credited to the owner of the property.
- (d) Any sum due from the owner of the land to a cultivator under these Regulations and which is not paid by the end of the period of control in accordance with subregulation (a) may be collected by the cultivator from the owner of the land, and such a debt shall automatically constitute a first charge on the land.

Payments.

20.

- (a) Any waste land or other property which is under the control of the Minister of Agriculture by virtue of these Regulations shall upon expiration of the period of control be restored to the person then entitled to have control thereof.
- (b) A committee established under regulation 21 shall determine whether, and if so, to what amount, payment shall be made to the owner in respect of any property handed over to a cultivator under these Regulations and which has been lost, destroyed or damaged (otherwise than by ordinary wear and tear) during the period of control, it shall likewise determine who is liable to pay that amount.
- (c) The committee shall have regard to the circumstances of each case and shall not award payment to the owner in respect of property lost, destroyed or damaged if in the circumstances of the case a hirer would not be legally liable to the lessor in respect of such loss, destruction or damage.

Restoration of property upon expiration of the period of control.

21.

- (a) There shall be established committees each of which shall consist of three members appointed by the Minister of Justice in consultation with the Minister of Agriculture and the Minister of Minorities, and of whom one shall have had agricultural experience or an agricultural education and be the chairman of the committee and the other two shall be representatives of the public.
- (b) The decisions of a committee constituted under subsection (a) shall be final and non-appealable, and they may be executed like non-appealable judgments of a court of law.
- (c) If waste land or any other property passing under the control of the Minister of Agriculture under these Regulations was leased or let by its owner for a term comprising the whole or a part of the period of its control by the Minister of Agriculture, a committee as aforesaid shall apportion between the owner and the lessee or hirer any sum or crops due to, and any sum due from, the owner of the land under these Regulations, as it may think fit, and it shall credit or debit them accordingly.

Committees.

22.

- (a) No person shall take possession of, cultivate or use, otherwise than in accordance with these Regulations, any waste land, water sources, water installation or other property of which the Minister of Agriculture has assumed control un-

Prohibition of use of waste land without per-

- mission from the Minister of Agriculture.
- der these Regulations, without previously obtaining permission in writing from the Minister of Agriculture.
- (b) Anyone contravening the provisions of this regulation shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding one hundred pounds or to both such penalties.
- 23.
- (a) Where any person takes possession of, cultivates or uses, otherwise than in accordance with these Regulations and without previously obtaining permission in writing from the Minister of Agriculture, any waste land or other property of which the Minister of Agriculture has assumed control under these Regulations, the Minister of Agriculture may warn him to relinquish the land or other property within seven days from the day on which the warning is served. If the person to whom the warning is addressed does not comply with it within the time set, he shall be dispossessed of the land or property; for this purpose the police shall act under the instructions of the Minister of Agriculture and may, if necessary, use force for the dispossession of that person.
- (b) The provisions of this regulation shall also apply where a person took possession of, cultivated or used waste land or other property even before it passed under the control of the Minister of Agriculture or before the publication of these Regulations.
24. The Minister of Agriculture may validate all or any acts connected with the cultivation of waste land and done by any person without permission before or after the coming into force of these Regulations, and he may direct that all or any of the provisions of these Regulations shall apply to crops obtained from the land as a result of such acts, to property of the kind referred to in regulation 13 and to investments of the kind referred to in regulation 14, as though the land had been handed over to that person for cultivation under regulation 7(b).
- Validation of previous acts.
25. These Regulations may be cited as the Emergency Regulations (Cultivation of Waste Lands), 5709-1948.
- Title.

5th Tevet, 5709 (6th January, 1949)

David Ben-Gurion  
*Prime Minister*

Felix Rosenblueth  
*Minister of Justice*

Aharon Zisling  
*Minister of Agriculture*



## ISRAEL-EGYPT ARMISTICE AGREEMENT, RHODES, 24 FEBRUARY 1949

*[See also Map 1 in the Annex]*

### PREAMBLE

The parties to the present Agreement, responding to the Security Council resolution of 16 November 1948 calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an Armistice; having decided to enter into negotiations under United Nations Chairmanship concerning the implementation of the Security Council resolutions of 4 and 16 November 1948; and having appointed representatives empowered to negotiate and conclude an Armistice Agreement;

The undersigned representatives, in the full authority entrusted to them by their respective Governments, have agreed upon the following provisions:

### Article I

With a view to promoting the return of permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the Armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties.
2. No aggressive action by the armed forces - land, sea, or air - of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term "planned" in this context has no bearing on normal staff planning as generally practised in military organisations.
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected.
4. The establishment of an armistice between the armed forces of the two Parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.

### Article II

1. In pursuance of the foregoing principles and of the resolutions of the Security Council of 4 and 16 November 1948, a general armistice between the armed forces of the two Parties - land, sea and air - is hereby established.
2. No element of the land, sea or air military or para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Line set forth in Article VI of this Agreement except as provided in Article III of this Agreement; and elsewhere shall not violate the international frontier; or enter into or pass through the air space of the other Party or through the waters within three miles of the coastline of the other Party.

### Article III

1. In pursuance of the Security Council's resolution of 4 November 1948, and with a view to the implementation of the Security Council's resolution of 16 November 1948, the Egyptian Military Forces in the Al Falua area shall be withdrawn.
2. This withdrawal shall begin on the day after that which follows the signing of this Agreement, at 0500 hours GMT, and shall be beyond the Egypt-Palestine frontier.
3. The withdrawal shall be under the supervision of the United Nations and in accordance with the Plan of Withdrawal set forth in Annex I to this Agreement.

### Article IV

With specific reference to the implementation of the resolutions of the Security Council of 4 and 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognised.
2. It is also recognised that the basic purposes and spirit of the Armistice would not be served by the restoration of previously held military positions, changes from those now held other than as specifically provided for in this Agreement, or by the advance of the military forces of either side beyond positions held at the time this Armistice Agreement is signed.
3. It is further recognised that rights, claims or interests of a non-military character in the area of Palestine covered by this Agreement may be asserted by either Party, and that these, by mutual agreement being excluded from the Armistice negotiations, shall be, at the discretion of the Parties, the subject of later settlement. It is emphasised that it is not the purpose of this Agreement to establish, to recognise, to strengthen, or to weaken or nullify, in any way, any territorial, custodial or other rights, claims or interests which may be asserted by either Party in the area of Palestine or any part or locality thereof covered by this Agreement, whether such asserted rights, claims or interests derive from Security Council resolutions, including the resolution of 4 November 1948 and the Memorandum of 13

November 1948 for its implementation, or from any other source. The provisions of this Agreement are dictated exclusively by military considerations and are valid only for the period of the Armistice.

#### Article V

1. The line described in Article VI of this Agreement shall be designated as the Armistice Demarcation Line and is delineated in pursuance of the purpose and intent of the resolutions of the Security Council of 4 and 16 November 1948.
2. The Armistice Demarcation Line is not to be construed in any sense as a political or territorial boundary, and is delineated without prejudice to rights, claims and positions of either Party to the Armistice as regards ultimate settlement of the Palestine question.
3. The basic purpose of the Armistice Demarcation Line is to delineate the line beyond which the armed forces of the respective Parties shall not move except as provided in Article III of this Agreement.
4. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Line defined in Article VI.

#### Article VI

1. In the Gaza-Rafa area the Armistice Demarcation Line shall be as delineated in paragraph 2.B(i) of the Memorandum of 13 November 1948 on the implementation of the Security Council resolution of 4 November 1948, namely by a line from the coast at the mouth of Wadi Hasi in an easterly direction through Deir Suneid and across the Gaza-Al Majdal Highway to a point 3 kilometres east of the Highway, then in a southerly direction parallel to the Gaza-Al Majdal Highway, and continuing thus to the Egyptian frontier.
2. Within this line Egyptian forces shall nowhere advance beyond their present positions, and this shall include Beit Hanun and its surrounding area from which Israeli forces shall be withdrawn to north of the Armistice Demarcation Line, and any other positions within the line delineated in paragraph I which shall be evacuated by Israeli forces as set forth in paragraph 3.
3. Israeli outposts, each limited to platoon strength, may be maintained in this area at the following points: Deir Suneid, on the north side of the Wadi (MR 10751090); 700 SW of Sa'ad (MR 10500982); Sulphur Quarries (MR 09870924); Tall-Jamma (MR 09720887); and KHAL Ma'in (MR 09320821). The Israeli outpost maintained at the Cemetery (MR 08160723) shall be evacuated on the day after that which follows the signing of this Agreement. The Israeli outpost at Hill 79 (MR 10451017) shall be evacuated not later than four weeks following the day on which this Agreement is signed. Following the evacuation of the above outposts, new Israeli outposts may be established at MR 08360700, and at a point due east of Hill 79 east of the Armistice Demarcation Line.
4. In the Bethlehem-Hebron area, wherever positions are held by Egyptian forces, the provisions of this Agreement shall apply to the forces of both Parties in each such locality, except that the demarcation of the Armistice Line and reciprocal arrangements for withdrawal and reduction of forces shall be undertaken in such manner as may be decided by the Parties, at such time as an Armistice Agreement may be concluded covering military forces in that area other than those of the Parties to this Agreement, or sooner at the will of the Parties.

#### Article VII

1. It is recognised by the Parties to this Agreement that in certain sectors of the total area involved, the proximity of the forces of a third party not covered by this Agreement makes impractical the full application of all provisions of the Agreement to such sectors. For this reason alone, therefore, and pending the conclusion of an Armistice Agreement in place of the existing truce with that third party, the provisions of this Agreement relating to reciprocal reduction and withdrawal of forces shall apply only to the western front and not to the eastern front.
2. The areas comprising the western and eastern fronts shall be as defined by the United Nations Chief of Staff of the Truce Supervision Organisation, on the basis of the deployment of forces against each other and past military activity or the future possibility thereof in the area. This definition of the western and eastern fronts is set forth in Annex II of this Agreement.

3. In the area of the western front under Egyptian control, Egyptian defensive forces only may be maintained. All other Egyptian forces shall be withdrawn from this area to a point or points no further east than El Arish-Abou Aoueigila.
4. In the area of the western front under Israeli control, Israeli defensive forces only, which shall be based on the settlements, may be maintained. All other Israeli forces shall be withdrawn from this area to a point or points north of the line delineated in paragraph 2.A of the Memorandum of 13 November 1948 on the implementation of the resolution of the Security Council of 4 November 1948.
5. The defensive forces referred to in paragraphs 3 and 4 above shall be as defined in Annex III to this Agreement.

#### Article VIII

The area comprising the village of El Auja and vicinity, as defined in paragraph 2 of this Article, shall be demilitarised, and both Egyptian and Israeli armed forces shall be totally excluded therefrom. The Chairman of the Mixed Armistice Commission established in Article X of this Agreement and United Nations Observers attached to the Commission shall be responsible for ensuring the full implementation of this provision.

The area thus demilitarised shall be as follows: From a point on the Egypt-Palestine frontier five (5) kilometres northwest of the intersection of the Rafah-El Auja road and the frontier (MR 08750468), southeast to Khashm El Mamdud (MR 09650414), thence southeast to Hill 405 (MR 10780285), thence southwest to a point on the Egypt-Palestine frontier five (5) kilometres southeast of the intersection of the old railway tracks and the frontier (MR 09950145), thence returning northwest along the Egypt-Palestine frontier to the point of origin.

On the Egyptian side of the frontier, facing the El Auja area, no Egyptian defensive positions shall be closer to El Auja than El Qouseima and Abou Aoueigila.

The road Taba-Qouseima-Auja shall not be employed by any military forces whatsoever for the purpose of entering Palestine.

The movement of armed forces of either Party to this Agreement into any part of the area defined in paragraph 2 of this Article, for any purpose, or failure by either Party to respect or fulfil any of the other provisions of this Article, when confirmed by the United Nations representatives, shall constitute a flagrant violation of this Agreement.

#### Article IX

All prisoners of war detained by either Party to this Agreement and belonging to the armed forces, regular or irregular, of the other Party shall be exchanged as follows:

1. The exchange of prisoners of war shall be under United Nations supervision and control throughout. The exchange shall begin within ten days after the signing of this Agreement and shall be completed not later than twenty-one days following. Upon the signing of this Agreement, the Chairman of the Mixed Armistice Commission established in Article X of this Agreement, in consultation with the appropriate military authorities of the Parties, shall formulate a plan for the exchange of prisoners of war within the above period, defining the date and places of exchange and all other relevant details.
2. Prisoners of war against whom a penal prosecution may be pending, as well as those sentenced for crime or other offence, shall be included in this exchange of prisoners.
3. All articles of personal use, valuables, letters, documents, identification marks, and other personal effects of whatever nature, belonging to prisoners of War who are being exchanged, shall be returned to them, or, if they have escaped or died, to the Party to whose armed forces they belonged.
4. All matters not specifically regulated in this Agreement shall be decided in accordance with the principles laid down in the International Convention Relating to the Treatment of Prisoners of War, signed at Geneva on 27 July 1929.
5. The Mixed Armistice Commission established in Article X of this Agreement shall assume, responsibility for locating missing persons, whether military or civilian, within the areas controlled by each Party, to facilitate their expeditious exchange. Each Party undertakes to extend to the Commission full co-operation and assistance in the discharge of this function.

Article X

1. The execution of the provisions of this Agreement shall be supervised by a Mixed Armistice Commission composed of seven members, of whom each Party to this Agreement shall designate three, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organisation or a senior officer from the Observer personnel of that Organisation designated by him following consultation with both Parties to this Agreement.
2. The Mixed Armistice Commission shall maintain its headquarters at El Auja, and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of its work.
3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organisation not later than one week following the signing of this Agreement.
4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by a majority vote of the members of the Commission present and voting. On questions of principle, appeal shall lie to a Special Committee, composed of the United Nations Chief of Staff of the Truce Supervision Organisation and one member each of the Egyptian and Israeli Delegations to the Armistice Conference at Rhodes or some other senior officer, whose decisions on all such questions shall be final. If no appeal against a decision of the Commission is filed within one week from the date of said decision, that decision shall be taken as final. Appeals to the Special Committee shall be presented to the United Nations Chief of Staff of the Truce Supervision Organisation, who shall convene the Committee at the earliest possible date.
5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the Members by the Chairman. The quorum for its meetings shall be a majority of its members.
6. The Commission shall be empowered to employ Observers, who may be from among the military organisations of the Parties or from the military personnel of the United Nations Truce Supervision Organisation, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations Observers should be so employed, they shall remain under the command of the United Nations Chief of Staff of the Truce Supervision Organisation. Assignments of a general or special nature given to United Nations Observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.
7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.
8. Where interpretation of the meaning of a particular provision of this Agreement is at issue, the Commission's interpretation shall prevail, subject to the right of appeal as provided in paragraph 4. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.
9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.
10. Members of the Commission and its Observers shall be accorded such freedom of movement and access in the areas covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission are reached by a majority vote United Nations Observers only shall be employed.
11. The expenses of the Commission, other than those relating to United Nations Observers, shall be apportioned in equal shares between the two Parties to this Agreement.

Article XI

No provision of this Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question.

Article XII

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.
2. This Agreement, having been negotiated and concluded in pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an armistice in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this Article.
3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than Articles I and II, at any time. In the absence of mutual agreement and after this Agreement has been in effect for one year from the date of its signing, either of the Parties may call upon the Secretary-General of the United Nations to convoke a conference of representatives of the two Parties for the purpose of reviewing, revising or suspending any of the provisions of this Agreement other than Articles I and II. Participation in such conference shall be obligatory upon the Parties.
4. If the conference provided for in paragraph 3 of this Article does not result in an agreed solution of a point in dispute, either Party may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that this Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.
5. This Agreement supersedes the Egyptian-Israeli General Cease-fire Agreement entered into by the Parties on 24 January 1949.
6. This Agreement is signed in quintuplicate, of which one copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Security Council and to the United Nations Conciliation Commission on Palestine, and one copy to the Acting Mediator on Palestine.

*In faith whereof* the undersigned representatives of the Contracting Parties have signed hereafter, in the presence of the United Nations Acting Mediator on Palestine and the United Nations Chief of Staff of the Truce Supervision Organisation.

Done at Rhodes, Island of Rhodes, Greece, on the twenty-fourth of February nineteen forty-nine.

For and on behalf of the Government of Egypt

*Signed:* Mahmed Seif El Dine  
M. K. El Raliniy

For and on behalf of the Government of Israel

*Signed:* Walter Eytan  
Yigael Yadin  
Elias Sasson

ANNEX I

PLAN OF WITHDRAWAL FROM AL FALUJA

The withdrawal of Egyptian troops with all of their military impedimenta from the Al Faluja area to points beyond the Egypt-Palestine frontier shall be executed in accordance with the following plan:

1. The withdrawal operation shall begin on 26th February 1949 at 0500 hours GMT and shall be under United Nations supervision and control throughout.
2. In view of the substantial number of troops involved and in the interest of minimising the possibility of friction and incidents and ensuring effective United Nations supervision during the operation, the execution of the withdrawal shall be completed within a period of five days from the effective date of the plan of withdrawal.
3. The road Al Faluja-Iraq Suweidan-Bureir-Gaza-Rafa shall be used as the route of withdrawal; provided that if this route proves impassable on the date of withdrawal the United Nations Chief of Staff of the Truce Supervision Organisation shall select an alternative route in consultation with both Parties.
4. At least forty-eight hours prior to the scheduled time of withdrawal the General Officer Commanding the Egyptian Forces in Palestine shall submit to the United Nations Chief of Staff (or his representative), for his approval, a detailed plan for the withdrawal of the Egyptian garrison at Al

Faluja, to include: the number of troops and amount and type of material to be withdrawn each day, the number and type of vehicles to be used each day in the withdrawal movement, and the number of trips necessary to complete each day's movement.

5. The detailed plan referred to in paragraph 4 above shall be based on an order of priority in the withdrawal operation defined by the United Nations Chief of Staff of the Truce Supervision which shall provide inter alia that following the evacuation of sick and Wounded already accounted for, infantry forces together with their personal arms and possessions shall be first evacuated and heavy equipment only in the final stages of the operation. Heavy equipment is to be defined as artillery, armoured cars, tanks, and Bren gun carriers. With a view toward eliminating any possibility of incidents, following the arrival of the infantry contingents at their destination, the evacuation of heavy equipment shall be to a point in Egyptian territory to be designated by the United Nations Chief of Staff and there, as Egyptian property, to be placed and kept under custody, guard and seal of the United Nations until such time as the Chief of Staff is satisfied that the Armistice has become effective, whereupon this equipment will be handed over to the appropriate Egyptian authorities.
6. The Israeli authorities and officers in the Al Faluja-Gaza area shall extend their full co-operation to the operation and shall be responsible for ensuring that during the withdrawal movements the route to be followed shall be free of obstructions of all kinds and that during the operation Israeli troops shall be kept away from the roads over which the withdrawal will take place.
7. United Nations Military Observers shall be stationed with both the Egyptian and Israeli forces to ensure that this plan of withdrawal, and such subsequent instructions relating to its execution as may be issued by the United Nations Chief of Staff, are fully complied with by both Parties. Such inspections as may be necessary in the conduct of the withdrawal shall be made exclusively by United Nations Military Observers, and their decisions in all such cases shall be accepted as final. On the sole basis of military considerations involving the forces of the two Parties to this Agreement as well as third party forces in the area not covered by this Agreement, the demarcation of the western and eastern fronts in Palestine is to be understood as follows:

*a. Western Front:*

The area south and west of the line delineated in paragraph 2.A of the Memorandum of 13 November 1948 on the implementation of the resolution of the Security Council of 4 November 1948, from its point of origin on the west to the point at MR 12581196, thence south along the road to Hatta-Al Faluja - RJ at MR 12140823 - Beersheba and ending north of Bir Asluj at point 402.

*b. Eastern Front:*

The area east of the line described in paragraph a above, and from point 402 down to the southernmost tip of Palestine, by a straight line marking half the distance between the Egypt-Palestine and Transjordan-Palestine frontiers.

*(Signed)* Brig. Gen. William E. Riley  
United States Marine Corps  
United Nations Chief of Staff of the Truce Supervision Organisation  
Rhodes, 24th February, 1949

ANNEX III  
DEFINITION OF DEFENSIVE FORCES

I. Land Forces

1. Shall not exceed:

- (a) 3 inf bns, each bn to consist of not more than 800 officers and o.r.s and composed of not more than
  - (i) 4 rifle coys with ordinary inf. S. A. equipment (rifles, LMG's, SMG's, light mortars (e.g. 2"), A/tk rifles or Piat,
  - (ii) 1 support coy with not more than 6 MMG's, 6 mortars not heavier than 3", 4 A/tk guns not heavier than 6 pdrs,
  - (iii) 1 HQ coy.
- (b) 1 bty of 8 field guns not heavier than 25 pdrs.
- (c) 1 bty of 8 A.A. guns not heavier than 40 mm.

2. The following are excluded from the term "Defensive Forces":

- (a) Armour, such as tanks, AC's, Bren-carriers, half-tracks, load carriers or any other AFV's.
- (b) All support arms and units other than those specified in paragraph 1(a) (ii), 1(b) and 1(c) above.

3. Service units will be in accordance with a plan to be prepared and approved by the Mixed Armistice Commission.

### II. Air Forces

In the areas where Defensive Forces only will be allowed the following stipulations regarding air forces will be observed:

1. No military air fields, airstrips, landing grounds or installations shall be maintained.
2. No military aircraft shall take off or land except in an emergency.

### III. Sea Forces

No naval base shall be established in areas where Defensive Forces only will be allowed, nor shall any warship or military vessel enter the territorial waters adjacent thereto.

IV. In the areas in which defensive forces only are to be maintained, the necessary reduction of forces shall be completed within four weeks from the date on which this agreement is signed.

### EXCHANGE OF LETTERS.

To: Dr. Walter Eytan, Rhodes, 24th February, 1949  
Head of the Israeli Delegation at Rhodes  
From: Ralph J. Bunche, Acting Mediator

In connection with the Egyptian-Israeli General Armistice Agreement, your confirmation is desired of the understanding that no Israeli forces shall be in the village of Bir Asluj.

*Signed:* Ralph J. Bunche

To: Dr. Ralph J. Bunche, Rhodes, 24th February, 1949  
Acting Mediator on Palestine, Rhodes  
From: Walter Eytan, Head of the Israeli Delegation

In connection with the Egyptian-Israeli General Armistice Agreement I confirm the understanding that no Israeli forces shall be in the village of Bir Asluj.

*Signed:* Walter Eytan

To: Dr. Walter Eytan, Rhodes, 24th February, 1949  
Head of the Israeli Delegation at Rhodes  
From: Ralph J. Bunche, Acting Mediator

In connection with the Egyptian- Israeli General Armistice Agreement, your confirmation is desired of the understanding that in the course of the evacuation of the Egyptian Force at Al Faluja, provided for in Article III of the Agreement, such of the civilian population at Al Faluja and Iraq Al Manshiya as may wish to do so may also be evacuated along with the Egyptian Force, Those of the civilian population who may wish to remain in Al Faluja and Iraq Al Manshiya are to be permitted to do so. Those of the civilian population who may wish to do so may proceed to the Hebron area under United Nations escort and supervision. All of these civilians shall be fully secure in their persons, abodes, property and personal effects.

*Signed:* Walter Eytan

To: Dr. Ralph J. Bunche, Rhodes, 24th February, 1949  
Acting Mediator on Palestine, Rhodes  
From: Walter Eytan, Head of the Israeli Delegation at Rhodes

In connection with the Egyptian-Israeli General Armistice Agreement, I confirm the understanding that, in the course of the evacuation of the Egyptian Force at Al Faluja, provided for in Article III of the Agreement, such of the civilian population at Al Faluja and Iraq Al Manshiya as may wish to do so may also be evacuated along with the Egyptian force. Those of the civilian

population who may wish to remain in Al Faluja and Iraq Al Manshiya are to be permitted to do so. Those of the civilian population who may wish to do so may proceed to the Hebron area under United Nations escort and supervision. All of these civilians shall be fully secure in their persons, abodes, property and personal effects.

The Government of Israel reserves the right to treat as prisoners of war any persons electing to remain in the Al Faluja and Iraq Al Manshiya areas who may be identified as having taken part in the fighting in Palestine.

*Signed:* Walter Eytan

To: Dr. Walter Eytan, Rhodes, 24th February, 1949  
Head of the Israeli Delegation at Rhodes  
From: Ralph J. Bunche, Acting Mediator

In connection with the Egyptian- Israeli General Armistice Agreement your confirmation is desired of the understanding that at any time following the signing of this Agreement, the Egyptian Forces now in the Bethlehem-Hebron area, together with all of their arms, equipment, personal possessions and vehicles, may be withdrawn across the Egyptian frontier exclusively under United Nations Chief of Staff of the Truce Supervision in consultation with the appropriate Israeli authorities.

*Signed:* Ralph J. Bunche

To: Dr. Ralph J. Bunche, Rhodes, 24th February, 1949  
Acting Mediator on Palestine, Rhodes  
From: Walter Eytan, Head of the Israeli Delegation at Rhodes

In connection with the Egyptian- Israeli General Armistice Agreement I confirm the understanding that at any time following the signing of this Agreement, the Egyptian Forces now in the Bethlehem-Hebron area, together with all of their arms, equipment, personal possessions and vehicles, may be withdrawn across the Egyptian frontier exclusively under United Nations supervision and escort, and by a direct route to be determined by the United Nations Chief of Staff of the Truce Supervision in consultation with the appropriate Israeli authorities.

*Signed:* Walter Eytan

To: Colonel Seif El Dine, Rhodes, 24th February, 1949  
Head of the Egyptian Delegation at Rhodes  
From: Ralph J. Bunche, Acting Mediator

In connection with the Egyptian-Israel General Armistice Agreement your confirmation is desired of the understanding that my military camps or corporate localities now astride the Hatta-Al-Faluja-Beersheba road, or which are located not more than 200 metres west of this road, shall be considered as falling within the area of the eastern front as defined in Annex II of the Agreement.

*Signed:* Ralph J. Bunche

To: Dr. Ralph J. Bunche, Rhodes, 24th February, 1949  
Acting Mediator on Palestine, Rhodes  
From: Colonel Seif El Dine

In reply to your note dated February 19th 1949, I beg to inform you that the Egyptian Delegation agrees to consider any military camps or corporate localities now astride the Hatta-Al-Faluja-Beersheba road, which are located at not more than 200 meters west of this road, as falling within the area of the eastern front as defined in Annex II of the Armistice Agreement signed today.

*Signed:* Seif El Dine



**LEBANESE-ISRAELI GENERAL ARMISTICE AGREEMENT,  
RAS AN-NAQURA, 23 MARCH 1949**

*[See also Map 1 in the Annex]*

PREAMBLE

The parties to the present agreement, responding to the Security Council resolution of 16 November 1948 calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an Armistice; having decided to enter into negotiations under United Nations Chairmanship concerning the implementation of the Security Council resolution 16 November 1948; and having appointed representatives empowered to negotiate and conclude an armistice agreement; The undersigned representatives, having exchanged their full powers found to be in good and proper form, have agreed upon the following provisions:

Article I

With a view to promoting the return of permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the Armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties.
2. No aggressive action by the armed forces - land, sea, or air - of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term "planned" in this context has no bearing on normal staff planning as generally practised in military organizations.
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected.
4. The establishment of an armistice between the armed forces of the two Parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.

Article II

With a specific view to the implementation of the resolution of the Security Council of 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized,
2. It is also recognized that no provision of this Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question;
  - (a) The provisions of this agreement being dictated exclusively by military considerations.

Article III

1. In pursuance of the foregoing principles and of the resolution of the Security Council of 16 November 1948, a general armistice between the armed forces of the two Parties - land, sea and air - is hereby established.
2. No element of the land, sea or air military or para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Line set forth in Article V of this Agreement; or enter into or pass through the air space of the other Party or through the waters within three miles of the coastline of the other Party.
3. No warlike act or act of hostility shall be conducted from territory controlled by one of the parties to this Agreement against the other Party.

Article IV

1. The line described in Article V of this Agreement shall be designated as the Armistice Demarcation Line and is delineated in pursuance of the purpose and intent of the resolutions of the Security Council of 16 November 1948.
2. The basic purpose of the Armistice Demarcation Line is to delineate the line beyond which the armed forces of the respective Parties shall not move.
3. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Line defined in Article V.

Article V

1. The Armistice Demarcation Line should follow the international boundary between Lebanon and Palestine.
2. In the region of the Armistice Demarcation Line the military forces of the Parties shall consist of defensive forces only as is defined in the Annex to this Agreement.
3. Withdrawal of forces to the Armistice Demarcation Line and their reduction to defensive strength in accordance with the preceding paragraph shall be completed within ten days of the signing of this Agreement. In the same way the removal of mines from mined roads and areas evacuated by either Party and the transmission of plans showing the location of such minefields to the other Party shall be completed within the same period.

Article VI

All prisoners of war detained by either Party to this Agreement and belonging to the armed forces, regular or irregular, of the other Party shall be exchanged as follows:

1. The exchange of prisoners of war shall be under United Nations supervision and control throughout. The exchange shall take place at Ras En Naqura within twenty-four hours of the signing of this Agreement.
2. Prisoners of war against whom a penal prosecution may be pending, as well as those sentenced for crime or other offense, shall be included in this exchange of prisoners.
3. All articles of personal use, valuables, letters, documents, identification marks, and other personal effects of whatever nature, belonging to prisoners of war who are being exchanged, shall be returned to them, or, if they have escaped or died, to the Party to whose armed forces they belonged.
4. All matters not specifically regulated in this Agreement shall be decided in accordance with the principles laid down in the International Convention Relating to the Treatment of Prisoners of War, signed at Geneva on 27 July 1929.
5. The Mixed Armistice Commission established in Article VII of this Agreement shall assume responsibility for locating missing persons, whether military or civilian, within the areas controlled by each Party, to facilitate their expeditious exchange. Each Party undertakes to extend to the Commission full co-operation and assistance in the discharge of this function.

Article VII

1. The execution of the provisions of this Agreement shall be supervised by a Mixed Armistice Commission composed of seven members, of whom each Party to this Agreement shall designate three, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organization or a senior officer from the Observer personnel of that Organization designated by him following consultation with both Parties to this Agreement.
2. The Mixed Armistice Commission shall maintain its headquarters at the frontier post North of Metulla and the Lebanese frontier post at En Naqoura, and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of the work.
3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organization not later than one week following the signing of this Agreement.

4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by a majority vote of the members of the Commission present and voting.
5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.
6. The Commission shall be empowered to employ Observers, who may be from among the military organizations of the Parties or from the military personnel of the United Nations Truce Supervision Organization, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations Observers should be so employed, they shall remain under the command of the United Nations Chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to United Nations Observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.
7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.
8. Where interpretation of the meaning of a particular provision of this Agreement, other than the Preamble and Articles I and II, is at issue, the Commission's interpretation shall prevail, subject to the right of appeal as provided in paragraph 4. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.
9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.
10. Members of the Commission and its Observers shall be accorded such freedom of movement and access in the areas covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission are reached by a majority vote United Nations Observers only shall be employed.
11. The expenses of the Commission, other than those relating to United Nations Observers, shall be apportioned in equal shares between the two Parties to this Agreement.

#### Article VIII

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.
2. This Agreement, having been negotiated and concluded in pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an Armistice in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this Article.
3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than Articles I and III, at any time. In the absence of mutual agreement and after this Agreement has been in effect for one year from the date of its signing, either of the Parties may call upon the Secretary-General of the United Nations to convoke a conference of representatives of the two Parties for the purpose of reviewing, revising or suspending any of the provisions of this Agreement other than Articles I and III. Participation in such conference shall be obligatory upon the Parties.
4. If the conference provided for in paragraph 3 of this Article does not result in an agreed solution of a point in dispute, either Party may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that this Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.
5. This Agreement is signed in quintuplicate, of which one copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Secu-

riety Council and to the United Nations Conciliation Commission on Palestine, and one copy to the Acting Mediator in Palestine.

Done at Ras En Naqoura on 23 March 1949 in the presence of the Personal Deputy of the United Nations Acting Mediator in Palestine and the United Nations Chief of Staff of the Truce Supervision Organization.



**US CONGRESSIONAL JOINT RESOLUTION AUTHORIZING A SPECIAL US CONTRIBUTION FOR THE RELIEF OF PALESTINE REFUGEES, WASHINGTON, 24 MARCH 1949**

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated to the President, out of any money in the Treasury not otherwise appropriated, not to exceed \$16,000,000 as a special contribution by the United States to the United Nations for the purposes set forth in the resolution of the General Assembly of the United Nations of November 19, 1948, providing for the relief of Palestine refugees.

SEC. 2. Notwithstanding the provision of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to section 1, to make advances to the President, not to exceed in the aggregate \$8,000,000, to carry out the provisions of this joint resolution. From appropriations authorized under section 1, there shall be repaid to the Reconstruction Finance Corporation, without interest, the advances made by it under authority contained herein. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance Corporation in implementation of this section.



**JORDANIAN-ISRAELI GENERAL ARMISTICE AGREEMENT,  
RHODES, 3 APRIL 1949**

*[See also Map 1 in the Annex]*

PREAMBLE

The Parties to the present Agreement,

*Responding* to the Security Council resolution of 16 November 1948,<sup>13</sup> calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an armistice;

*Having decided* to enter into negotiations under United Nations chairmanship concerning the implementation of the Security Council resolution of 16 November 1948; and having appointed representatives empowered to negotiate and conclude an Armistice Agreement;

The undersigned representatives of their respective Governments, *having exchanged* their full powers found to be in good and proper form, have agreed upon the following provisions:

Article I

With a view to promoting the return of permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties;

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<sup>13</sup> *See Official Records of the Security Council, Third Year, No. 126 (381st meeting), page 53.*

2. No aggressive action by the armed forces - land, sea, or air - of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term planned in this context has no bearing on normal staff planning as generally practised in military organizations;
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected;
4. The establishment of an armistice between the armed forces of the two Parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.

#### Article II

With a specific view to the implementation of the resolution of the Security Council of 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized;
2. It is also recognized that no provision of this Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question, the provisions of this Agreement being dictated exclusively by military considerations.

#### Article III

1. In pursuance of the foregoing principles and of the resolution of the Security Council of 16 November 1948, a general armistice between the armed forces of the two Parties - land, sea and air - is hereby established.
2. No element of the land, sea or air military or para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Lines set forth in articles V and VI of this Agreement; or enter into or pass through the air space of the other Party.
3. No warlike act or act of hostility shall be conducted from territory controlled by one of the Parties to this Agreement against the other Party.

#### Article IV

1. The lines described in articles V and VI of this Agreement shall be designated as the Armistice Demarcation Lines and are delineated in pursuance of the purpose and intent of the resolution of the Security Council of 16 November 1948.
2. The basic purpose of the Armistice Demarcation Lines is to delineate the lines beyond which the armed forces of the respective Parties shall not move.
3. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Lines defined in articles V and VI.

#### Article V

1. The Armistice Demarcation Lines for all sectors other than the sector now held by Iraqi forces shall be as delineated on the maps <sup>3/14</sup> in annex I to this Agreement, and shall be defined as follows:
  - (a) In the sector Kh Deir Arab (MR 1510-1574) to the northern terminus of the lines defined in the 30 November 1948 Cease-Fire Agreement for the Jerusalem area, the Armistice Demarcation Lines shall follow the truce lines as certified by the United Nations Truce Supervision Organization;

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<sup>14</sup> *3/ Note by the Secretariat.* The photo-offsets of the two officially signed maps comprising annex I will be found at the end of this fascicule. For purposes of reproduction, it has been necessary to present the map of Palestine (map 1) as a north sheet (part 1) and a south sheet (part 2). Map 2 is a survey map of Jerusalem which should be consulted in connexion with sub-paragraph (b) of article V. The line referred to in sub-paragraph (d) of article V begins on part 1 of map 1 (blue line south of the Jerusalem area) and continues south on part 2. For all other geographical references in articles V and VI, map 1, part 1 should be consulted. The truce lines referred to in sub-paragraph (a) of article V are the red and green lines on the latter map.

- (b) In the Jerusalem sector, the Armistice Demarcation Lines shall correspond to the lines defined in the 30 November 1948 Cease-Fire Agreement for the Jerusalem area;
- (c) In the Hebron-Dead Sea sector, the Armistice Demarcation Line shall be as delineated on map I and marked B in annex I to this Agreement;
- (d) In the sector from a point on the Dead Sea (MR 1925-0958) to the southernmost tip of Palestine, the Armistice Demarcation Line shall be determined by existing military positions as surveyed in March 1949 by United Nations observers, and shall run from north to south as delineated on map I in annex I to this Agreement.

#### Article VI

1. It is agreed that the forces of the Hashemite Jordan Kingdom shall replace the forces of Iraq in the sector now held by the latter forces, the intention of the Government of Iraq in this regard having been communicated to the Acting Mediator in the message of 20 March from the Foreign Minister of Iraq authorizing the delegation of the Hashemite Jordan Kingdom to negotiate for the Iraqi forces and stating that those forces would be withdrawn.
2. The Armistice Demarcation Line for the sector now held by Iraqi forces shall be as delineated on map I in Annex I to this Agreement and marked A.
3. The Armistice Demarcation Line provided for in paragraph 2 of this article shall be established in stages as follows, pending which the existing military lines may be maintained:
  - (a) In the area west of the road from Baqa to Jaljulia, and thence to the east of Kafr Qasim: within five weeks of the date on which this Armistice Agreement is signed;
  - (b) In the area of Wadi Ara north of the line from Baqa to Zubeiba: within seven weeks of the date on which this Armistice Agreement is signed;
  - (c) In all other areas of the Iraqi sector: within fifteen weeks of the date on which this Armistice Agreement is signed.
4. The Armistice Demarcation Line in the Hebron-Dead Sea sector, referred to in paragraph (c) of article V of this Agreement and marked B on map 1 in annex I, which involves substantial deviation from the existing military lines in favour of the forces of the Hashemite Jordan Kingdom, is designated to offset the modifications of the existing military lines in the Iraqi sector set forth in paragraph 3 of this article.
5. In compensation for the road acquired between Tulkarem and Qalqiliya, the Government of Israel agrees to pay to the Government of the Hashemite Jordan Kingdom the cost of constructing twenty kilometres of first-class new road.
6. Wherever villages may be affected by the establishment of the Armistice Demarcation Line provided for in paragraph 2 of this article, the inhabitants of such villages shall be entitled to maintain, and shall be protected in, their full rights of residence, property and freedom. In the event any of the inhabitants should decide to leave their villages, they shall be entitled to take with them their livestock and other movable property, and to receive without delay full compensation for the land which they have left. It shall be prohibited for Israeli forces to enter or to be stationed in such villages, in which locally recruited Arab police shall be organized and stationed for internal security purposes.
7. The Hashemite Jordan Kingdom accepts responsibility for all Iraqi forces in Palestine.
8. The provisions of this article shall not be interpreted as prejudicing, in any sense, an ultimate political settlement between the Parties to this Agreement.
9. The Armistice Demarcation Lines defined in articles V and VI of this Agreement are agreed upon by the Parties without prejudice to future territorial settlements or boundary lines or to claims of either Party relating thereto.
10. Except where otherwise provided, the Armistice Demarcation Lines shall be established, including such withdrawal of forces as may be necessary for this purpose, within ten days from the date on which this Agreement is signed.
11. The Armistice Demarcation Lines defined in this article and in article V shall be subject to such rectification as may be agreed upon by the Parties to this Agreement, and all such rectifications shall have the same force and effect as if they had been incorporated in full in this General Armistice Agreement.

#### Article VII

1. The military forces of the Parties to this Agreement shall be limited to defensive forces only in the areas extending ten kilometres from each side of the Armistice Demarcation Lines, except where geographical considerations make this impractical, as at the southernmost tip of Palestine and the coastal strip. Defensive forces permissible in each sector shall be as defined in annex II to this Agreement. In the sector now held by Iraqi forces, calculations on the reduction of forces shall include the number of Iraqi forces in this sector.
2. Reduction of forces to defensive strength in accordance with the preceding paragraph shall be completed within ten days of the establishment of the Armistice Demarcation Lines defined in this Agreement. In the same way the removal of mines from mined roads and areas evacuated by either Party, and the transmission of plans showing the location of such minefields to the other Party, shall be completed within the same period.
3. The strength of the forces which may be maintained by the Parties on each side of the Armistice Demarcation Lines shall be subject to periodical review with a view toward further reduction of such forces by mutual agreement of the Parties.

#### Article VIII

1. A Special Committee, composed of two representatives of each Party designated by the respective Governments, shall be established for the purpose of formulating agreed plans and arrangements designed to enlarge the scope of this Agreement and to effect improvements in its application.
2. The Special Committee shall be organized immediately following the coming into effect of this Agreement and shall direct its attention to the formulation of agreed plans and arrangements for such matters as either Party may submit to it, which, in any case, shall include the following, on which agreement in principle already exists: free movement of traffic on vital roads, including the Bethlehem and Latrun-Jerusalem roads, resumption of the normal functioning of the cultural and humanitarian institutions on Mount Scopus and free access thereto; free access to the Holy Places and cultural institutions and use of the cemetery on the Mount of Olives; resumption of operation of the Latrun pumping station; provision of electricity for the Old City; and resumption of operation of the railroad to Jerusalem.
3. The Special Committee shall have exclusive competence over such matters as may be referred to it. Agreed plans and arrangements formulated by it may provide for the exercise of supervisory functions by the Mixed Armistice Commission established in article XI.

#### Article IX

Agreements reached between the Parties subsequent to the signing of this Armistice Agreement relating to such matters as further reduction of forces as contemplated in paragraph 3 of article VII, future adjustments of the Armistice Demarcation Lines, and plans and arrangements formulated by the Special Committee established in article VIII, shall have the same force and effect as the provisions of this Agreement and shall be equally binding upon the Parties.

#### Article X

An exchange of prisoners of war having been effected by special arrangement between the Parties prior to the signing of this Agreement, no further arrangements on this matter are required except that the Mixed Armistice Commission shall undertake to re-examine whether there may be any prisoners of war belonging to either Party which were not included in the previous exchange. In the event that prisoners of war shall be found to exist, the Mixed Armistice Commission shall arrange for an early exchange of such prisoners. The Parties to this Agreement undertake to afford full co-operation to the Mixed Armistice Commission in its discharge of this responsibility.

#### Article XI

1. The execution of the provisions of this Agreement, with the exception of such matters as fall within the exclusive competence of the Special Committee established in article VIII, shall be su-

- pervised by a Mixed Armistice Commission composed of five members, of whom each Party to this Agreement shall designate two, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organization or a senior officer from the observer personnel of that organization designated by him following consultation with both Parties to this Agreement.
2. The Mixed Armistice Commission shall maintain its headquarters at Jerusalem and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of its work.
  3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organization not later than one week following the signing of this Agreement.
  4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by a majority vote of the members of the Commission present and voting.
  5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.
  6. The Commission shall be empowered to employ observers, who may be from among the military organizations of the Parties or from the military personnel of the United Nations Truce Supervision Organization, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations observers should be so employed, they shall remain under the command of the United Nations Chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to United Nations observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.
  7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.
  8. Where interpretation of the meaning of a particular provision of this Agreement, other than the preamble and articles I and II, is at issue, the Commission's interpretation shall prevail. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.
  9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.
  10. Members of the Commission and its observers shall be accorded such freedom of movement and access in the area covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission are reached by a majority vote United Nations observers only shall be employed.
  11. The expenses of the Commission, other than those relating to United Nations observers, shall be apportioned in equal shares between the two Parties to this Agreement.

#### Article XII

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.
2. This Agreement, having been negotiated and concluded in pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an armistice in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this article.
3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than articles I and III, at any time. In the absence of mutual agreement and after this Agreement has been in effect for one year from the date of its signing, either of the Parties may call upon the Secretary-General of the United Nations to con-

voke a conference of representatives of the two Parties for the purpose of reviewing, revising, or suspending any of the provisions of this Agreement other than articles I and III. Participation in such conference shall be obligatory upon the Parties.

4. If the conference provided for in paragraph 3 of this article does not result in an agreed solution of a point in dispute, either Party may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that this Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.
5. This Agreement is signed in quintuplicate <sup>4/15</sup>, of which one copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Security Council and to the United Nations Conciliation Commission on Palestine, and one copy to the United Nations Acting Mediator on Palestine.

DONE at Rhodes, Island of Rhodes, Greece, on the third of April one thousand nine hundred and forty-nine in the presence of the United Nations Acting Mediator on Palestine and the United Nations Chief of Staff of the Truce Supervision Organization.

For and on behalf of the Government  
of the Hashemite Jordan Kingdom

(Signed) Colonel Ahmed Sudki EL-JUNDI  
Lieutenant-Colonel Mohamed MAAYTE

For and on behalf of the  
Government of Israel

(Signed) Reuven SHILOAH  
Lieutenant-Colonel Moshe DAYAN

#### ANNEX I

#### MAPS DELINEATING ARMISTICE DEMARCATION LINES

[These maps follow annex II, and are explained in the [end]note [3] by the Secretariat to article V of the Agreement.]

#### ANNEX II

#### DEFINITION OF DEFENSIVE FORCES

I. For the purposes of this Agreement defensive forces shall be defined as follows:

##### 1. Land forces

- (a) A standard battalion to consist of not more than 800 officers and other ranks, and to be composed of not more than:
  - (i) Four rifle companies with ordinary infantry equipment; rifles, LMG's, SMG's, light mortars, anti-tank rifles and PIAT.  
The light mortars shall not be heavier than 2 inch.  
The following number of weapons per battalion shall not be exceeded: 48 LMG's, 16 mortars 2 inch, 8 PIAT's;
  - (ii) One support company with not more than six MMG's, six mortars and not heavier than 3 inch, four anti-tank guns not heavier than six-pounders;
  - (iii) One headquarters company;
- (b) The artillery and anti-aircraft artillery to be allotted to the defensive forces shall consist of the following type of weapons: field guns not heavier than twenty-five pounders, the anti-aircraft guns not heavier than forty millimetres.

##### 2. The following are excluded from the term "defensive forces":

- (a) Armour, such as tanks of all types, armoured cars, Bren gun carriers, half-tracks, armoured vehicles or load carriers, or any other armoured vehicles;
- (b) All support arms and units other than those specified in paragraphs 1(a) i and ii, and 1 (b) above;
- (c) Service units to be agreed upon.

<sup>15</sup> <sup>4/</sup> All of the signed copies were in English, the English text being the only authentic one.

### 3. Air forces

In the areas where defensive forces only are permitted airfields, airstrips, landing fields and other installations, and military aircraft shall be employed for defensive and normal supply purposes only.

II. The defensive forces which may be maintained by each Party in the areas extending ten kilometres from each side of the Armistice Demarcation Lines, as provided in paragraph 1 of article VI, shall be as follows for the sectors described in article V, paragraph 1:

1. Sector Kh Deir Arab (MR 1510-1574) to the northern terminus of the lines defined in the 30 November 1948 Cease-Fire Agreement for the Jerusalem area: one battalion each.
2. Jerusalem sector: two battalions each.
3. Hebron-Dead Sea sector: one battalion each.
4. Sector Engeddi to Eylat: three battalions each. In addition, each side will be allowed one squadron of light armoured cars consisting of not more than 13 light armoured cars or half tracks. The weapons permissible on these vehicles will be determined by the Mixed Armistice Commission.
5. Sector now held by Iraqi forces: five battalions each, and one squadron of armoured cars each.

#### MAPS DELINEATING ARMISTICE DEMARCATION LINES

*Palestine (North & South sheets), Jerusalem, Latrun*  
*[for the original annex see*

[http://domino.un.org/UNISPAL.NSF/9a798adbf322aff38525617b006d88d7/f03d55e48f77ab698525643b00608d34/\\$FILE/Arm\\_1949.jpg](http://domino.un.org/UNISPAL.NSF/9a798adbf322aff38525617b006d88d7/f03d55e48f77ab698525643b00608d34/$FILE/Arm_1949.jpg), The Ed.]



#### **POPE PIUS XII, 'REDEMPTORIS NOSTRI CRUCIATUS,' ENCYCLICAL ON THE HOLY PLACES IN PALESTINE, ROME, 15 APRIL 1949**

To the Venerable Brethren the Patriarchs, Primates, Archbishops, Bishops, and other Ordinaries in Peace and Communion with the Apostolic See.

1. The passion of our redeemer, rendered present, as it were to us during these days of Holy Week, makes the minds of Christians turn with deepest reverence to that land which Divine Providence willed to be the cherished home-country of the Word Incarnate, and in which Christ Jesus lived His earthly life, shed His blood and died.
2. Yet at the present time, as We recall the memory of those Holy Places with more ardent devotion, Our heart is full to overflowing with keenest anxiety because of the difficulty and uncertainty of the situation which there prevails.
3. During this past year, We have urged you insistently, Venerable Brethren, in successive letters, that all should join in public prayer to implore the cessation of hostilities which have brought destruction and death in that land, and settlement of the dispute on principles of justice, which would fully safeguard the freedom of Catholics and at the same time provide guarantees for the safety of those most Holy Places.
4. And now that hostilities have ended, or at least have been suspended after the recent truce, We offer Our most sincere and heartfelt thanks to God and voice Our emphatic approval of the labor of those whose noble efforts have contributed towards the re-establishment of peace.
5. But although the actual fighting is over, tranquillity or order in Palestine is still very far from having been restored. For We are still receiving complaints from those who have every right to deplore the profanation of sacred buildings, images, charitable institutions, as well as the destruction of peaceful homes of religious communities. Piteous appeals still reach Us from numerous refugees, of every age and condition, who have been forced by the disastrous war to emigrate and even live in exile in concentration camps, the prey to destitution, contagious disease and perils of every sort.

6. We are not unmindful of the considerable aid contributed by public and private agencies for relief of these suffering thousands; and We Ourselves, continuing the work of charity, organized from the beginning of Our Pontificate, have left nothing undone, within Our means, to meet the more urgent needs of this same unhappy multitude.
7. But the condition of these exiles is so critical and unstable that it cannot longer be permitted to continue. While, therefore, We encourage all generous and noble souls to put forth their best effort to aid these homeless people in their sorrow and destitution, We make an earnest appeal to those responsible that justice may be rendered to all who have been driven far from their homes by the turmoil of war and whose most ardent desire now is to lead peaceful lives once more.
8. During these holy days this is Our fondest hope, and likewise that of all Christian peoples: that peace may finally shed its light over the land where He, Who is called by the Sacred Prophets, "the Prince of Peace" (Is. 9: 6) and by the Apostle of the Gentiles Peace Itself (Eph. 2: 14), lived His life and shed His blood.
9. We have never ceased to pray repeatedly for this enduring and genuine peace. And to the end that it might be brought to fruition and permanence at the earliest possible moment, We have already insisted in Our Encyclical letter *In Multiplicibus*, that the time has come when Jerusalem and its vicinity, where the previous memorials of the Life and Death of the Divine Redeemer are preserved, should be accorded and legally guaranteed an "international" status, which in the present circumstances seems to offer the best and most satisfactory protection for these sacred monuments.
10. We cannot help repeating here the same declaration, encouraged by the thought that it may also serve as an inspiration to Our children. Let them, wherever they are living, use every legitimate means to persuade the rulers of nations, and those whose duty it is to settle this important question, to accord to Jerusalem and its surroundings a juridical status whose stability under the present circumstances can only be adequately assured by a united effort of nations that love peace and respect the right of others.
11. Besides, it is of the utmost importance that due immunity and protection be guaranteed to all the Holy Places of Palestine not only in Jerusalem but also in the other cities and villages as well.
12. Not a few of these places have suffered serious loss and damage owing to the upheaval and devastation of the war. Since they are religious memorials of such moment - objects of veneration to the whole world and an incentive and support to Christian piety - these places should also be suitably protected by definite statute guaranteed by an "international" agreement.
13. We are well aware of the intense desire of Our children, following the ancient tradition, to go on pilgrimage once more to these places from which they were barred by the general disturbed conditions. The Year of Atonement which is at hand increases all the more these desires; it is only natural that during this period the faithful should be more eager than ever to visit that land which was the scene of our Divine Redemption. God grant that these longings be satisfied as soon as possible.
14. To bring about this happy result, it will be necessary, or course, to make such arrangements as will allow pilgrims to approach freely those sacred edifices; enabling each to profess his devotion openly and without hindrance, and to remain there free from fear and danger. It must also be considered objectionable that pilgrims should see these places profaned by sinful and worldly entertainments, which are assuredly an offense to the Divine Redeemer and to the Christian conscience.
15. Moreover, We very much desire that the many Catholic institutions which have been erected in Palestine to help the poor, to educate youth and give hospitality to visitors, may be enabled, as is fitting, to carry on unimpeded the work they did so laudably in the past.
16. Nor can We omit to point out that all rights to the Holy Places, which Catholics during many centuries have acquired and time and again defended valiantly, and which Our predecessors have solemnly and effectively vindicated, should be preserved inviolate. These, Venerable Brethren, are the considerations We wished to put before you.
17. Encourage the faithful committed to your charge to be ever more concerned about the conditions in Palestine and have them make their lawful requests known, positively and unequivocally, to the rulers of nations. But let them especially implore unceasingly the help of Him, Who is the Ruler of Men and Nations. May God look down with mercy on the whole world, but particularly

on that land which was bedewed with the Blood of the Incarnate Word, so that the charity of Jesus Christ, which alone can bring tranquillity and peace, may conquer all hatred and strife.

18. Meantime, may the Apostolic Blessing, which We lovingly impart to you, Venerable Brethren, and to all your flock, be a pledge of heavenly gifts and a token of our affection.

Given at Rome, St. Peter's the fifteenth day of the month of April, Good Friday,  
in the year 1949, the eleventh of Our Pontificate.



**ISRAELI-SYRIAN GENERAL ARMISTICE AGREEMENT,  
HILL 232, NEAR MAHANAYIM, 20 JULY 1949**

*[See also Map 1 in the Annex]*

PREAMBLE

The Parties to the present Agreement,

*Responding* to the Security Council resolution of 16 November 1948, calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an armistice;

*Having decided* to enter into negotiations under United Nations Chairmanship concerning the implementation of the Security Council resolution of 16 November 1948; and having appointed representatives empowered to negotiate and conclude an Armistice Agreement;

The undersigned representatives, *having exchanged* their full powers found to be in good and proper form, have agreed upon the following provisions:

Article I

With a view to promoting the return of permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties. The establishment of an armistice between their armed forces is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.
2. No aggressive action by the armed forces - land, sea or air - of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term "planned" in this context has no bearing on normal staff planning as generally practised in military organizations.
3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected.

Article II

With a specific view to the implementation of the resolution of the Security Council of 16 November 1948, the following principles and purposes are affirmed:

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized.
2. It is also recognized that no provision of this Agreement shall in any way prejudice the rights, claims and positions of either Party hereto in the ultimate peaceful settlement of the Palestine question, the provisions of this Agreement being dictated exclusively by military and not by political considerations.

Article III

1. In pursuance of the foregoing principles and of the resolution of the Security Council of 16 November 1948, a general armistice between the armed forces of the two Parties - land, sea and air - is hereby established.

2. No element of the land, sea or air military or para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Line set forth in Article V of this Agreement; or enter into or pass through the air space of the other Party or through the waters within three miles of the coastline of the other Party.
3. No warlike act or act of hostility shall be conducted from territory controlled by one of the Parties to this Agreement against the other Party or against civilians in territory under control of that Party.

#### Article IV

1. The line described in Article V of this Agreement shall be designated as the Armistice Demarcation Line and is delineated in pursuance of the purpose and intent of the resolution of the Security Council of 16 November 1948.
2. The basic purpose of the Armistice Demarcation Line is to delineate the line beyond which the armed forces of the respective Parties shall not move.
3. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Line defined in Article V, subject to the provisions of paragraph 5 of that Article.

#### Article V

1. It is emphasized that the following arrangements for the Armistice Demarcation Line between the Israeli and Syrian armed forces and for the Demilitarized Zone are not to be interpreted as having any relation whatsoever to ultimate territorial arrangements affecting the two Parties to this Agreement.
2. In pursuance of the spirit of the Security Council resolution of 16 November 1948, the Armistice Demarcation Line and the demilitarized Zone have been defined with a view toward separating the armed forces of the two Parties in such manner as to minimize the possibility of friction and incident, while providing for the gradual restoration of normal civilian life in the area of the Demilitarized Zone, without prejudice to the ultimate settlement.
3. The Armistice Demarcation Line shall be as delineated on the map attached to this Agreement as Annex I. The Armistice Demarcation Line shall follow a line midway between the existing truce lines, as certified by the United Nations Truce Supervision Organization for the Israeli and Syrian forces. Where the existing truce lines run along the international boundary between Syria and Palestine, the Armistice Demarcation Line shall follow the boundary line.
4. The armed forces of the two Parties shall nowhere advance beyond the Armistice Demarcation Line.
5. (a) Where the Armistice Demarcation Line does not correspond to the international boundary between Syria and Palestine, the area between the Armistice Demarcation Line and the boundary, pending final territorial settlement between the Parties, shall be established as a Demilitarized Zone from which the armed forces of both Parties shall be totally excluded, and in which no activities by military or para-military forces shall be permitted. This provision applies to the Ein Gev and Dardara sectors which shall form part of the Demilitarized Zone.
  - (b) Any advance by the armed forces, military or para-military, of either Party into any part of the Demilitarized Zone, when confirmed by the United Nations representatives referred to in the following sub-paragraph, shall constitute a flagrant violation of this Agreement.
  - (c) The Chairman of the Mixed Armistice Commission established in Article VII of this Agreement and United Nations Observers attached to the Commission shall be responsible for ensuring the full implementation of this Article.
  - (d) The withdrawal of such armed forces as are now found in the Demilitarized Zone shall be in accordance with the schedule of withdrawal annexed to this Agreement (Annex II).
  - (e) The Chairman of the Mixed Armistice Commission shall be empowered to authorize the return of civilians to villages and settlements in the Demilitarized Zone and the employment of limited numbers of locally recruited civilian police in the zone for internal security purposes,

and shall be guided in this regard by the schedule of withdrawal referred to in sub-paragraph (d) of this Article.

6. On each side of the Demilitarized Zone there shall be areas, as defined in Annex III to this Agreement, in which defensive forces only shall be maintained, in accordance with the definition of defensive forces set forth in Annex IV to this Agreement.

#### Article VI

All prisoners of war detained by either Party to this Agreement and belonging to the armed forces, regular or irregular, of the other Party, shall be exchanged as follows:

1. The exchange of prisoners of war shall be under United Nations supervision and control throughout. The exchange shall take place at the site of the Armistice Conference within twenty-four hours of the signing of this Agreement.
2. Prisoners of war against whom a penal prosecution may be pending, as well as those sentenced for crime or other offence, shall be included in this exchange of prisoners.
3. All articles of personal use, valuables, letters, documents, identification marks, and other personal effects of whatever nature, belonging to prisoners of war who are being exchanged, shall be returned to them, or, if they have escaped or died, to the Party to whose armed forces they belonged.
4. All matters not specifically regulated in this Agreement shall be decided in accordance with the principles laid down in the International Convention relating to the Treatment of Prisoners of War, signed at Geneva on 27 July 1929.
5. The Mixed Armistice Commission established in Article VII of this Agreement shall assume responsibility for locating missing persons, whether military or civilian, within the areas controlled by each Party, to facilitate their expeditious exchange. Each Party undertakes to extend to the Commission full co-operation and assistance in the discharge of this function.

#### Article VII

1. The execution of the provisions of this Agreement shall be supervised by a Mixed Armistice Commission composed of five members, of whom each Party to this Agreement shall designate two, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organization or a senior officer from the Observer personnel of that Organization designated by him following consultation with both Parties to this Agreement.
2. The Mixed Armistice Commission shall maintain its headquarters at the Customs House near Jisr Banat Yakub and at Mahanayim, and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of its work.
3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organization not later than one week following the signing of this Agreement.
4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by majority vote of the members of the Commission present and voting.
5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.
6. The Commission shall be empowered to employ observers, who may be from among the military organizations of the Parties or from the military personnel of the United Nations Truce Supervision Organization, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations Observers should be so employed, they shall remain under the command of the United Nations chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to United Nations Observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.
7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission

- shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.
8. Where interpretation of the meaning of a particular provision of this Agreement, other than the Preamble and Article I and II, is at issue, the Commission's interpretation shall prevail. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement.
  9. The Mixed Armistice Commission shall submit to both Parties reports on its activities as frequently as it may consider necessary. A copy of each such report shall be presented to the Secretary-General of the United Nations for transmission to the appropriate organ or agency of the United Nations.
  10. Members of the Commission and its Observers shall be accorded such freedom of movement and access in the area covered by this Agreement as the Commission may determine to be necessary, provided that when such decisions of the Commission are reached by a majority vote United Nations Observers only shall be employed.
  11. The expenses of the Commission, other than those relating to United Nations Observers, shall be apportioned in equal shares between the two Parties to this Agreement.

#### Article VIII

1. The present Agreement is not subject to ratification and shall come into force immediately upon being signed.
2. This Agreement, having been negotiated and concluded in pursuance of the resolution of the Security Council of 16 November 1948 calling for the establishment of an armistice in order to eliminate the treat to the peace in Palestine and to facilitate the transition from the present truce to permanent peace in Palestine, shall remain in force until a peaceful settlement between the Parties is achieved, except as provided in paragraph 3 of this Article.
3. The Parties to this Agreement may, by mutual consent, revise this Agreement or any of its provisions, or may suspend its application, other than Articles I and III, at any time. In the absence of mutual agreement and after this Agreement has been in effect for one year from the date of its signing, either of the Parties may call upon the Secretary-General of the United Nations to convoke a conference of representatives of the two Parties for the purpose of reviewing, revising, or suspending any of the provisions of this Agreement other than Articles I and III. Participation in such conferences shall be obligatory upon the Parties.
4. If the conference provided for in paragraph 3 of this Article does not result in an agreed solution of a point in dispute, either Party may bring the matter before the Security Council of the United Nations for the relief sought on the grounds that this Agreement has been concluded in pursuance of Security Council action toward the end of achieving peace in Palestine.
5. This Agreement, of which the English and French texts are equally authentic, is signed in quintuplicate. One copy shall be retained by each Party, two copies communicated to the Secretary-General of the United Nations for transmission to the Security Council and the United Nations Conciliation Commission on Palestine, and one copy to the Acting Mediator on Palestine.

DONE at Hill 232 near MAHANAYIM on the 20th July 1949, in the presence of the Personal Deputy of the United Nations Acting Mediator on Palestine and the United Nations Chief of Staff of the Truce Supervision Organization.

For and on Behalf of the Israeli Government  
*Signed:* Lieutenant-Colonel Mordehai Makleff  
 Yenoshua Penman  
 Shttai Rosenn

For and on Behalf of the Syrian Government  
*Signed:* Colonel Fozi Selo  
 Lt.-Colonel Mohamed Nasser  
 Captain Afif Sizri

NOTE. Annexes I to IV to the above Agreement will be published upon receipt at headquarters.



**ACTING UN MEDIATOR RALPH BUNCHE, REPORT ON THE STATUS OF THE  
ARMISTICE NEGOTIATIONS AND TRUCE IN PALESTINE, 21 JULY 1949 [EXCERPTS]**

III. CONCLUSIONS

1. The practical application of the Security Council's truce in Palestine has now been superseded by effective armistice agreements voluntarily negotiated by the parties in the transition from truce to permanent peace. Since all of these agreements are self-enforcing and establish the necessary machinery for their supervision, with the assistance of the United Nations Chief of Staff of the Truce Supervision and United Nations observers at his command, it would seem unnecessary longer to impose upon the States concerned the restrictive conditions of the Security Council truce. The *Security Council resolution of 15 July 1948* imposed not only a truce and the conditions relating thereto, but ordered the Governments and authorities concerned, pursuant to *Article 40 of the Charter of the United Nations*, to desist from further military action.
2. In view of the existing state of affairs in Palestine, the Security Council might consider it advisable to review the situation in the light of the new conditions and to take appropriate action. Such action might declare it unnecessary to prolong the truce provided for in the *Security Council resolution of 15 July 1948*. It might, at the same time, reaffirm the order in that resolution to the Governments and authorities concerned, pursuant to *Article 40 of the Charter of the United Nations*, to desist from further military action, and might also call upon the parties to the dispute to continue to observe an unconditional cease-fire. Action along some such lines would be consistent with the realities of the present situation and would at the same time fully safeguard the basic objective of the Security Council that fighting in Palestine shall not be resumed.
3. In conclusion, I would respectfully call to the attention of the Security Council my communication to the Council of 17 January 1949 (S/1215). In my view, the action which the Council might now properly take should also provide, in accordance with the *resolution of the General Assembly of 11 December 1948 (S/807)*, for the termination or the transfer to the United Nations Palestine Conciliation Commission of such functions as now remain to the position of Mediator under Security Council resolutions. With the armistice agreements concluded, there is no longer any useful function to be performed by the Mediator. Any further activity by me would inevitably impinge upon the work of the Palestine Conciliation Commission. This could create only confusion and duplication of effort and would serve no useful purpose whatsoever. Under the terms of the several armistice agreements, I have no responsibility for their implementation or supervision, since this responsibility, by mutual agreement, is assumed by the parties themselves. With the truce obsolete, the armistice agreements concluded, and the Palestine Conciliation Commission conducting peace negotiations, the mission of the Mediator has been fulfilled. I am happy to have had this great opportunity to serve the United Nations and the cause of peace in Palestine and in this, my final report, wish to thank the Security Council for the indispensable support which it has given to me in my efforts to discharge the responsibilities entrusted to me.
4. Finally, it is clear to me that the success or failure of any mediation or conciliation effort in a situation such as that presented by Palestine must depend very largely upon the measure of support afforded by the United Nations. If the voice of the United Nations is strong and clear, it can be the decisive factor in the mediatory effort to resolve the conflict. The most effective instrument at the disposal of a mediator or conciliator is the assurance of prompt and vigorous support and action by the United Nations.
5. I have taken the liberty of attaching to this report, as an annex, a memorandum suggesting the general lines of the action which the Security Council might now consider it appropriate to take.

(Signed) RALPH J. BUNCHE  
Acting Mediator

ANNEX

The Security Council,

*Having noted* with satisfaction the several armistice agreements concluded by means of negotiations between the parties involved in the conflict in Palestine in pursuance of its resolution of 16 November 1948 (S/1080);

*Expresses* the hope that the Governments and authorities concerned, having undertaken by means of the negotiations now being conducted by the Palestine Conciliation Commission, to fulfill the request of the General Assembly in its resolution of 11 December 1948 to extend the scope of the armistice negotiations and to seek agreement by negotiations concluded either with the Conciliation Commission or directly, will at an early date achieve agreement on the final settlement of all questions outstanding between them;

*Declares* that the armistice agreements as an important step in the transition from truce to permanent peace in Palestine, render unnecessary the prolongation of the truce as provided in the resolution of the Security Council of 15 July 1948 (S/902);

*Reaffirms* the order set forth in its resolution of 15 July 1948 to the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action, and calls upon them to continue to observe an unconditional cease-fire;

*Requests* the Conciliation Commission, with the assistance of the United Nations Chief of Staff of the Truce Supervision Organization, to undertake the observance of the cease-fire in Palestine, and terminates all remaining functions of the United Nations Mediator on Palestine under Security Council resolutions;

*Requests* the Secretary-General to continue in existence such of the present Truce Supervision Organization as the Conciliation Commission, in consultation with the Chief of Staff, may require in maintaining the cease-fire and as may be necessary in assisting the parties to the armistice agreements in the supervision of the application and observance of the terms of those agreements.



**UN CONCILIATION COMMISSION FOR PALESTINE, WORKING PAPER  
ON THE FUTURE OF ARAB PALESTINE AND THE QUESTION OF PARTITION  
PREPARED BY THE SECRETARIAT, 30 JULY 1949**

1. In all deliberations over partition as a solution to the Palestine question, the future status of the Arab section of a divided Palestine has always been an important factor in the final decision. This report is a background study of the proposals made for the disposition of the Arab area of Palestine. It begins with the first recommendation for the partition of Palestine while still under the Mandate in 1937 and carries into the period of the work of the Conciliation Commission in the first half of 1949.
2. From 1922, when the British Mandate took effect in Palestine, a struggle between Jewish and Arab national interests began, each group fighting for a unitary state under its own political control. During this Mandatory period, along with many other official suggestions for a solution to the Palestine struggle, the first proposal for the partition of Palestine was made in 1937 by the Peel Commission (Palestine Royal Commission of 1937). The Peel Commission, composed of six members, was appointed in August 1936 to ascertain the causes of disturbances in Palestine and to make recommendations for the removal of grievances. Their plan for the future of Palestine was:

"The Mandate for Palestine should be terminated and replaced by a treaty system wherein the Mandatory would enter into Treaties of Alliance with Transjordan and the Arabs of Palestine on the one hand for an *independent sovereign Arab State consisting of Transjordan and part of Palestine*<sup>16</sup>, and with the Zionist Organization on the other hand for an independent sovereign Jewish State consisting of a part of Palestine."

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<sup>16</sup> \* The underlining here and in the following statements and quotations has been made by the Secretariat.

This plan was rejected by both Jews and Arabs. The Arabs claimed it was a denial of their national rights and would oppose any solution but complete independence in all of Palestine. The Jews claimed it was a rejection of their right to a National Jewish Home as promised by the Mandate.

3. In spite of the rejection of the Peel partition plan by both Jews and Arabs, the British Government sent the Woodhead Commission in 1938, composed of four members, to determine the possibility of partition and to recommend boundaries which would permit the establishment of self-supporting Jewish and Arab States, and would include as few Jews as possible in the Arab State and as few Arabs as possible in the Jewish State. The Woodhead Commission concluded that no practical plan of partition was possible because of the refusal of acceptance of this plan by both Jews and Arabs. With the conclusion of impracticability of partition, the Woodhead Commission did, however, submit three boundary plans. Reactions to these plans were the same as previously; both Jews and Arabs rejected completely the idea of partition. In a statement of policy in November 1938, the United Kingdom accepted the conclusion of the Woodhead Commission that politically, administratively, and financially, partition would be impossible.
4. The next proposal for the solution of the Palestine problem in which it is possible to follow the plans for the future of an Arab Palestine was the Partition Plan adopted by the General Assembly of the United Nations on 29 November 1947. Under this plan Palestine was to be divided into three parts: an independent Arab State, and independent Jewish State, and the international City of Jerusalem. The independent State would be linked together by an Economic Union. A Commission of five Member States was established in order to carry out the provisions of the Partition Plan. Among the preparatory steps to independence for both States, the plan provided that "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". These Provisional Councils of Government, in cooperation with the United Nations Commission, were to assume full administrative control of their areas. Not later than two months after withdrawal of the armed forces of the Mandatory, the Provisional Councils were to hold elections to a Constituent draft a democratic constitution for its State and choose a provisional government to succeed the Provisional Council appointed by the Commission.
5. In accepting the Partition Plan, the Jews accepted indirectly the status of a future independent Arab State of Palestine to be its partner in an economic union. Commenting on the Partition Plan, Dr. Abba Hillel Silver, member of the Jewish Agency executive, in October 1947 expressed the following opinion on the future relations of the Jewish and Arab Palestine:

"With the removal of political friction which we hope will eventually result from the setting up of these two independent States, each people master in its own home, it should be possible to usher in an era of progress and regeneration which would be a boon to all the peoples in that important part of the world. The Jewish State, when it is established, will respect the sovereignty of its neighbour states as fully as it will defend its own."<sup>17</sup>

The Arabs rejected the United Nations Partition Plan so that any comment of theirs did not specifically concern the status of the Arab section of Palestine under partition but rather rejected the scheme in its entirety.
6. The Partition Plan with Economic Union was not realized in the days following the 29 November resolution as envisaged by the General Assembly. On May 15, 1948, the day on which Israel declared its independence, the General Assembly appointed a Mediator, giving him terms of reference to use his good offices to promote a peaceful adjustment of the future situation in Palestine. With this aim in view, the Mediator, on 27 June 1948, sent a letter to both Arabs and Jews with the following suggestions as to the future of Palestine:

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<sup>17</sup> \* Article in "Palestine and the Middle East", Tel Aviv, Sept. Oct. 1947.

"That, *subject to the willingness of the directly interested parties to consider such an arrangement*, Palestine, as defined in the original Mandate entrusted to the United Kingdom in 1922, that is, including Transjordan, might form a Union comprising two members, one Arab and one Jewish.

7. In answer to the Mediator's letter, the Secretary-General of the League of Arab States, in a letter dated 3 July 1948, rejected the recommendations of the Mediator and submitted the counter proposal of a unitary Arab State. In rejecting the idea, the Political Committee of the League of Arab States completely opposed the idea of considering Arab Palestine as a possible future member of a union with Transjordan. To support the views of the Political Committee of the Arab League, a declaration of the Transjordanian Prime Minister was quoted:

"The problem now at issue is the problem of Palestine and of finding a solution thereto. The Hashemite Kingdom of Transjordan should never be implicated in that problem, nor should Transjordan be forced into a union with a Jewish State. Our position is clear, and has been proclaimed on every occasion. It is never to allow the creation of a Jewish State in Palestine and to exclude partition. And our object is to cooperate with the other Arab States in her deliverance. Once this aim is attained, the determination of her future status is the right and concern of her own people. Theirs alone is the last word. We have no other object or aim in view."

The letter of the League of Arab States was commented on by the Mediator in the following terms:

"My reference to Transjordan was a purely optional one and it was made very specific that this suggestion was '*subject to the willingness of the directly interested parties to consider such an arrangement*'. That included primarily Transjordan and if the Hashemite King of Transjordan is unwilling to consider the arrangement, the suggestion is clearly impractical."

8. The Israeli Government also rejected the Mediator's proposals. In a letter dated 5 July 1948 from the Minister for Foreign Affairs of the Provisional Government of Israel, among other reasons for rejecting the proposals, arguments were put forward against the change of status of the future Arab Government of Palestine. The letter stated:

"The Provisional Government desires to point out that the territorial settlement laid down in the resolution (29 November 1947) was based on the partition of Western Palestine between the Jewish people and the Arab population of Palestine. The inclusion of the Arab portion of Palestine in the territory *of one of the neighbouring Arab States would fundamentally change the context of the boundary problem.*

"The Provisional Government cannot agree to any encroachment upon or limitation of the free sovereignty of the people of Israel in its independent State. While it is the basic aim and policy of Israel to establish relations of peace and amity with her neighbours on the basis of closest possible collaboration in all fields, the international arrangements which may be necessary to give effect to this policy cannot be imposed upon Israel, but can only be entered into as a result of an agreement negotiated between the interested parties as free and sovereign States.

"The Provisional Government would be ready to accept the provisions of the Economic Union as formulated in the Assembly resolution (29 November 1947), if all their basic premises were to materialize. This is not, however, the eventuality envisaged in the Suggestions. The partner State whom Israel is invited to join in a Union is, both in its political identification and its geographical dimensions, wholly different from the Arab State provided for in the resolution. Jewish consent to the Economic Union in the context of the resolution cannot therefore be binding in the new situation. It must now be left to the free and unfettered discretion of the Government of Israel, in the exercise of its sovereign rights, to determine what arrangements should govern Israel's relations with her neighbour or neighbours in the field of economic cooperation."

In answer to this letter, the Mediator replied on 6 July 1948 as follows:

"With reference to paragraph 3 of your letter, it need only be said that it was made abundantly clear in my Suggestions that all of the arrangements proposed could have practical meaning *only in the sense of voluntary agreement on the part of the parties concerned*. It was specifically emphasized in paragraph 8 of my introductory statement that there could be no question of imposition."

9. On 18 September the Progress Report of the Mediator was submitted to the General Assembly. In evaluating the situation of the proposed Arab State, the Mediator stated:

"As regards the parts of Palestine under Arab control, no central authority exists and no independent Arab State has been organized or attempted. This situation may be explained in part by Arab unwillingness to undertake any step which would suggest even tacit acceptance of partition, and by their insistence on a unitary State in Palestine. The Partition Plan presumed that effective organs of state government could be more or less immediately set up in the Arab part of Palestine. This does not seem possible today in view of the lack of organized authority springing from Arab Palestine itself, and the administrative disintegration following the termination of the Mandate. There now exists in Palestine a form of partition, though an Arab State for which the Partition Plan provided has not materialized and there is no economic union. The problem of the future of the Arab part of Palestine and its economic viability is therefore thrust into the foreground."

10. At the end of Part I of the report, dealing with the Mediation effort, the Mediator formulated seven basic premises and a number of specific conclusions. Among the specific conclusions number 4(c) concerning the future of the Arab State reads as follows:

"The disposition of the territory of Palestine not included within the boundaries of the Jewish State should be left to the Government of the Arab States *in full consultation with the Arab inhabitants of Palestine*, with the recommendation, however, that in view of the historical connection and common interests of Transjordan and Palestine, there would be compelling reasons for merging the Arab territory of Palestine with the territory of Transjordan, subject to such frontier rectifications regarding other Arab States as may be found practicable and desirable."

11. Another of the specific conclusions recommended the appointment of a Conciliation Commission. Following this recommendation, the General Assembly adopted the resolution of 11 December 1948, whereby the Conciliation Commission was constituted. This resolution evolved from an original draft resolution submitted by the United Kingdom. Although the original United Kingdom draft resolution was revised twice before its presentation for vote, the paragraph regarding the future of Arab Palestine remained unchanged and reads as follows:

"The GENERAL ASSEMBLY

"ENDORSES the recommendation contained in paragraph 4 (c) of the Mediator's conclusions concerning the disposition of the territory of Palestine not included within the boundaries within the Jewish State or the City of Jerusalem, and INSTRUCTS the Conciliation Commission, *in full consultation with the inhabitants of Arab Palestine*, to assist the Governments of the Arab States concerned to arrange for the disposition of this territory in accordance with the aforesaid recommendation."

The United States delegation, while calling for a number of other changes in the United Kingdom original draft resolution, was in favour of this paragraph concerning the future of Arab Palestine. On 23 November, the representative of the United States, in the discussion before the Political Committee, expressly announced that the United States was in favour of the paragraph in the British resolution relative to the disposition of the Palestinian territory not included in the Jewish State or City of Jerusalem. A draft resolution submitted by the representative of Colombia,

though differing with the United Kingdom's resolution in many ways, also contained the same paragraph in reference to the future of Arab Palestine.

There was, however, a number of different resolutions and amendments which contained other provisions for Arab Palestine. An amendment submitted by the representative of Guatemala, but withdrawn at a later stage, contained solely the principle of consultation:

"The Commission shall assist the inhabitants of the Arab territory of Palestine in deciding upon the political organization they wish to give to the said territory. No annexation to a neighbouring State shall be decreed without the consent of the people, freely and legally expressed."

12. In the final voting, it was the twice-revised United Kingdom draft resolution which remained the nucleus of the resolution to be passed. On 4 December 1948, the paragraph concerning the future of Arab Palestine as proposed in the original draft resolution came up for vote. In the discussion that immediately preceded the vote, the Soviet delegate declared himself against the paragraph on the grounds that it violated the partition resolution of 29 November 1947. The Soviet delegate added that the paragraph had political aims tending to enlarge the State of Transjordan at the expense of both the Arab population of Arab Palestine and the Jews of Palestine. In answer to the argument of the Soviet delegate, the United Kingdom delegate observed that the resolution did not expressly recommend an attachment of the Arab zone to the territory of Transjordan. There were, however, good reasons for such an attachment, with some border rectifications desirable to other Arab States. Joining the discussion, the Polish delegate gave two objections to the United Kingdom proposal. His first reason was that the question would be left, above all, to the discretion of the Governments of the neighbouring Arab States. Although the Mediator's report called for a consultation of the Arab inhabitants of Palestine, it would be to ignore realities to believe that a consultation could take place freely and in a sincere manner while the armies of the neighbouring states were occupying the country. Secondly, the Polish delegation did not recognize the right of the Assembly to recommend that this territory be annexed to another state. It should be up to the Arab population, and that population alone, to determine the fate of her territory. Before any decision should be taken, all non-Palestinian troops should be pulled out and an independent government should be established. With this done, the Arabs of Palestine could take, in complete independence, a decision as to their future political status.
13. With the discussion ended, the vote on the paragraph concerning the future of Arab Palestine in the United Kingdom's resolution was called. The paragraph was then defeated by a vote of 26 against, 18 for, with 12 abstentions.\*<sup>18</sup> The final resolution presented to and passed by the General Assembly on 11 December 1948 therefore contained no specific mention of the disposition of Arab Palestine.
14. To follow the recent Israeli thinking on the future of Arab Palestine, several official declarations are worth nothing. During the session of the Zionist General Council in Jerusalem and Tel Aviv between 22 August and 3 September 1948, Israeli Foreign Minister Moshe Sharett made the following statement on the position of Arab Palestine:

Voted against: Poland, Saudi Arabia, Syria, Turkey, Ukraine, USSR, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Australia, Burma, Byelo Russia, Costa Rica, Cuba, Czechoslovakia, Egypt, Salvador, Ethiopia, Guatemala, India, Iran, Iraq, Lebanon, Pakistan.

Voted for: Belgium, Brazil, Canada, China, Columbia, Denmark, Dominican Republic, France, Iceland, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Sweden, Union of South Africa, United Kingdom, United States.

Abstained: Bolivia, Chile, Ecuador, Greece, Haiti, Honduras, Liberia, Mexico, Panama, Paraguay, Peru, Siam.

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<sup>18</sup> \* General Assembly, First Committee, A/CI/SR.224, 4 December 1948 (p. 12)

"We are faced with the problem of what is going to happen to the rest of Eretz Israel. That part has no definite borders yet. Even if we suppose that no revolutionary changes occur, which is not impossible, a certain part of Palestine will stay outside the State of Israel. The political fate of the Arab part of Palestine, its annexation by any state whatsoever, the flag that it will fly and the regime it will be subjected to are all matters with which we are directly concerned. It may not be possible for us to stem every new development in that connection. There are contingencies which we shall have to oppose, or they will become a threat to us. We shall have to fight against splitting up the Arab part and annexing its fractions to various countries. We shall have to consider carefully whether the annexation of any part to any state does not constitute a danger for us, which could be avoided by a different solution. We shall have to consider carefully whether we should not prefer this Arab part to form a state of its own, if possible."<sup>19</sup>

15. On 16 November 1948, appearing before the Political Committee of the General Assembly considering the Mediator's Report, Israeli Foreign Minister Sharett again stated Israel's views on the future of Arab Palestine:

"Concerning all these territorial questions, Israel would welcome the creation of an independent Arab State in Palestine, a State which would be constituted, in the measure possible, conforming to the disposition of the 29 November resolution; the Government of Israel would be ready to negotiate with that State in view of proceeding to mutual rectifications of frontiers, if that State would declare it self ready to conclude a binding alliance with Israel. But if the Mediator's proposal to incorporate the Arab part of Palestine to Transjordan is carried out, the relationship between the area of Israel and that of the Arab neighbour would be 1 to 20, which would change the very principle which dominated the territorial division envisaged in the resolution of 29 November."

16. Just one week later, on 23 November 1948, while testifying before the same Political Committee of the General Assembly, Israel representative Aubrey Eban, while discussing territorial questions, stated that:

"...The Government of Israel would prefer the establishment in Palestine of an Arab State with which it would be ready to discuss certain frontier adjustments."

17. On 15 June 1949, in a foreign affairs debate in Israel's Knesset (Parliament), Foreign Minister Sharett stated Israel's policy on the future of Arab Palestine as follows:

"As for the frontier between the State of Israel and the area west of the Jordan which is not included in Israel, there, too, our aim is peace, and peace negotiations. We have always declared that we should prefer to see a separate Arab State in that area, but we have not set this as a *condition sine qua non* to a settlement. This question, too, is a matter for discussion."

In the discussion which followed the end of this speech, Sharett declared that Israel had proposed to the Conciliation Commission to organize a plebiscite in Arab Palestine to determine whether these regions should be attached to Transjordan or become an independent Arab State. An independent Arab State would be preferable to Israel but the Israeli Government would accept the verdict of a plebiscite, he stated. In answer to questions from the floor, Sharett pointed out the reasons why Israel would prefer an independent Arab State:

1. That State would offer the best possibility for close relations with Israel.
2. It would allow the most security to Israel.
3. It would eliminate complications resulting from existing ties between "two certain countries".<sup>20</sup>



<sup>19</sup> \* Zionist News Letter, Information Department of the Jewish Agency, Jerusalem, October 10, 1948.

<sup>20</sup> \* Le Journal de Jérusalem, 23 juin 1949. (p. 1).

**GOVERNMENT OF ISRAEL, EMERGENCY LAND REQUISITION (REGULATION) LAW,  
5710-1949, PASSED BY THE KNESSET ON 14 NOVEMBER 1949**

CHAPTER ONE: GENERAL

1. In this Law -

- Interpretation.
- "land" includes land of any category or tenure and any building, tree or other thing fixed in the land and any portion of the sea, the seashore or a river, and any right, interest or easement in or over land or water;
  - "house" means a building or other structure, whether permanent or temporary, which is fixed to the land, and includes any part of such a building or structure, but does not include the joint use of a dwelling-room, business room or kitchen;
  - "time of emergency" means a period in which a state of emergency exists in the State by virtue of a declaration under section 9(a) of the Law and Administration Ordinance, 5708-1948<sup>21</sup>.

2.

- Competent authorities.
- (a) The Government may appoint competent authorities for the purpose of this Law.
  - (b) An appointment under this section may be general or restricted.
  - (c) Notice of the appointment of a competent authority shall be published in *Reshumot*, and the appointment shall have effect from the day of publication of the notice.

3.

- Basis for exercise of power.
- (a) A competent authority shall not make a land requisition order or housing order under this Law, save in a time of emergency.
  - (b) A competent authority shall not make a land requisition order or housing order under this Law unless he is satisfied that the making of the order is necessary for the defence of the state, public security, the maintenance of essential supplies or essential public services, the absorption of immigrants or the rehabilitation of ex-soldiers or war invalids.

CHAPTER TWO: REQUISITION OF LAND

4.

- Land requisition orders.
- (a) A competent authority may, by order under his hand, order the requisition of land. Such an order shall be called a "land requisition order".
  - (b) The competent authority may take possession of land in respect of which a land requisition order has been made, and so long as the order is in force, he, and only he, may occupy, use and exploit the land, either himself or through others, as he may deem necessary for the purpose for which the order was made.

- Compensation for requisition of land.
5. The Compensation (Defence) Ordinance, 1940<sup>22</sup>, and the rules made thereunder, shall apply to the requisition of land under a land requisition order as if the land had been requisitioned in the exercise of emergency powers within the meaning of that Ordinance.

6.

- Time-limit for occupation of land.
- (a) Land requisitioned under a land requisition order shall not be occupied, whether by virtue of one order or of several orders, for a period exceeding three years.
  - (b) Where land has been requisitioned under a land requisition order and the time of emergency expires, the order shall automatically expire six months after the day of expiration of the time of emergency.

<sup>21</sup> I.R. No. 2 of the 12th Iyar, 5708 (21st May, 1948), Suppl. I, p. 1; LS/vol. I, p. 7.

<sup>22</sup> P.G. No. 1019 of the 13th June, 1940, Suppl. I, p. 117 (English Edition).

CHAPTER THREE: HOUSING

7.

- (a) A competent authority may, by order under his hand, order the occupier of a house to surrender the house to the control of a person specified in the order, for residential purposes or for any other use, as may be prescribed in the order. Such an order shall be called a "housing order", and the person in whose favour it is made shall be called the "tenant".
- (b) Where a housing order has been made in respect of any house, the tenant, and only the tenant, may enter and occupy the house and use it for the purpose prescribed in the order.
- (c) A competent authority shall not make a housing order in respect of any house where the carrying into effect of the order will involve the displacement of the lawful occupier, unless he has, or is given, alternative housing.

Housing orders.

8. Where a housing order has been made in respect of a house to which the Rent Restrictions (Dwelling-Houses) Ordinance, 1940<sup>23</sup>, applies (such a house being hereinafter referred to as a "dwelling-house"), and the tenant is in occupation, then -

- (a) as from the day on which the tenant entered the dwelling-house and so long as he is in occupation -
  - (1) he shall pay the owner of the dwelling-house a rent equal to the standard rent within the meaning of the said Ordinance;
  - (2) he and the owner of the dwelling-house shall abide by the conditions set out in the Schedule to this Law as if they had bound themselves by contract to abide by them;
- (b) the provisions of section 8 of the said Ordinance shall apply to the dwelling-house with the following modifications and adaptations:
  - (1) the word "tenant" shall be deemed to refer to a tenant within the meaning of this chapter;
  - (2) the words "rent at the agreed rate as modified by this Ordinance", shall be deemed to refer to the standard rent;
  - (3) the words "the other conditions of the tenancy" shall be deemed to refer to the conditions set out in the Schedule to this Law;
  - (4) subsection (3) shall not apply;
- (c) the tenant may apply to a Rents Tribunal under the said Ordinance as if he were the lessee of the dwelling-house.

Tenant's duties and rights in respect of a dwelling-house.

9. Where a housing order has been made in respect of a house to which the Rent Restrictions (Business Premises) Ordinance, 1941<sup>24</sup>, applies (such a house being hereinafter referred to as "business premises"), and the tenant is in occupation, then -

- (a) as from the day on which the tenant entered the business premises and so long as he is in occupation -
  - (1) the tenant shall pay the owner of the business premises a rent equal to the maximum rent, as fixed under section 6(1) of the said Ordinance;
  - (2) the tenant and the owner of the business premises shall abide by the conditions set out in the Schedule to this Law as if they had bound themselves by contract to abide by them;
- (b) the provisions of section 4 of the said Ordinance shall apply to business premises with the following modifications and adaptations:
  - (1) the word "tenant" shall be deemed to refer to a tenant within the meaning of this chapter;
  - (2) the words "notwithstanding that such tenant's contract of tenancy has expired" shall be ignored;
  - (3) the words "any term of any agreement of tenancy in respect of such prem-

Tenant's duties and rights in respect of business premises.

<sup>23</sup> P.G. No. 1065 of the 20th December, 1940, Suppl. I, p. 289 (English Edition).

<sup>24</sup> P.G. No. 1086 of the 31st March, 1941, Suppl. I, p. 19 (English Edition).

ises" shall be deemed to refer to any of the conditions set out in the Schedule to this Law;

(4) subsection (3) shall not apply;

(c) the tenant may apply under the said Ordinance to a Rent Commissioner as if he were the lessee of the business premises.

Tenant's duties in respect of house other than a dwelling-house or business premises.

10. Where a housing order has been made in respect of a house other than a dwelling-house or business premises, and the tenant is in occupation, then, as from the day on which the tenant entered the house and so long as the order is in force -

(a) the tenant shall pay to the owner of the house an adequate rent at a rate fixed by the competent authority by order under his hand;

(b) the tenant and the owner of the house shall abide by the conditions set out in the Schedule to this Law as if they had bound themselves by contract to abide by them.

Voiding of certain contracts.

11. Where a housing order has been made in respect of any house, and the tenant has entered the house, any contract made before the tenant's entry for the letting of the house to a person not in occupation shall be regarded as void and shall not serve as a basis for a claim for compensation or for any other claim; however, such a person may claim, in the manner in which an ordinary civil debt is claimed, the refund of any consideration paid by him to or in favour of the owner or occupier of the house.

12. (a) In this section-

"the landlord" means the person entitled to receive the rent of the house;

"the legal rent" means the rent which the tenant is bound to pay under section 8(a)(1) or section 9(a)(1), as the case may be;

(b) Where a housing order has been made in respect of a dwelling-house or business premises, and the tenant has entered the dwelling-house or business premises, the landlord may at any time send the tenant a written notice, hereinafter referred to as "rent notice", notifying him of the rate of the legal rent.

(c)

(1) Where the tenant of a dwelling-house receives a rent notice as aforesaid, he may, within thirty days from the day on which he receives it, appeal to a Rents Tribunal, within the meaning of the Rent Restrictions (Dwelling-Houses) Ordinance, 1940, for the fixing of the rate of the legal rent, and such rate shall be fixed in accordance with the provisions of the said Ordinance, even if on the 1st of Adar, 5700 (10th February, 1940), the dwelling-house was let.

(2) Where the tenant of business premises receives a rent notice as aforesaid, he may, within thirty days from the day on which he receives it, apply to a Rent Commissioner within the meaning of the Rent Restrictions (Business Premises) Ordinance, 1941, for the fixing of the rate of the legal rent, and such rate shall be fixed in accordance with the provisions of the said Ordinance.

(d) Where the tenant does not make application under subsection (c), the rate of the rent specified in the rent notice shall be regarded as the rate of the legal rent.

(e) Notwithstanding anything contained in this Law or in any other law, non-payment of the legal rent shall not serve as a ground for eviction from the dwelling-house or business premises unless the tenant has received a rent notice and, having received it -

(1) has not, within thirty days from the day on which he received it, made application under subsection (c), and has also not paid the legal rent; or

(2) has made application under subsection (c), and the legal rent has been fixed in accordance with that subsection, and he has not paid the legal rent within thirty days from the day on which he learnt of its final fixing.

(f) Nothing contained in this section shall impair the right of the landlord to receive any additional rent which the law shall permit at any time after the fixing of the rate of the legal rent under this section or shall diminish the duty of the tenant to pay any such additional rent.

Fixing of legal rent.

- 13.
- Exempted houses.
- (a) This chapter shall not apply to houses the construction of which was completed after the 5th Iyar, 5708 (14th May, 1948).
  - (b) The Government may, by order published in *Reshumot*, determine other categories of houses, in addition to the category mentioned in subsection (a), to which this chapter is not to apply.

#### CHAPTER FOUR: RIGHT OF RENUNCIATION

14. Where land has been requisitioned under a land requisition order, or a house under a housing order, and the occupier thereof at the time of the making of the order is not the owner thereof, such occupier may, after the expiration of thirty days, and before the expiration of three months, from the day on which the order was served on him, renounce his rights in the land or the house, as the case may be, by written notice to a competent authority and to the owner of the land or the house. The day of service of the notice on the competent authority and the owner of the land or the house shall be regarded as the day of renunciation; and if the notice is served on the competent authority and the owner on different days, the later day shall be regarded as the day of renunciation.
- Notice of renunciation.

- 15.
- (a) Where the occupier has renounced under section 14-
    - (1) he shall be relieved from any duty, imposed on him by law, contract or otherwise, to pay to the owner the rent of the land or the house or any other consideration in respect of any period subsequent to the day of renunciation; and if before the day of renunciation he has paid to the owner rent or any other consideration in respect of any period subsequent to the day of renunciation, the owner shall refund to him such rent or other consideration;
    - (2) the owner of the land or the house and the occupier shall, from the the day of renunciation, be relieved from the mutual obligations imposed on them by contract in respect of the land or the house; but this shall not affect any cause of action created before the day of renunciation.
  - (b) Where any land has been requisitioned under a land requisition order, then-
    - (1) if the occupier has renounced under section 14, he shall be entitled to the compensation due to the occupier in respect of the land under the Compensation (Defence) Ordinance, 1940, up to the day of renunciation, and the owner of the land shall be entitled to the compensation due to the occupier in respect thereof under the said Ordinance for any period subsequent to the day of renunciation; and upon the expiration of the order, the right to occupy the land shall vest in the owner;
    - (2) if the occupier has not renounced as aforesaid, he shall be entitled to the compensation due to the occupier in respect of the land under the said Ordinance, and upon the expiration of the order the right to occupy the land shall revert to him on the same conditions on which he occupied the land at the time of the making of the order, unless a competent court otherwise directs.
  - (c) Where a house has been requisitioned under a housing order, then -
    - (1) if the occupier has renounced under section 14, he shall be entitled to the rent payable by the tenant under this Law up to the day of renunciation, and the owner of the house shall be entitled to the rent payable by the tenant under this Law in respect of any period subsequent to the day of renunciation, and upon vacation of the house by the tenant the right to occupy the house shall vest in the owner;
    - (2) if the occupier has not renounced as aforesaid, he shall be entitled to the rent payable by the tenant as aforesaid, and upon vacation of the house by the tenant, the right to occupy the house shall revert to the occupier on the same conditions on which he occupied the house at the time of the making
- Duties and rights of occupier who has renounced.

- of the order, unless a competent court otherwise directs.
- (d) Subsection (c) shall apply to a house other than a dwelling-house or business premises as if the words "upon vacation of the house by the tenant" were replaced by the words "and upon expiration of the housing order".
- (e) Where the occupier is a sublessee, the provisions of this section shall apply as if the principal lessee were the owner of the land or the house; but if the sublessee has renounced his rights as aforesaid, the principal lessee may, within three months from the day on which notice of the sublessee's renunciation is served upon him, likewise renounce his rights in the land or the house by written notice to a competent authority and to the owner, and the provisions of this section shall thereupon apply as if he principal lessee had been in occupation at the time of the making of the order.

#### CHAPTER FIVE: APPEALS

16. (a) When the Government has appointed a competent authority, the Minister of Justice shall appoint an appeal committee or appeal committees for the purpose of this Law.
- (b) The appointment of an appeal committee may be for the whole country or restricted as to the area of jurisdiction.
- (c) Every appeal committee shall consist of three members. A district court judge or a magistrate shall be appointed chairman of the committee.
- (d) Notice of every appointment under this section and of the address of every appeal committee shall be published in *Reshumot*.
17. (a) A person who considers himself aggrieved by an order of a competent authority, may appeal to an appeal committee within fourteen days from the day on which the order was served on him or, if it has not been served on him, within fourteen days from the day on which it came to his knowledge.
- (b) The chairman of an appeal committee may extend the period of appeal if he is satisfied that there is sufficient reason for doing so.
- (c) The appeal shall be lodged with the appeal committee in writing in two copies; one copy shall be forwarded by the committee to the competent authority who made the order.
- (d) The lodging of appeal against a land requisition order or a housing order shall not delay the carrying into effect thereof unless the chairman of the appeal committee so orders.
- (e) An appeal committee which deals with an appeal against an order made under this Law may confirm the order, with or without modifications, or cancel it. A committee which confirms an order, with or without modifications, may do so on such conditions as it may think fit; provided that it shall not determine anything the determination of which is entrusted to a tribunal acting under the Compensation (Defence) Ordinance, 1940, or a rents tribunal acting under the Rent Restrictions (Dwelling-Houses) Ordinance, 1940, or a rent commissioner acting under the Rent Restrictions (Business Premises) Ordinance, 1941.
18. (a) An appeal committee shall not confirm a land requisition order or a housing order, with or without modifications, unless it is satisfied that the order is necessary for any of the purposes mentioned in section 3(b).
- (b) The fact that the competent authority who made the order was satisfied that the making of the order was necessary for any of the purposes mentioned, in section 3(b) shall not in itself be sufficient to satisfy the appeal committee that the order is necessary as aforesaid.
19. (a) An appeal committee shall have power -
- (1) to obtain any written or oral evidence which it may deem necessary or expedient and to examine as a witness any person whom it may deem necessary or expedient to examine;

Appeal  
committee.

Appeal.

Pre-condition  
to  
confirmation  
of orders.

Appeal  
committee -  
procedure.

- (2) to require any witness to give evidence on oath or affirmation; and such oath or affirmation shall be the same as might be required of him if he were giving evidence before a court of law;
  - (3) to summon any person to appear at any of its meetings for the purpose of giving evidence or of producing any document in his possession, and to examine him as a witness or to require him to produce any document in his possession;
  - (4) to make an order compelling the attendance of a person who, having been required to appear before it, has failed to do so and has not justified himself to its satisfaction, to order him to pay all the expenses caused by compelling his attendance or by his refusal to answer the summons, and to impose on him a fine not exceeding ten pounds;
  - (5) to impose a fine not exceeding ten pounds on any person who, having been required by it to give evidence on oath or affirmation or to produce a document, has refused to do so and has not justified his refusal to its satisfaction; provided that a witness who refuses to answer a question on the ground that he might incriminate himself thereby shall not be required to answer that question and shall not be liable to a fine for not answering it;
  - (6) to admit any written or oral evidence even if it would not be admissible in a civil or criminal proceeding;
  - (7) to admit or not to admit the public to its meetings;
  - (8) to award to any person who appears at any of its meetings such amount or amounts of money as in its opinion he has expended in consequence of his appearance at the meeting.
- (b) An appeal committee shall itself prescribe its procedure, in so far as it is not prescribed by this Law or by regulations made thereunder.

#### CHAPTER SIX: MISCELLANEOUS PROVISIONS

Notice of  
right of  
appeal.

20. Every order of a competent authority under this Law shall set out the provisions of section 17 concerning the right and period of appeal against the order, as well as the manner of lodging such appeal and the address of the appeal committee.

21.

- (a) An order under this Law shall be delivered into the hands of every person whose rights are affected by it.
- (b) Where personal delivery is impracticable, the order shall be deemed to have been served if
  - (1) it has been published in *Reshumot* or in a daily newspaper and
  - (2) it has been sent by registered post to the person for whom it is intended at the address of his ordinary or last place of residence or business or posted up in a conspicuous position on or near the land, or on or in the house, to which it relates.
- (c) An order published in *Reshumot* or in a daily newspaper and sent by registered post, as specified in subsection (b), shall be deemed to have been served on the person for whom it is intended -
  - (1) at the expiration of three days from the day of publication; or
  - (2) at the expiration of three days from the day on which it was delivered to the post office for despatch, whichever is the later date.
- (d) An order published in *Reshumot* or in a daily newspaper and posted up in a conspicuous position, as specified in subsection (b), shall be deemed to have been served on every person whose rights are affected by it -
  - (1) at the expiration of three days from the day of publication; or
  - (2) at the expiration of twenty-four hours from the time when it was posted up as aforesaid, whichever is the later date.
- (e) Notwithstanding anything contained in this section, where under subsection (b), (c) and (d) an order is deemed to have been served on a particular person

Service of  
orders.

at a particular date, and that person proves that the order did not come to his knowledge until a later date, the day on which the order came to his knowledge shall be regarded as the day of service for the purpose of calculating the periods referred to in sections 14 and 17 (a).

Carrying  
into effect  
of orders.

22. (a) A land requisition order or housing order shall not be carried into effect before it has been served in accordance with section 21 on the owner and the occupier of the land or the house, unless the competent authority, for urgent reasons, has explicitly directed in the order that non-service shall not delay the carrying into effect thereof.
- (b) A competent authority may use force to the extent required for the carrying into effect of an order made by a competent authority or a decision given by an appeal committee under this Law.

Cancellation  
of orders.

23. (a) A competent authority may at any time cancel an order made under this Law; provided that a competent authority may not cancel a housing order in respect of a dwelling-house or business premises after the tenant has entered the dwelling-house or business premises under the order.
- (b) Where a land requisition order is cancelled by a competent authority or an appeal committee after possession of the land has been taken by virtue of the order, the person who has taken possession of the land as aforesaid shall vacate it forthwith, and a competent authority may use force to the extent required to effect vacation of the land as aforesaid, and there shall be no need for an eviction order by a court of law.
- (c) Where a housing order in respect of a dwelling-house or business premises is cancelled by an appeal committee, or where a housing order in respect of a house, other than a dwelling-house or business premises, is cancelled by a competent authority or an appeal committee, after the tenant has entered the house, the tenant shall forthwith vacate the house, and a competent authority may use force to the extent required to effect the vacation, and there shall be no need for an eviction order by a court of law.

Evidence.

24. (a) A document purporting to be an order signed by a competent authority shall be regarded as such an order so long as the contrary is not proved.
- (b) A document purporting to be a copy of a decision of an appeal committee, certified by the chairman of the committee as a correct copy, shall be regarded as such a decision so long as the contrary is not proved.

Supply of  
information  
to competent  
authority.

25. Any person concerned shall, as a competent authority may require, supply to him or to his agents any correct information, or produce to him or to his agents any document, which in the opinion of the competent authority is likely to facilitate the exercise of the powers vested in him under this Law or the carrying into effect of an order made thereunder; but a person shall not be required to supply information or produce a document likely to incriminate him or which he is forbidden to supply or produce by any other law.

Penalties.

26. A person who contravenes any of the provisions of section 25 is liable to a fine not exceeding one hundred pounds; but a person shall not be prosecuted more than once for failing to supply information, or for supplying incorrect information, or for failing to produce documents, in relation to the same land.

Repeal.

27. There are hereby repealed-
- (a) regulations 48, 72A and 72B of the Defence Regulations, 1939<sup>25</sup>;
- (b) Defence Regulations (Billeting and Accommodation Committees), 1943<sup>26</sup>;
- (c) regulations 114 to 118 of the Defence (Emergency) Regulations, 1945<sup>27</sup>;
- (d) Emergency Regulations (Requisition of Property) 5709-1948<sup>28</sup>.

<sup>25</sup> P.G. No. 914 of the 26th August, 1939, Suppl. II, p. 659 (English Edition).

<sup>26</sup> P.G. No. 1259 of the 1st April, 1943, Suppl. II, p. 304 (English Edition).

<sup>27</sup> P.G. No. 1442 of the 27th September, 1945, Suppl. II, p. 1055 (English Edition).

28. The Emergency Regulations (Hospitals) 5709-1949<sup>29</sup>, shall be amended as follows:  
(a) in regulation 1, the definition of "land" shall be replaced by the following definition:

Amendment  
of  
Emergency  
Regulations  
(Hospitals)  
5709-1949.

"land" has the same meaning as in the Emergency Land Requisition (Regulation) Law, 5710-1949";

- (b) in regulation 8, paragraph (1) of subregulation (?) shall be replaced by the following paragraph:

"(1) The land shall, for all purposes, be treated as if it had been requisitioned under a requisition order made by a competent authority and confirmed by an appeal committee under the Emergency Land Requisition (Regulation) Law, 5710-1949, and as if the Minister of Health or the authorised person were the competent authority who made the order."

29.

- (a) Where, immediately before the coming into force of this Law, movable property was requisitioned under regulation 115 of the Defence (Emergency) Regulations, 1945, or considered under regulation 4 of the Emergency Regulations (Requisition of Property), 5709-1948, to have been lawfully requisitioned, a competent authority, and only a competent authority, may have possession of the property and use it either himself or through others, and give directions as to the possession and use thereof, as if he owned it free from any charge.
- (b) Where a competent authority has possession of movable property by virtue of subsection (a), he may acquire it by order under his hand (such an order to be called a "movable property acquisition order"), and upon the expiration of fourteen days from the day of service of the order on the owner of the property or, if within that period the owner appeals against the order, upon confirmation of the order by the appeal committee or upon the owner's withdrawal of the appeal by written notice to the appeal committee, the property shall pass into the ownership of the State free from any charge.
- (c) The Compensation (Defence) Ordinance, 1940, and the regulations made thereunder, shall apply to the requisition or acquisition of movable property under this section as if the property had been requisitioned or acquired in exercise of emergency powers within the meaning of that Ordinance; provided that section 8(6) of the said Ordinance shall not apply and that the amount of compensation shall always be determined in accordance with section 6 of the said Ordinance, whether the property be a vessel, a vehicle or an aircraft or any other movable property.
- (d) A certificate signed by a competent authority, to the effect that immediately before the coming into force of this Law certain movable property was considered under regulation 4 of the Emergency Regulations (Requisition of Property), 5709-1948, to have been lawfully requisitioned, shall be conclusive and sole evidence of such fact; and a certificate purporting to be signed by a competent authority shall be regarded as such a certificate so long as the contrary is not proved.

Transitional  
provisions -  
moveable  
property.

30. (a)

- (1) Land, other than a house occupied by a person for residential purposes or for the purposes of any trade, business or vocation, which immediately before the coming into force of this Law was requisitioned under regulation 48 of the Emergency Regulations, 1939, or regulation 114 of the Defence (Emergency) Regulations, 1945, or considered, under regulation 4 of the Emer-

Transitional  
provisions -  
land.

<sup>28</sup> I.R. No. 39 of the 22nd Kislev, 5709 (24th December, 1948), Suppl. II, p. 87.

<sup>29</sup> I.R. No. 41 of the 6th Tevet, 5709 (7th January, 1949), Suppl. II, p. 107.

gency Regulations (Requisition of Property), 5709-1948, to have been lawfully requisitioned shall, from the day of the coming into force of this Law, be deemed to have been requisitioned on that day under a land requisition order made by a competent authority and confirmed by an appeal committee under this Law on that day.

(2) Where the land is a house, and immediately before the coming into force of this Law the house was occupied by a person for residential purposes or for the purposes of any trade, business or vocation, the house shall, from the day of the coming into force of this Law, be deemed to have been entered by that person on that day under a housing order made by a competent authority and confirmed by an appeal committee under this Law on that day; and that person shall be deemed to be a tenant within the meaning of Chapter Three.

(b) A house which, immediately before the coming into force of this Law, was occupied by a person who had been accommodated therein by billeting notice under regulation 72A of the Defence Regulations, 1939, or by business accommodation notice under regulation 72B of the Defence Regulations, 1939, shall, from the day of the coming into force of this Law, be deemed to have been entered by that person on that day under a housing order made by a competent authority and confirmed by an appeal committee under this Law on that day; and that person shall be deemed to be a tenant within the meaning of Chapter Three.

(c) A certificate signed by a competent authority, to the effect that immediately before the coming into force of this Law certain land was considered under regulation 4 of the Emergency Regulations (Requisition of Property), 5709-1948, to have been lawfully requisitioned, shall be conclusive and sole evidence of such fact; and a certificate purporting to be signed by a competent authority shall be deemed to be such a certificate so long as the contrary is not proved.

31.(a) The Prime Minister is charged with the implementation of this Law.

(b) The Minister of Justice may make regulations prescribing the procedure before appeal committees.

(c) The Prime Minister may make regulations as to any other matter relating to the implementation of this Law.

Implementa-  
tion and  
regulations.

Commence-  
ment.

32. This Law shall come into force on the 9th Kislev, 5710 (30th November, 1949).

#### SCHEDULE (Sections 8, 9, and 10)

1. The tenant shall pay the rent due from him in monthly instalments on the first of every month in respect of that month.

2. The tenant shall not, unless authorised by the landlord -

(a) use the house otherwise than for the purpose specified in the housing order;

(b) make any structural alteration in the house.

3. The tenant shall not, unless authorised by the landlord, let or surrender possession of the house or any part thereof to another person.

4. The tenant -

(a) shall keep the house and all its fixtures in good and proper repair and shall ensure cleanliness;

(b) shall repair any damage caused to the house or to any of its fixtures during his occupancy, except damage due to ordinary wear and tear or to causes beyond his control.

5. The landlord shall supply the tenant with any services the supply of which is incumbent on the landlord by law or custom or by the practice prevailing in that house; for the purpose of this section, "landlord" includes also the person entitled to receive the rent of the house.

6. The tenant shall pay all the taxes and compulsory charges imposed by law or custom on the occupier of the house.
7. In this Schedule, except in section 5 thereof, "landlord" means the person entitled to receive the rent of the house.

DAVID BEN-GURION  
*Prime Minister*

CHAIM WEIZMANN  
*President of the State*



**UN GENERAL ASSEMBLY, RESOLUTION 302 (IV):  
ASSISTANCE TO PALESTINIAN REFUGEES, 8 DECEMBER 1949**

The General Assembly

*Recalling* its resolutions 212 (III) 32/ of 19 November 1948 and 194 (III) 33/ of 11 December 1948, affirming in particular the provisions of paragraph 11 of the latter resolution,

*Having examined* with appreciation the first interim report 34 of the United Nations Economic Survey Mission for the Middle East and the report 35 of the Secretary-General on assistance to Palestine refugees,

1. *Expresses* its appreciation to the Governments which have generously responded to the appeal embodied in its resolution 212 (III), and to the appeal of the Secretary-General, to contribute in kind or in funds to the alleviation of the conditions of starvation and distress among the Palestine refugees;
2. *Expresses* also its gratitude to the International Committee of the Red Cross, to the League of Red Cross Societies and to the American Friends Service Committee for the contribution they have made to this humanitarian cause by discharging, in the face of great difficulties, the responsibility they voluntarily assumed for the distribution of relief supplies and the general care of the refugees; and welcomes the assurance they have given the Secretary-General that they will continue their co-operation with the United Nations until the end of March 1950 on a mutually acceptable basis;
3. *Commends* the United Nations International Children's Emergency Fund for the important contribution which it has made towards the United Nations programme of assistance; and commends those specialized agencies, which have rendered assistance in their respective fields, in particular the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and the International Refugee Organization.
4. *Expresses* its thanks to the numerous religious, charitable and humanitarian organizations which have materially assisted in bringing relief to Palestine's refugees;
5. *Recognizes* that, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948, continued assistance for the relief of the Palestine refugees is necessary to prevent conditions of starvation and distress among them and to further conditions of peace and stability, and that constructive measures should be undertaken at an early date with a view to the termination of international assistance for relief;
6. *Considers* that, subject to the provisions of paragraph 9 (d) of the present resolution, the equivalent of approximately \$33,700,000 will be required for direct relief and works programmes for the period 1 January to 31 December 1950 of which the equivalent of \$20,200,000 is required for direct relief and \$13,500,000 for works programmes; that the equivalent of approximately \$21,200,000 will be required for works programmes from 1 January to 30 June 1951, all inclusive of administrative expenses; and that direct relief should be terminated not later than 31 December 1950 unless otherwise determined by the General Assembly at its fifth regular session;
7. *Establishes* the United Nations Relief and Works Agency for Palestine Refugees in the near East:
  - (a) To carry out in collaboration with local governments the direct relief and works programmes as recommended by the Economic Survey Mission;

- (b) To consult with the interested Near Eastern Governments concerning measures to be taken by them preparatory to the time when international assistance for relief and works projects is no longer available;
8. Establishes an Advisory Commission consisting of representatives of France, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of American, with power to add not more than three additional members from contributing Governments, to advise and assist the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in the execution of the programme; the director and the Advisory Commission shall consult with each Near Eastern Government concerned in the selection, planning and execution of projects;
  9. *Requests* the Secretary-General to appoint the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in consultation with the Governments represented on the Advisory Commission;
    - (a) The Director shall be the chief executive officer of the United Nations Relief and Works Agency for Palestine Refugees in the Near East responsible to the General Assembly for the operation of the programme;
    - (b) The Director shall select and appoint his staff in accordance with general arrangements made in agreement with the Secretary-General, including such of the staff rules and regulations of the United Nations as the Director and the Secretary-General shall agree are applicable, and to the extent possible utilize the facilities and assistance of the Secretary-General;
    - (c) The Director shall, in consultation with the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions, establish financial regulations for the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
    - (d) Subject to the financial regulations established pursuant to clause 9c) of the present paragraph, the Director, in consultation with the Advisory Commission, shall apportion available funds between direct relief and works projects in their discretion, in the event that the estimates in paragraph 6 require revision;
  10. *Requests* the Director to convene the Advisory Commission at the earliest practicable date for the purpose of developing plans for the organization and administration of the programme, and of adopting rules of procedure;
  11. *Continues* the United Nations Relief for Palestine Refugees as established under General Assembly resolution 212 (III) until 1 April 1950, or until such date thereafter as the transfer referred to in paragraph 12 is effected, and requests the Secretary-General in consultation, with the operating agencies to continue the endeavour to reduce the numbers of rations by progressive stages in the light of the findings and recommendations of the Economic Survey Mission;
  12. *Instructs* the Secretary-General to transfer to the United Nations Relief and Works Agency for Palestine refugees in the Near East the assets and liabilities of the United Nations Relief for Palestine Refugees by 1 April 1950, or at such date as may be agreed by him and the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
  13. *Urges* all Members of the United Nations and non-members to make voluntary contributions in funds or in kind to ensure that the amount of supplies and funds required is obtained for each period of the programme as set out in paragraph 6; contributions in funds may be made in currencies other than the United States dollar in so far as the programme can be carried out in such currencies;
  14. *Authorizes* the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to advance funds deemed to be available for this purpose and not exceeding \$5,000,000 from the Working Capital Fund to finance operations pursuant to the present resolution, such sum to be repaid not later than 31 December 1950 from the voluntary governmental contributions requested under paragraph 13 above;
  15. *Authorizes* the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to negotiate with the International Refugee Organization for an interest-free loan in an amount not to exceed the equivalent of \$2,80,0000 to finance the programme subject to mutually satisfactory conditions for repayment;
  16. *Authorizes* the Secretary-General to continue the Special Fund established under General Assembly resolution 212 (III) and to make withdrawal therefrom for the operation of the United

- Nations Relief for Palestine Refugees and, upon the request of the Director, for the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East;
17. *Calls upon* the Governments concerned to accord to the United Nations Relief and Works Agency for Palestine Refugees in the Near East the privileges, immunities, exemptions and facilities which have been granted to the United Nations Relief for Palestine Refugees, together with all other privileges, immunities, exemptions and facilities necessary for the fulfillment of its functions;
  18. *Urges* the United Nations International Children's Emergency Fund, the International Refugee Organization, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization and other appropriate agencies and private groups and organizations, in consultation with the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, to furnish assistance within the framework of the programme;
  19. *Requests* the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East:
    - (a) To appoint a representative to attend the meeting of the Technical Assistance Board as observer so that the technical assistance activities of the United Nations Relief and Works Agency for the Palestine Refugees in the Near East may be coordinated with the technical assistance programmes of the United Nations and specialized agencies referred to in Economic and Social Council resolution 222 (IX) A\*36 of 15 August 1949;
    - (b) To place at the disposal of the Technical Assistance Board full information concerning any technical assistance work which may be done by the United Nations Relief and Works Agency for Palestine Refugees in the Near East, in order that it may be included in the reports submitted by the Technical Assistance Board to the Technical Assistance Committee of the Economic and Social Council;
  20. *Directs* the United Nations Relief and Works Agency for Palestine Refugees in the Near East to consult with the United Nations Conciliation Commission for Palestine in the best interests of their respective tasks, with particular reference to paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948;
  21. *Requests* the Director to submit to the General Assembly of the United Nations an annual report on the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, including an audit of funds, and invites him to submit to the Secretary-General such other reports as the United Nations Relief and Works Agency for Palestine Refugees in the Near East may wish to bring to the attention of Members of the United Nations, or its appropriate organs;
  22. *Instructs* the United Nations Conciliation Commission for Palestine to transmit the final report of the Economic Survey Mission, with such comments as it may wish to make, to the Secretary-General for transmission to the Members of the United Nations and to the United Nations Relief and Works Agency for Palestine Refugees in the Near East.



### UN GENERAL ASSEMBLY, RESOLUTION 303 ON JERUSALEM, 9 DECEMBER 1949

The General Assembly

*Having regard to* its resolution 181 (II) of 29 November 1947 and 194 (III) of 11 December 1948,

*Having studied* the reports of the United Nations Conciliation Commission for Palestine set up under the latter resolution,

*Decides*

#### *I. In relation to Jerusalem,*

*Believing* that the principles underlying its previous resolutions concerning this matter, and in particular its resolution of 29 November 1947, represent a just and equitable settlement of the question,

1. To restate, therefore, its intention that Jerusalem should be placed under a permanent international regime, which should envisage appropriate guarantees for the protection of the Holy Places, both within and outside Jerusalem, and to confirm specifically the following provisions of General Assembly resolution 181.

## II.

1. The City of Jerusalem shall be established as a *corpus separatum* under a special international regime and shall be administered by the United Nations;
2. The Trusteeship Council shall be designated to discharge the responsibilities of the Administering Authority ..., and
3. 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 sketchmap...



### GOVERNMENT OF ISRAEL, ABSENTEES' PROPERTY LAW, 5710-1950, PASSED BY THE KNESSET, 14 MARCH 1950

*[See also the Law's amendments of 6 March 1951, 14 Feb. 1956, 2 Feb. 1965,  
8 July 1967, and 8 August 1967 below]*

#### 1. In this Law -

- (a) "property" includes immovable and movable property, moneys, a vested or contingent right in property, goodwill and any right in a body of persons or in its management;
- (b) "absentee" means -
  - (1) a person who, at any time during the period between the 16th Kislev, 5708 (29th November, 1947) and the day on which a declaration is published, under section 9(d) of the Law and Administration Ordinance, 5708-1948<sup>30</sup>, that the state of emergency declared by the Provisional Council of State on the 10th Iyar, 5708 (19th May, 1948)<sup>31</sup> has ceased to exist, was a legal owner of any property situated in the area of Israel or enjoyed or held it, whether by himself or through another, and who, at any time during the said period -
    - (i) was a national or citizen of the Lebanon, Egypt, Syria, Saudi Arabia, Trans-Jordan, Iraq or the Yemen, or
    - (ii) was in one of these countries or in any part of Palestine outside the area of Israel, or
    - (iii) was a Palestinian citizen and left his ordinary place of residence in Palestine
      - (a) for a place outside Palestine before the 27th Av, 5708 (1st September, 1948); or
      - (b) for a place in Palestine held at the time by forces which sought to prevent the establishment of the State of Israel or which fought against it after its establishment;
  - (2) a body of persons which, at any time during the period specified in paragraph (1), was a legal owner of any property situated in the area of Israel or enjoyed or held such property, whether by itself or through another, and all the members, partners, shareholders, directors or managers of which are absentees within the meaning of paragraph (1), or the manage-

Inter-  
pretation.

<sup>30</sup> 1) I.R. No. 2 of the 12th Iyar, 5708 (21st May 1948), Suppl. I, p. 1; LS/ vol. 1, p.7.

<sup>31</sup> I.R. No. 2 of the 12th Iyar, 5708 (21st May 1948). p. 6.

ment of the business of which is otherwise decisively controlled by such absentees, or all the capital of which is in the hands of such absentees;

- (c) "Palestinian citizen" means a person who, on the 16th Kislev, 5708 (29th November, 1947) or thereafter, was a Palestinian citizen according to the provisions of the Palestinian Citizenship Orders, 1925-1941, Consolidated<sup>32</sup>, and includes a Palestinian resident who, on the said day or thereafter, had no nationality or citizenship or whose nationality or citizenship was undefined or unclear;
  - (d) "body of persons" means a body constituted in or outside Palestine, incorporated or unincorporated, registered or unregistered, and includes a company, partnership, cooperative society, society under the Law of Societies of the 29th Rajab, 1327 (3rd August, 1909) and any other juridical person and any institution owning property;
  - (e) "absentees' property" means property the legal owner of which, at any time during the period between the 16th Kislev, 5708 (29th November, 1947) and the day on which a declaration is published, under section 9(d) of the Law and Administration Ordinance, 5708-1948, that the state of emergency by the Provisional Council of State on the 10th Iyar, 5708 (19th May 1948), has ceased to exist, was an absentee, or which, at any time as aforesaid, an absentee held or enjoyed, whether by himself or through another; but it does not include movable property held by an absentee and exempt from attachment or seizure under section 3 of the Civil Procedure Ordinance, 1938<sup>33</sup>;
  - (f) "vested property" means property vested in the Custodian under this Law;
  - (g) "held property" means vested property actually held by the Custodian, and includes property acquired in exchange for vested property;
  - (h) "released property" means property released under section 28;
  - (i) "area of Israel" means the area in which the law of the State of Israel applies;
  - (j) "bill" means a bill of exchange, a cheque, a promissory note or any other negotiable instrument.
2. (a) The Minister of Finance shall appoint, by order published in *Reshumot*, a Custodianship Council for Absentees' Property, and shall designate one of its members to be the chairman of the Council. The chairman of the Council shall be called the Custodian.
- (b) The Custodian may bring an action and institute any other legal proceeding against any person and be a plaintiff, defendant or otherwise a party in any legal proceeding.
- (c) The Custodian is entitled to be represented in any legal proceeding by the Attorney-General or his representative.
- (d) When the Custodian ceases to hold office, his functions, powers, rights, and duties shall automatically pass to the Minister of Finance; when another person is appointed Custodian, the said functions, powers, rights and duties shall automatically pass to him, and so on from Custodian to Custodian.
- 3.
- (a) The Custodian may, with the written approval of the Minister of Finance, appoint inspectors of absentees' property and delegate to any of them any of his powers, except the power to appoint inspectors. A notice of the appointment and scope of powers of every inspector shall be published by the Custodian in *Reshumot*.
- (b) The Custodian may appoint agents for the management of held property on his behalf and may fix and pay their remuneration.
- (c) The Custodian may appoint officials and other employees, whose status shall be the same as that of other State employees.

Custodian of  
Absentees'  
Property.

Appointment  
of Inspectors,  
agents and  
employees.

<sup>32</sup> P.G. No. 1351 of the 10th October, 1944, Suppl. II, p. 755 (English Edition).

<sup>33</sup> P.G. No. 781 of the 7th May 1938, Suppl. I, p. 25 (English Edition).

- Vesting of absentees' property in Custodian.
4. (a) Subject to the provisions of this Law -
- (1) all absentees' property is hereby vested in the Custodian as from the day of publication of his appointment or the day on which it became absentees' property, whichever is the later date;
  - (2), every right an absentee had in any property shall pass automatically to the Custodian at the time of the vesting of the property; and the status of the Custodian shall be the same as was that of the owner of the property.
- (b) The proceeds of vested property shall be dealt with like the vested property yielding the proceeds.
- (c) Vested property -
- (1) shall remain vested property so long as it has not become released property under section 28 or ceased to be absentees' property under section 27;
  - (2) may be taken over by the Custodian wherever he may find it.
- (d) Where the Custodian has acquired any property which was not absentees' property at the time of the acquisition, in exchange for vested property, the acquired property shall become held property and shall be dealt with as was the property in exchange for which it was acquired.
- Identity of absentee unknown.
5. The fact that the identity of an absentee is unknown shall not prevent his property from being absentees' property, vested property, held property or released property.
- Handing over Property to Custodian.
6. (a) A person who has in his possession any absentees' property is bound to hand it over to the Custodian.
- (b) A person who has a debt to, or any other obligation towards an absentee shall pay such debt or discharge such obligation to the Custodian.
- Care of held property, expenses and investments.
7. (a) The Custodian shall take care of held property, either himself or through others having his consent.
- (b) The Custodian may, himself or through others having his written consent, incur any expenses and make any investments necessary for the care, maintenance, repair or development of held property or for other similar purposes.
8. (a) The Custodian may carry on the management of a business on behalf of an absentee, whether or not he indicates that the business is managed by the Custodian, but he shall always have the right to sell or lease the whole or a part of the business, and -
- (1) if it is the business of an individual - to liquidate it;
  - (2) if it is the business of a partnership all the partners of which are shareholders of which are absentees, or of a cooperative society all the members of which are absentees - to wind up the partnership, company or cooperative society by order published in *Reshumot*.
- (b) Where the Custodian has published a winding-up order under subsection (a)(2), the winding up shall be conducted -
- (1) in the case of a partnership or company - as if the winding-up order had been made by a competent court in accordance with part V of the Partnership Ordinance<sup>34</sup> or in accordance With part VI of the Companies Ordinance<sup>35</sup>, as the case may be;
  - (2) in the case of a cooperative society - as if the winding-up order had been made by the Registrar of Cooperative Societies in accordance with section 47 of the Cooperative Societies Ordinance<sup>36</sup>, and in every case as if the Custodian had been appointed as a liquidator not replaceable by another liquidator.
- Absentees' businesses.

<sup>34</sup> *Laws of Palestine* vol. II, cap. 103, p. 1041 (English Edition).

<sup>35</sup> *Laws of Palestine* vol. I, cap. 22, p. 161 (English Edition).

<sup>36</sup> *Laws of Palestine* vol. I, cap. 24, p. 360 (English Edition).

- Payments to persons supported by absentees, and to absentees; payments for purposes of a trust.
- Expulsion.
- Demolition of buildings and discontinuance of building operations.
9. (a) If the Custodian is of the opinion that a particular person was a dependant of an absentee, he may grant allowances to that person out of the held property of that absentee, in such amounts as in the opinion of the Custodian is necessary for the maintenance of that person; provided that they shall not exceed 50 pounds per month in respect of any such person.
  - (b) If several persons were dependants of the same absentee, and in the opinion of the Custodian there are family ties between them, the Custodian may pay the allowances to one of them for all of them.
  - (c) The Custodian may grant an allowance as aforesaid also to the absentee himself if, in the opinion of the Custodian, it is necessary for the maintenance of the absentee.
  - (d) Income from vested property which is a trust may be expended by the Custodian, wholly or in part, for purposes for which the trust was established.
10. (a) Where vested property of the category of immovable property is occupied by a person who, in the opinion of the Custodian, has no right to occupy it, the Custodian may confirm such fact by a certificate under his hand describing the property. The certificate shall have the effect of a judgment in favour of the Custodian for the expulsion of the occupier of the vested property.
  - (b) (1) Where the certificate has been filed in the Execution Office, such Office shall serve a copy thereof on every occupier of the property described therein, in like manner as a copy of a judgment is served on a judgment debtor, and shall proceed as it would in the execution of a judgment for expulsion. The expulsion shall be considered as an urgent matter within the meaning of section 38 of the Execution Law of the 11th May, 1914, except that the time within which the occupier of the property shall be required to relinquish it shall be seven days.
  - (2) If a person occupying property as aforesaid contends that he has a right to occupy it, and he proves to the Chief Execution Officer that there is some substance in his contention, the Chief Execution Officer may stay the execution for such time as he may think fit, with a view to enabling that person to apply to a competent court and to establish his right.
  - (c) Where an occupier has applied to a competent court and has established his right to occupy the property, the court shall annul the certificate and the execution proceedings taken thereunder.
11. (a) If on any vested property, being of the category of immovable property, a building has been or is being built without the written permission of the Custodian, the Custodian may order that -
    - (1) all building operations on such property shall be discontinued within operations the time prescribed in the order;
    - (2) the building shall be demolished;
    - (3) the expenses of implementing an order under paragraph (2) shall be paid to him by the persons responsible for the building operations or by the persons who carried them out.
  - (b) An order under subsection (a)(1) shall be posted up in a conspicuous position in or as near as possible to the property to which it relates, and any person contravening the order shall be guilty of an offence and shall be dealt with as provided in section 35(a).
  - (c) An order under subsection (a)(2) shall be filed in the Execution Office, and such Office shall serve a copy thereof on everyone concerned, in like manner as a copy of a judgment is served on a judgment debtor, and shall proceed as it would in the -execution of a demolition order.
  - (d) (1) Whosoever considers himself aggrieved by an order under paragraph (1) or (2) of subsection (a) may appeal within seven days from the day on which the

order came to his knowledge to the District Court in whose area of jurisdiction the property is situated.

- (2) The appeal shall be lodged and heard in the form of an application by motion. The Custodian shall be respondent in the appeal.
  - (3) the lodging of an appeal shall not stay the implementation of the order unless a judge of the District Court so orders.
  - (4) The District Court may confirm the order, with or without modifications, or annul it.
  - (5) The decision of the District Court in an appeal under this section shall be final.
- (e) Where the Custodian has made an order as specified in paragraph (2) of subsection (a), he may remove from the property, or retain control of, any materials, tools and implements found on the property, with a view to clearing the property or to securing the reimbursement of his expenses in connection with the implementation of the order.
- (f) "Building", in this section, has the same meaning as in section 2 of the Town Planning Ordinance, 1936<sup>37</sup>.
12. (a) In the case of property to which the provisions of the Rent Restrictions (Dwelling-Houses) Ordinance, 1940<sup>38</sup>, or the Rent Restrictions (Business Premises) Ordinance, 1941<sup>39</sup>, apply, and which has been vested in the Custodian, the person who occupied it immediately before the day of its vesting - whether under an agreement made before the owner of the property became an absentee or in virtue of the protection afforded by the provisions of one of those Ordinances - or his successor shall be protected by those provisions even after the vesting of the property.
- (b)
- (1) Where vested property, being a house or a part of a house, has been let by the Custodian as a separate dwelling, within the meaning of section 3 of the Rent Restrictions (Dwelling-Houses) Ordinance, 1940, the provisions of that Ordinance shall apply to it subject to subsections (c), (d) and (e) and with the following modifications and adaptations:
    - (i) The rent fixed in the contract of lease, as reduced under subsection (d) (if so reduced), shall be regarded as the standard rent;
    - (ii) the words "rent at the agreed rate as modified by this Ordinance", appearing in section 8(1) of that Ordinance, shall be regarded as referring to the rent fixed in the contract of lease, as reduced under subsection (d) (if so reduced).
  - (2) Where vested property, being business premises within the meaning of the Rent Restrictions (Business Premises) Ordinance, 1941, situated in an area to which that Ordinance has been made applicable, has been let by the Custodian, the provisions of that Ordinance shall apply to it subject to subsections (c), (d) and (e), except that the rent fixed in the contract of lease, as reduced under subsection (d) (if so reduced), shall be regarded as the maximum rent fixed under section 6(1) of that Ordinance.
- (c) The Minister of Finance may, by regulations, prescribe rules to be followed in fixing the rent.
- (d)
- (1) A lessee who considers himself aggrieved by the fixing of the rent in his contract of lease may appeal against it to the Magistrates' Court in whose area of jurisdiction the property is situated.

Application  
of Rent  
Restrictions  
(Dwelling-  
Houses)  
Ordinance,  
1940, and  
Rent  
Restrictions  
(Business  
Premises)  
Ordinance,  
1941.

<sup>37</sup> P.G. No. 589 of the 4th May 1936, Suppl. I, p. 157 (English Edition); P.G. No. 770 of the 24th March, 1938, Suppl. I, p. 14 (English Edition).

<sup>38</sup> P.G. No. 1065 of the 20th December, 1940, Suppl. I, p. 289 (English Edition).

<sup>39</sup> P.G. No. 1086 of the 31st March, 1941, Suppl. I, p. 19 (English Edition).

- (2) The appeal shall be lodged and heard in the form of an application by motion. The Custodian shall be respondent in the appeal.
  - (3) The Magistrate's Court may confirm or reduce the rent fixed in the contract of lease, having, reference to the rules (if any) prescribed under subsection (c) and having regard to all the circumstances of the case.
  - (4) Where the Magistrate's Court has reduced the rent -
    - (i) it shall fix the date from which the reduction shall have effect, provided that this date shall not be earlier than the day of the lodging of the appeal;
    - (ii) it may order that any amount in excess of the rent as reduced which the lessee has paid in respect of a period subsequent to the date fixed under subparagraph (i) shall be refunded to him.
  - (5) The decision of the Magistrate's Court in an appeal under this subsection shall be final.
- (e)
- (1) Where vested property is occupied by a person in virtue of the protection afforded by the provisions of the Rent Restrictions (Dwelling Houses) Ordinance, 1940, or the Rent Restrictions (Business Premises) Ordinance, 1941, in accordance with subsection (b), and its vacation by the occupier is, in the opinion of the Custodian, required for the purposes of the development of the place or area in which it is situated, the Custodian may, after placing suitable alternative accommodation at the occupier's disposal, make an order of vacation in respect of the property. The order shall have the effect of a judgment in favour of the Custodian for the expulsion of the occupier of the vested property.
  - (2) Where the order has been submitted to the Execution Office, such Office shall serve a copy thereof on the occupier of the property, in like manner as a copy of a judgment is served on a judgment debtor, and shall proceed as it would in the execution of a judgment for expulsion.
  - (3) (i) An occupier of property in respect of which an order of vacation has been made under this subsection may appeal against it within fourteen days from the day on which the order came to his knowledge to the District Court in whose area of jurisdiction the property is situated, on the ground that no suitable alternative accommodation has been placed at his disposal.
    - (ii) The appeal shall be lodged and heard in the form of an application by motion. The Custodian shall be respondent in the appeal.
    - (iii) The lodging of an appeal shall stay any execution proceedings under paragraph (2).
    - (iv) The District Court may confirm the order, with or without modifications, or annul it.
    - (v) The decision of the District Court in an appeal under this paragraph shall be final.

Cultivators  
(Protection)  
Ordinance not  
to apply.

13. A person who occupies vested property, being a holding within the meaning of the Cultivators (Protection) Ordinance<sup>40</sup>, shall not be protected by the provisions of that Ordinance unless immediately before the vesting of the property in the Custodian he occupied it by virtue of the protection afforded by those provisions.

Cultivator  
and his right  
to the  
produce.

14. Where the vested property is a citrus grove, a vineyard or any other plantation, or any other agricultural land, and the Custodian has handed it over to a person for the purpose of cultivation, that person shall be entitled to enjoy the produce in accordance with the terms stipulated between him and the Custodian, and his right shall have priority over any charge vested in another person theretofore; but any such charge shall extend also to the income due to the Custodian from that property.

<sup>40</sup> *Laws of Palestine* vol. 1, cap. 40, p. 506 (English Edition)

- Vested property-charge thereon and attachment thereof.
- Extent of responsibility of Custodian and persons acting under his instructions.
- Validity of transactions.
- Extent of property erroneously considered vested property.
- Limitation of powers of Custodian.
15. (a) The fact that any property has become absentees' property or vested property shall not exonerate it from any mortgage, pledge or other charge, or from any right of tenure or use, legally created theretofore.
  - (b) No execution proceedings shall be taken, no act under section 14 of the Land Transfer Ordinance<sup>41</sup> shall be done, and no recourse shall be had to sections 8, 9 or 10 of the Law Concerning the Partition of Immovable Property of the 14th Muharram, 1332, in respect of vested property, except by permission in writing from the Custodian or, if such permission, having been applied for after the 13th Nisan, 5710 (31st March, 1950), has not been given within one year from the day on which it was applied for, upon the expiration of that year.
  - (c) An attachment imposed on absentees' property, whether before or after it became vested property, shall not prevent the Custodian from relinquishing control of the property in accordance with this Law; and where he has done so, the attachment shall apply, instead of to the property, to the consideration which he has received for it.
16. Where the Custodian or a person who acted, directly or indirectly, under his instructions has taken over, or has done any act in respect of, any property in the honest and reasonable, but mistaken, belief that the property is absentees' property, the Custodian or that person shall bear no civil responsibility therefor beyond that which he would bear if the property had at the time been absentees' property.
  17. Any transaction made in good faith between the Custodian and another person in respect of property which the Custodian considered at the time of the transaction to be vested property shall not be invalidated and shall remain in force even if it is proved that the property was not at the time vested property.
  18.
    - (a) Where a competent court has decided that some property which the Custodian considered to be vested property is not vested property, the Custodian, shall, subject to the provisions of section 17, hand over the property or the consideration which he has received for it, as the case may be, to such person as the court has in its decision directed or, if no such direction has been given by the court, to the person from whom he received the property; and if that person is not known to him, he shall apply to a competent court for directions.
    - (b) Where the Custodian has found that some property which he considered to be vested property is not vested property, he may, subject to the provisions of section 17, hand over the property or the consideration which he has received for it, as the case may be, to the person who in the opinion of the Custodian is entitled to possession of the property or of the consideration.
  19. (a) Where the vested property is of the category of immovable property, the Custodian shall not
    - (1) sell or otherwise transfer the right of ownership thereof; provided that if a Development Authority is established under a Law of the Knesset, it shall be lawful for the Custodian to sell the property to that Development Authority at a price not less than the official value of the property;
    - (2) grant a lease of the property for a term exceeding six years, except -
      - (i) to the said Development Authority; and on leasing property to it, that Custodian shall stipulate with the Development Authority in the contract of lease that the annual rent payable by it shall not be less than an amount equal to 4.8 per cent of the official value of the property; or,

<sup>41</sup> *Laws of Palestine* vol. II, cap. 81, p. 881 (English Edition); P.G. No. 782 of the 12th May, 1938, Suppl. I, p. 28 (English Edition); P.G. No. 938 of the 22nd September, 1939, Suppl. I, p. 107 (English Edition).

- (ii) to another lessee who undertakes in the contract of lease to cultivate or develop the property to the satisfaction of the Custodian.
  - (b) A voluntary partition of immovable property held in *musha'* shall not for the purpose of subsection (a) be regarded as a transfer of the right of ownership of such immovable property.
  - (c) Where the Custodian has granted a lease of any property for a term exceeding three years, the provisions of the Land Transfer Ordinance shall not apply to the lease; but the Custodian may apply for registration of the lease in accordance with that Ordinance.
  - (d) "Official value", in this section, means -
    - (1) in relation to property which, in the financial year 1947-1948, was chargeable with urban property tax under the Urban Property Tax Ordinance, 1940<sup>42</sup> - an amount  $16 \frac{2}{3}$  times the amount of the net annual value determined for it, for the purposes of that Ordinance, in the last assessment before the 6th Iyar, 5708 (15th May, 1948);
    - (2) in relation to property which, in the financial year 1947-1948, was chargeable with rural property tax under the Rural Property Tax Ordinance, 1942<sup>43</sup> -
      - (i) if it is an industrial building, within the meaning of that Ordinance - an amount  $16 \frac{2}{3}$  times the amount of the net annual value determined for it, for the purposes of that Ordinance, in the last assessment before the 6th Iyar, 5708 (15th May, 1948);
      - (ii) if it belongs to category 1, 2, 3, 4 or 17 referred to in the Schedule to that Ordinance - an amount 300 times the amount of tax which was or would have been charged on it in respect of that financial year if it belonged or had belonged to category 1 referred to in the said Schedule,
      - (iii) if it belongs to one of the other categories referred to in the Schedule to that Ordinance - an amount 75 times the amount of tax which was charged on it in respect of that financial year;
    - (3) in relation to other property - an amount  $16 \frac{2}{3}$  times the amount of the net annual value which would have been determined for it in the financial year 1947-1948 for the purposes of the Urban Property Tax Ordinance, 1940, had it been chargeable, in that financial year, with urban property tax under that Ordinance; provided at the Minister of Finance may reduce any of the rates mentioned in this subsection in the case of property the possibilities of using which are, in his opinion, limited owing to damage or neglect or for another similar reason.
  - (e) Where the vested property is a voidable charge, the Custodian may void it only for a consideration or in accordance with the conditions of the charge; where it is a waivable right, the Custodian may waive it only for a consideration.
  - (f) Nothing in this Law shall derogate from the powers of the Minister of Agriculture under the Emergency Regulations (Cultivation of Waste Lands) 5708-1948<sup>44</sup>.
- 20.
- (a) The Custodian shall not pay a debt due from, or in connection with any property of an absentee, or discharge any other obligation incurred by an absentee, except-
    - (1) if it is a debt in respect of taxes, rates or other similar obligatory charges, or
    - (2) if the debt or obligation has been proved to the complete satisfaction of the Custodian, or
    - (3) under a judgment of a competent court, and to the extent that the held property of that absentee is sufficient for the purpose.

Debts of absentees and actions in connection therewith.

<sup>42</sup> P.G. No. 1065 of the 20th December, 1940, Suppl. I, p. 275 (English Edition).

<sup>43</sup> P.G. No. 1182 of the 10th March, 1942, Suppl. I, p. 11 (English Edition).

<sup>44</sup> I.R. No. 41 of the 6th Tevet, 5709 (7th January, 1949) Suppl. I, p. 94.

- (b) The court which deals with a claim for a debt due from, or in connection with any property of, an absentee or a claim for the discharge of any other obligation incurred by an absentee may, notwithstanding anything contained in any other law -
- (1) postpone from time to time the hearing of the claim, in order to enable the submission of evidence as complete as possible;
  - (2) strike out or dismiss the claim if it has not been proved beyond all reasonable doubt.
- (c) The Minister of Finance may, by regulations, determine categories of vested immovable property in respect of which the Custodian shall have the right to postpone the payment of all or any taxes, rates or other similar obligatory charges due on such immovable property, for such period and on such conditions as the Custodian, with the approval of the Minister of Finance, may determine in each case.
21. (a) A person or body of persons holding, managing or enjoying vested property shall deliver to the Custodian a written notification, containing the particulars of vested property, within thirty days from the day of publication of the Custodian's appointment or, if the property came to be held, managed or enjoyed by him or it - otherwise than with the consent of the Custodian - after the day of publication, within thirty days from the day on which it came to be so held, managed or enjoyed, or, if the property became vested property after the day of publication, within thirty days from the day of the vesting.
- (b) A company which is registered in the area of Israel or which has therein an office for the transfer of shares, or an office for the registration of shares, shall deliver to the Custodian, within thirty days from the day of publication of his appointment, a written notification containing full particulars of all securities (including shares, stocks, debentures, debenture stock and bonds) which have been issued by the company and are registered in the name or in favour of or held on behalf of or by an absentee; and where the securities relate in any such manner as aforesaid to a person who became an absentee after the day of publication of the Custodian's appointment, the company shall deliver the said notification to the Custodian within thirty days from the day on which that person became an absentee.
- (c) Where a partnership has among its partners an absentee or absentees, the partnership and each of the partners shall deliver to the Custodian, within thirty days from the day of publication of his appointment, a written notification containing full particulars of the share in the partnership, and of the other rights in respect of the partnership and of the partners, of each absentee partner; and where a partner became an absentee after the day of publication of the Custodian's appointment, the partnership and each of the partners shall deliver the said notification within thirty days from the day on which the partner became an absentee.
- (d) Anyone bound under this section to deliver to the Custodian a written notification shall also deliver to him from time to time returns, accounts or other documents, or other information, as the Custodian may from time to time require, in connection with the property in respect of which he is bound to deliver a notification.
- (e) Where the Custodian has required a person to deliver to him, within the time prescribed in the notice, any returns, accounts or other documents, or any other information, as specified in subsection (d), that person shall comply with everything contained in the notice.
- (f) Whosoever was bound under this section to deliver a notification before the 13th Nisan, 5710 (31st March, 1950) and has not fulfilled this obligation may do so until the 13th Iyar, 5710 (30th April, 1950); and if he does so, he shall not be prosecuted for not fulfilling his obligation in time.
22. (a) A person shall not without the written consent of the Custodian -
- (1) hold, manage, or otherwise deal with, or relinquish or transfer, vested property, or hand over vested property to any person other than the Custodian;

Duty to make notification of absentees' property.

Prohibited Acts.

- (2) pay to any person other than the Custodian a debt, or discharge to any person other than the Custodian any other obligation, the right of claim in respect of which has been vested in the Custodian;
- (3) act under a power of attorney or other authorisation of an absentee principal, whether the principal became an absentee before the giving of the power of attorney or other authorisation or whether he became an absentee thereafter; however, an advocate duly authorised on that behalf by an absentee who is at the time in the area of Israel may represent that absentee with regard to any legal act; if the absentee is not at the time in the area of Israel, his representation by an advocate with regard to any legal act requires the written consent of the Attorney-General.
- (b) Consent under this section may be given before or after the fact.
- (c) An act which has been done in contravention of this section is null and void; and if it was a transfer of a bill, then any subsequent transfer is likewise void, notwithstanding anything contained in any other law.
- (d) No act in respect of vested property may be registered in the Land Register otherwise than with the written permission of the Custodian, given before the registration, or under a judgment of a competent court. If a registration has been effected in contravention of this provision the Court shall, on the application of the Custodian, order that such registration and any subsequent registration shall be deleted.
- (e) Anyone who contends that an act was done in respect of any property before it became vested property or in respect of any person before he became an absentee, or that an act was done with the consent or written permission of the Custodian, shall bear the onus of proving the same.

23. (a)

- (1) A transfer or handing-over of property to an absentee or to another for the benefit of an absentee during the period between the 21st Adar Bet, 5708 (1st April, 1948) and the day of publication of the appointment of the Custodian, effected with intent to smuggle the whole or a part of the property or the whole or a part of the consideration received for it to a part of Palestine which at the time of the transfer or handing-over was outside the area of Israel, or to the Lebanon, Egypt, Syria, Saudi-Arabia, Trans-Jordan, Iraq or the Yemen, is null and void.
- (2) A transfer or handing-over of property from the hands of an absentee to another person during the period referred to in paragraph (1), effected for a fictitious or insufficient consideration or without consideration, or under unfair pressure, is null and void.

Transfers  
to be void.

- (b) Property which has been transferred or handed over as stated in subsection (a) shall be regarded as vested property, and any person who has transferred or handed over or received the property shall be responsible to the Custodian for the property or for its value.
- (c) The Custodian may require in writing any person whom he regards as responsible under subsection (b) to hand over to him the property or its value, and that person shall comply with the requirement, but he may appeal against it to the District Court of Jerusalem within thirty days from the day of receipt of the requirement.
- (d) The appeal shall be lodged and heard in the form of an application by motion. The Custodian shall be respondent in the appeal.
- (e) Where the District Court has found that the requirement of the Custodian is not justified in law or in fact, it shall annul the requirement and declare its effects to be void.
- (f) Any party who considers himself aggrieved by a decision of the District Court under this section may appeal against it to the Supreme Court sitting as a

Court of Civil Appeal, and the provisions of the Civil Procedure Rules, 1938<sup>45</sup>, shall apply as if the decision of the District Court were a judgment of that court in a civil action in which the party who appeals against the requirement had been the plaintiff and the Custodian the defendant.

- (g) Anyone who contends that a transfer or handing-over of property to an absentee or to another for the benefit of an absentee, during the period referred to in subsection (a)(1), was effected otherwise than with intent to smuggle the whole or a part of the property, or the whole or a part of the consideration received therefore, as specified in that subsection, or that a transfer or handing-over of property from the hands of an absentee to another person during the said period was effected for full consideration or otherwise than under unfair pressure, shall bear the onus of proving the same.
24. (a) Where a notification concerning an absentee partner has been delivered to the Custodian under section 21(c) and the Custodian intends to participate in the management of the business of the partnership, he shall give notice to that effect to the other partners within six months from the day on which the notification was delivered to him.
- (b) After the Custodian has given notice as provided in subsection (a) - but not before then - he may participate in the management of the business of the partnership in the place of the absentee partner.
- (c) From the day of delivery to the Custodian of the notification under section 21(c) until the receipt of the notice of the Custodian under subsection (a), the partners who are not absentees may manage the business of the partnership in the usual way.
- (d) Where a notification under section 21(c) concerning an absentee partner has not been delivered, the Custodian may at any time, after giving notice to the other partners, participate in the management of the business of the partnership.
- (e) As soon as the Custodian has become authorised to participate in the management of the business of the partnership, he may - regardless of the terms of the partnership contract - leave the partnership and receive the share of the absentee partner from the partners who are not absentees or, failing their consent, dissolve the partnership by giving notice to those partners; the notice shall be treated like notice given under section 38(1)(c) of the Partnership Ordinance<sup>46</sup>.
- (f) The Custodian shall on no account be liable for debts and obligations of the partnership save to the extent of the value of the held property of the absentee partner.
25. Where a part of any property of the category of immovable property has been vested in the Custodian, the Custodian is entitled to participate in the management of the whole of the property, together with the owners who are not absentees, with the same rights as the absentee had.
26. Where the property of the absentee is a bill -
- (1) it shall be vested in the Custodian even if it has not been delivered to him and has also not come into his hands in any other manner;
- (2) the Custodian is exempt from presenting the bill for acceptance or payment, from giving notice of dishonour and from protesting against non-acceptance or non-payment;
- (3) non-presentation or non-notice or non-protest in pursuance of paragraph (2) shall not in itself release any party to the bill from the obligations thereunder.
27. (a) If the Custodian is of opinion that a particular person whom it is possible to define as an absentee under section 1(b)(1) (iii) left his place of residence -
- (1) for fear that the enemies of Israel might cause him harm, or

Provisions  
as to partner-  
ship in which  
there is an  
absentee  
partner.

Management  
of joint  
property.

Absentees'  
property  
which is a  
bill.

Confirmation  
to non-  
absentee.

<sup>45</sup> P.G. No. 755 of the 31st March, 1938, Suppl. II, p. 111 (English Edition).

<sup>46</sup> *Laws of Palestine* vol. II, cap. 103, p. 1037 (English Edition).

- (2) otherwise than by reason or for fear of military operations, the Custodian shall give that person, on his application, a written confirmation that he is not an absentee.
- (b) The Custodian may, in his sole discretion, but subject to the provisions of section 29, give a written confirmation that a particular person who is at the time lawfully in the area of Israel is not an absentee, even though it be possible to define him as an absentee, if the Custodian is of opinion that such person is capable of managing his property efficiently and that he will not in so doing be aiding the enemies of Israel.
- (c) A confirmation under this section shall have effect from the day on which it is given, unless it is stated therein that it shall have effect from an earlier or a later date.
- (d) From the day on which a confirmation under this section takes effect, the property of the person concerned ceases to be absentees' property, and if his property includes held property, the Custodian shall hand over the same to the person who in the opinion of the Custodian is entitled to possession thereof.
28. (a) The Custodian may, in his sole discretion, but subject to the provisions of section 29, release vested property by certificate under his hand; and as soon as he has done so, that property shall cease to be absentees' property and any right a person had in it immediately before it was vested in the Custodian shall revert to that person or to his successor.
- (b) The Custodian may stipulate with a person who requests him to exercise his power under subsection (a) that at the time of the giving of a certificate as aforesaid some other property shall become held property. Where that person has agreed to the stipulation and the certificate has been given as aforesaid, the other property becomes held property.
- (c) Where the Custodian has sold vested property, the property which has been sold becomes released property and passes into the ownership of the purchaser, and the consideration which the Custodian has received becomes held property; where the vested property is a voidable charge and the Custodian voids it for a consideration, or where it is a waivable right and the Custodian waives it for a consideration, the consideration becomes held property at the time of the voiding or waiving, as the case may be.
29. The Custodian shall not exercise his powers under section 27 (b) or section 28 unless such has been recommended, in respect of each case or a particular class of cases, by a special committee to be appointed by the Government. Notice of the appointment of such a committee shall be published in *Reshumot*.
30. (a) Where the Custodian has certified in writing that a person or body of persons is an absentee, that person or body of persons shall, so long as the contrary has not been proved, be regarded as an absentee.
- (b) Where the Custodian has certified in writing that some property is absentees' property, that property shall, so long as the contrary has not been proved, be regarded as absentees' property.
- (c) A certificate of the Minister of Defence that a place in Palestine was at a particular time held by forces which sought to prevent the establishment of the State of Israel or which fought against it after its establishment shall be conclusive evidence of its contents.
- (d) A copy certified by the Custodian of an entry in his books or official files or of another document in his possession shall, in any action or other legal proceeding, be accepted as *prima facie* evidence of the correctness of its contents.
- (e) A written confirmation by the Custodian as to matters within the scope of his functions shall, unless the Court has otherwise directed, be accepted in any action or other legal proceeding as *prima facie* evidence of the facts stated in the confirmation.

Release of  
vested  
property.

Recommendations of  
committee.

Rules of  
evidence.

- (f) The Custodian and his inspectors, agents and officials are not bound to produce in any action or other legal proceeding any book, file or other document the contents of which can be proved in accordance with this section, and are not bound to testify on matters which can be proved through a confirmation of the Custodian as specified in this section, unless the Court has otherwise directed.
- (h) A certificate, a confirmation, a permit or any other document which purports to have been signed, issued, given or delivered by the Minister of Defence, the Minister of Finance or the Custodian shall, so long as the contrary has not been proved, be considered to have been so signed, issued, given or delivered.
- (i) The plea that a particular person is not an absentee, within the meaning of section 1(b)(1)(iii), by reason only that he had no control over the causes for which he left his place of residence as specified in that section shall not be heard.

Plea that property is absentees' property reserved to Custodian.

31. A court shall not, in any civil proceeding, entertain the plea that some party, being the subject of litigation, is absentees' property, unless the Custodian is a party to the proceeding. If this plea is made where the Custodian is not a party, and the court finds that there is some substance in it, the court shall invite the Custodian to join the case as a party. If the Custodian does so, the court shall consider the plea; if he does not, the court shall regard the plea as invalid.

32.

- (a) At the time of the transfer of any property in accordance with this Law, at the time when any property ceases, under section 27, to be absentees' property, and at the time of the release of any property under section 28, there is due to the State from the absentee a remuneration equal to 4 per cent of the value of the property; but the Minister of Finance may, in respect of a particular case or class of cases, reduce or waive the remuneration.
- (b) For the purpose of determining the remuneration, there shall be regarded as the value of property of the category of immovable property the official value of that property within the meaning of section 19, and as the value of other property, the price which in the opinion of the Custodian it would have been possible to obtain for it if, at the time of determining the remuneration, it had been sold on the free market by a willing seller to a willing purchaser; and if the property (whether it be property of the category of immovable property or other property) has been sold by the Custodian, the price at which it was actually sold shall be regarded as its value.
- (c) Besides the remuneration, there are due to the State from the absentee or the owner of the property, as the case may be, all expenses (including travelling expenses, costs of legal proceedings and the remuneration of advocates, agents or other persons employed by the Custodian in connection with the property) which have been incurred by the Custodian or with his consent, or which he has undertaken to incur, for the purpose of safeguarding, maintaining, repairing or developing absentees' property or property which the Custodian, considered to be absentees' property or for other similar purposes, plus interest at the rate of 6 per cent per annum from the day on which the expenses were incurred.
- (d) The payments due under this section shall be a charge on all the property of the absentee or the owner of the property, as the case may be, which shall have priority over any other charge; and if that property includes moneys, the Custodian may deduct therefrom the amount of the payments.
- (e) The Custodian may withhold the giving to any person of a confirmation or certificate under section 27 or section 28 until all payments due from that person under this section have been discharged.

Custodian's remuneration and expenses.

33. The Minister of Finance may, by order published in *Reshumot*, prescribe fees payable in respect of certificates, confirmations, permits or other documents, or other acts of the Custodian, under this Law.

Fees.

- 34.
- Dealing with absentees' property before appointment of Custodian.
- (a) If the Minister of Finance is of opinion that a person who dealt with Absentees' property, or with property which he had reason to believe to be absentees' property, during the period between the 16th Kislev, 5708 (29th November, 1947) and the day of publication of the Custodian's appointment did so to the best of his ability, in good faith and with the intention of handing over the property dealt with by him, and that such person handed over to the Custodian, at or about the time of the publication of his appointment, the property which was in his possession, the Minister of Finance may give a confirmation to such effect by notice published in *Reshumot*.
  - (b) The dealings of a person in relation to whom the Minister of Finance has published a notice under subsection (a) shall be regarded as lawful and justified in all respects; no act which formed part of those dealings and which was done by that person, or by another person upon his instructions, shall be a basis for a charge or a ground for a claim against that person or the other person, unless it is proved, beyond all reasonable doubt, that the accused or defendant did the act with malicious intent or through gross negligence.
- 35.
- Offences.
- (a) A person who -
    - (1) contravenes any of the provisions of section 22 (a); or
    - (2) contravenes anything contained in order under section 11; or
    - (3) conceals absentees' property from the Custodian or does not hand over to him property which he is bound to hand over to him; or
    - (4) willfully delivers to the Custodian or to one of his inspectors, agents or officials a declaration or some information which is false in a material particular is liable to imprisonment for a term not exceeding two years or to a fine not exceeding five hundred pounds or to both such penalties.
  - (b) A person who
    - (1) does not deliver to the Custodian or to one of his inspectors, agents or officials a return, an account, a notice or another document, or some information, which he is bound to deliver under this Law; or
    - (2) through negligence delivers to the Custodian or to one of his inspectors, agents or officials a declaration or some information which is false in a material particular; or
    - (3) wilfully obstructs the Custodian or one of his inspectors, agents or officials in the exercise of any of his functions under this Law is liable to imprisonment for a term not exceeding six months or to a fine not exceeding one hundred pounds or to both such penalties.
  - (c) Where a body of persons is guilty of an offence under this section, every person who at the time of the commission of the offence was the head, or a secretary, trustee, director or manager, or the chief or sole accountant, of that body shall be likewise guilty thereof unless he proves that it was committed without his knowledge or that he took all appropriate steps to prevent its commission.
  - (d) An action for an offence under this section shall be brought only by, or with the written consent of the Attorney- General.
- 36.
- Notices, etc.
- (a) Any notice, requirement or direction which the Custodian is bound or authorised to give or make under this Law - except notices, requirements or directions requiring publication in *Reshumot* - may be sent by registered post to the person to whom it is addressed; and if it has been so sent, it shall be considered to have been delivered to that person at the expiration of ten days from the day on which it was delivered to the Post Office for despatch, unless it is proved that it came to his hands before then.
  - (b) Any notice, requirement or direction permitted to be delivered in the manner

determined in subsection (a) may be delivered by the Custodian by publication in *Reshumot*, and he is not bound to indicate in the notice, requirement or direction the name of the person to whom it is addressed.

- (c) Any notice, requirement or direction under this Law published in *Reshumot* shall be considered to have been delivered to everyone concerned on, the day of publication.

Replacement  
of Regula-  
tions.

37. The provisions of this Law shall replace the provisions of the Emergency Regulations (Absentees' Property), 5709-1948<sup>47</sup>, from the 13th Nisan, 5710 (31st March, 1950) onwards; but this Law shall be read as one with those Regulations, and for this purpose those Regulations shall be deemed to be a Law amended by this Law.

Validations  
of Acts.

38. An act which was done before the 13th Nisan, 5710 (31st March, 1950) and which would have been validly done if, at the time it was done, the text of this Law as in existence on the 13th Nisan, 5710 (31st March, 1950) had been in force shall be deemed to have been validly done.

Interpre-  
tation.

39. The Minister of Finance is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation.

DAVID BEN-GURION  
*Prime Minister*

ELIEZER KAPLAN  
*Minister of Finance*

CHAIM WEIZMANN  
*President of the State*



#### JORDANIAN HOUSE OF DEPUTIES AND HOUSE OF NOTABLES, JOINT RESOLUTION ANNEXING THE WEST BANK AND JERUSALEM, AMMAN, 24 APRIL 1950

*[The House of Deputies and House of Notables, in a joint session, adopted the following Resolution annexing the West Bank and Jerusalem - areas it had occupied by military force in 1948]*

In the expression of the people's faith in the efforts spent by His Majesty, Abdullah, toward attainment of natural aspirations, and basing itself on the right of self-determination and on the existing *de facto* position between Jordan and Palestine and their national, natural and geographic unity and their common interests and living space, Parliament, which represents both sides of the Jordan, resolves this day and declares:

First, its support for complete unity between the two sides of the Jordan and their union into one State, which is the Hashemite Kingdom of Jordan, at whose head reigns King Abdullah Ibn Al-Husain, on a basis of constitutional representative government and equality of the rights and duties of all citizens...



#### GOVERNMENT OF ISRAEL, SITTING 135 OF THE FIRST KNESSET REGARDING THE ANNEXATION OF THE WEST BANK BY THE HASHEMITE KINGDOM OF JORDAN, 3 MAY 1950

I. BAR-YEHUDA (Mapam): Distinguished Knesset, I would like to draw your attention to the strange and unprecedented way in which this debate has been called. Despite the various differences of opinion, I think that there is no one here among us who does not regard this issue as being of the utmost political significance, both internally and externally. The Government refuses to open the debate with a statement, and this goes against precedent... We, the Opposition parties, are opening the debate because we do not wish to delay the matter further, and I presume that... the Government will make a closing statement, when we will be unable to make any remarks.

<sup>47</sup> *I.R.* No. 37 of the 10th Kisle, 5709 (12th December, 1948), Suppl. 11, p 59.

... The king of the country which calls itself "Jordanian" has announced that he has annexed part of Palestine to his country. Furthermore, the British Empire has announced that its armed forces are returning to Palestine. The State of Israel has not reacted to this. Is the Knesset entitled not to react either? ... We cannot discuss the events of our lives without stressing their international background, particularly in our immediate vicinity....

I would like to remind you that when one wants to gain control of a large area one does not start with the main, principal enemy. One prepares the ground by taking action against the weaker forces. This is what Hitler did when he started his scheme to destroy the entire free world... First he attacked the Jews and the socialists, and the world kept quiet, thinking that the threat was not directed at it.

The preparations for the third world war are being made in the same way. Although the intention is to rule the world and attack the U.S.S.R., the forces in our immediate neighborhood are being prepared first. Those forces tried to attack us recently, and were defeated. Someone still doubts the military capacity and potential of those forces, that is why they are being prepared for a future war by fighting against us.

Before and during this annexation and Britain's announcement of its return to Palestine we also heard about other activities. I presume that there is no one here in this House who does not know about this. All the weapons which have been and will be given to Abdullah and to others are intended to be used in the third world war, but meanwhile can be directed against us....Is it not obvious that the announcement of the annexation was also a way of preparing Britain's return to Palestine? That is also part of the grand design.

There was a great debate among us about partition, and the Foreign Minister reminds us from time to time that that discussion has been settled. But I want to warn you that this is not the case....Some bodies did not recognize even what we were given for the State of Israel then. This does not apply only to the so-called independent Arab countries, it also applies to those who support and arm them.... The war against us has not ended. The cold war continues, interspersed from time to time with fighting and the danger of the outbreak of war.

... Our party has always said that peace was necessary for Israel, in order to build and develop the country... We wanted peace with the Arab people, and thought that we should conduct a dynamic policy towards it, seeking those elements within it which could be true allies in the search for peace, which both nations need.

A. ALMALIAH (Sephardim): Who speaks for them?

I. BAR-YEHUDA (Mapam): I'm talking about what you and I - as well as they - need... But our Government adopted a different line: it did not seek someone who "did not exist," as the Foreign Minister has said several times, but "what there was." We are currently surrounded by reactionary, feudal governments - the sworn enemies of our country - which you recognize as the representatives of the peoples around us. But even while adhering to that policy, which was the worst mistake the Government made in this period... within those Arab countries there are varying degrees of dependence on world imperialist forces. Our Government's policy, however, was always to court the country which was gripped most securely by the vise of British imperialism....

The Prime Minister has praised the wisdom of the Transjordanian ruler. He has not praised our political wisdom, and quite rightly....Our words and actions encouraged the annexation of the West Bank and the return of the British army.

... The treaty between Britain and Abdullah gives the former the right to bring its army back not only in time of war but also if either side thinks it is threatened in any way. Need I remind you that not long ago, when the British Empire wanted to send a large military force to this part of the world, it announced that it was doing so...at the request of Abdullah, who feared that his country was threatened?...

We propose that the House resolve... not to recognize the annexation and forbid negotiations with Abdullah until it is annulled ...

The Prime Minister and the Foreign Minister have informed us on various occasions that we belong to the U.N. not only because of the practical convenience of the thing but also because we believe in the U.N.'s role in preserving world peace. If this is true, we propose that you decide to submit an official complaint to the U.N. about the annexation and the announcement of the British Empire's return to Palestine, which negate every international decision and threaten world peace ...

I know that all our complaints and appeals have been to no avail in the past, and will be in the future too. I know that our cause will be furthered primarily by increasing our own strength, expanding our population and establishing a regime in Israel which will enable us to utilize every ounce of public power and create the kind of relations with the Arabs of Palestine which will cause them to influence and attract other Arabs too....I know that in the future, too, the creation of "faits accomplis" will have greater weight than anything else. But while increasing our strength in order to achieve this, we must instruct our Government to refuse to recognize the annexation or continue the secret negotiations until it is annulled, and to complain to the U.N. about those who wish to threaten our region with violence and war.

The Foreign Minister, M. SHARETT: Mr. Speaker, I have asked for the floor now not in order to address the issue, but solely to clarify the parliamentary status of the debate, which has been described as strange and unprecedented.

It is strange to condemn an institution as young as this Knesset for departing from precedent... I would like to point out that as far as other parliaments are concerned it is quite customary that when the Opposition demands a debate on a specific topic its leaders open the debate, and the Government steps in only when it sees fit to do so. This Government subscribes to that view, and will continue to do so in the future ...

If, however, it is claimed, as MK Bar-Yehuda has done, that the Government has not reacted and has said nothing about the recent event, I must point out that this is not so....The Government Spokesman issued the following statement, in the Government's name: "The decision to annex the Arab areas west of the River Jordan to the Hashemite Kingdom of Jordan is a unilateral step to which Israel is not a party in any way. We are connected with the Hashemite Kingdom of Jordan through the Armistice Agreement, which we will uphold rigorously. This agreement does not include any final political settlement, however, and no such settlement is possible without negotiations and a peace treaty between the sides. It must be evident, therefore, that the question of the status of the Arab areas west of the River Jordan remains open as far as we are concerned." A few days later, when the associated British announcement was made, the Government stated: "With regard to the annexation of the Arab areas west of the River Jordan by the Hashemite Kingdom of Jordan, the Government has already announced that it regards the status of these areas as being open. The Government notes the fact that the British government does not intend to establish military bases in the areas west of the River Jordan during peacetime. The content of the treaty between Britain and Transjordan regarding these areas is surprising, and the Government of Israel maintains its reservations about the status of these areas." At present the Government has nothing to add to these statements. It is interested in hearing the views of the Opposition and of the House, reserving the right to react to what is said at any stage of the debate.

M. BEGIN (Herut): Distinguished Speaker, we accuse Mr. Sharett and the Government...of having given Abdullah and the Bevin government... the green light to go ahead and turn an act of conquest and plunder into a recognized political act. Last year the first agreement with the British protectorate in the eastern part of the Land of Israel, called "the Hashemite Kingdom of Jordan" by the conquerors and our Government, was submitted to us. We warned the Government then that by signing that agreement it was granting threefold recognition to the enemy: first - recognizing the separation of the eastern part of Transjordan; second - openly recognizing the annexation of parts of the western Land of Israel by the "Hashemite Kingdom of Jordan"; third - implicitly recognizing the validity of the enslaving treaty which Britain ordered its vassal Abdullah to sign, enabling it to establish military bases in the territory he had conquered.

The Government took no heed of our warning, assuring the nation that the agreement was merely a first step and would eventually be followed by a peace agreement... It must be admitted that since then the Government has done its best, or its worst, to obtain a peace agreement with King Abdullah, and its failure is not its fault... We ask what benefit would we derive from an agreement of this kind?... Our institutions tried in the past to win Abdullah's heart by offering him a bribe...but for more than fifty years this has not succeeded... The Cabinet Secretary has revealed...that prior to the invasion by the Arab armies Mrs. Golda Meyerson (Meir), disguised as an Arab woman, was sent on a dangerous... mission to Transjordan. I must congratulate the lady on her courage and her expertise in conspiracy, but the fact is that she did not succeed. (From the floor: How do you know?) Jerusalem is the proof.

When the invasion began Mr. Ben-Gurion made a supreme effort to guarantee King Abdullah's friendship, praising him in public and saying: "I believe in the peaceable intentions of the wise ruler who seeks the welfare of his people and his country."...But it was to no avail. As ordered by Glubb Pasha and Clayton, Abdullah sent his Legion against us, destroying the Etzion Bloc, attacking Jerusalem...and attempting to join up with the other Arab armies on the coastal plain, thereby destroying our national endeavor and enabling Bevin to..."rescue" those of us who remained and enclose us in a ghetto.

... Today Abdullah has no more than 15,000 soldiers, albeit welltrained and armed, and no reserves....Even now the IDF could defeat them in a head-on clash, so the possibility of a war on that front represents no threat to us... But Abdullah may become stronger in the future...and may try once again to destroy us. Would a slip of paper called a peace treaty stop him?... Recent experience indicates that it would not ...

Because of our past experience, the present situation and future possibilities, we are all amazed by this headlong pursuit of a peace treaty with a vassal state which controls part of our homeland... Even if this peace treaty were to bring us some benefit, this would not justify our signing it...

... But the peace treaty accords official recognition by us to the severing of Transjordan. The eastern part of it was taken away from us at the famous Cairo Conference of 1922, in which Churchill, who was Colonial Secretary, Herbert Samuel, Viceroy of India, and Intelligence Officer Lawrence, participated. Since then a great deal of water has flowed in our Jordan River. Despite my searches, I have not found any document issued by a Jewish or Zionist body recognizing the severing of Transjordan from our homeland. That area was recognized as being part of our territory by more than forty nations, as well as by you, when Britain agreed to it. We ask: does a nation exist by the charity of others?

Until 1937 Mr. Ben-Gurion opposed the establishment of a Jewish state, maintaining that it involved our ruling another nation. In 1937... Lord Peel, Copeland and two other British Gentiles said that Palestine should be partitioned and a Jewish state established in the smaller part. From then on Ben-Gurion was an ardent supporter of a Jewish state ...When Britain changed its mind about the Jewish homeland on both banks of the Jordan...when one old desert king was driven out by another, and one of his sons had to be compensated and another base built, and the control of Transjordan with its 250,000 Beduin and Circassians was handed over to a foreign ruler who had no connection with them, our institutions were prepared to accept that too... Our entire future depends on the territorial integrity of our historic homeland... and you are prepared to legitimize the annexation of part of it, of Jerusalem, Hebron, Bethlehem and Shechem, by a British-controlled, foreign ruler.

...The mutual defense clause in the British-Transjordanian friendship treaty of 15 March 1948... means that if the King of England is at war in Hong Kong or Malaya he will ask King Abdullah to come and rescue him... And vice versa... That is what your recognition of Britain's right to establish bases in the western part of the Land of Israel means ...

Why are you so eager to sign a peace treaty with Abdullah?... Are you afraid of him and his 15,000 soldiers?...Or is one of the ministers, who promised the people "peace" in the election campaign, eager to keep his word? Do not worry, it would not be the first time you failed to keep an election promise. In the past you asked us what right we had to act as we did in order to drive out the British

oppressor, and we answered "we were chosen."...It was at a time when our people were being slaughtered in Europe, and the oppressor closed our gates and would not allow Jews in... Revolutions do not take place after orderly resolutions have been passed. The Declaration of the Rights of Man was written after the Bastille was stormed; the American Declaration of Independence was drawn up after the Boston Tea Party. A revolution always erupts from the depths.

But today we will ask you that question. You have acknowledged the legitimacy of handing over Jerusalem, the Temple Mount, the Cave of Machpela, Rachel's Tomb, Hebron, Bethlehem, Shechem, Gilead and Bashan to a foreigner, an enemy, an oppressor. Who gave you this right? You were elected to conduct the affairs of the country. The nation may reelect you or not ... But when were you authorized to hand over sites which have been historically hallowed for 120 generations, and for which the blood of millions has been shed? ...

I would like to ask the religious Ministers and Knesset Members if they have read the unfortunate memorandum which Mr. Sharett submitted to the Conciliation Commission stating that Israel had no claim to the areas under the control (not the illegal conquest, heaven forbid) of any Arab country. We were told that not even the Government's statement on Independence Day was submitted for your approval. I assume that you were unaware of this document too. But does that mean that you should grant it your approval now? ...You must choose between the eternity of our attachment to the Land of Israel and your temporary membership in a coalition government ...

That is the situation in which the Government has placed us. And then it is surprised that we are isolated ... Does it think that the world is blind? That it fails to see that we are willing to accept the annexation of four-fifths of our homeland by Abdullah... and the reestablishment of British bases?... You are going towards bondage...and further isolation ...

You should read the article in the *Times* agreeing with the "de jure" recognition of Israel, but warning that "Israel's territorial ambitions" should not be tolerated. You will yet be asked to abandon not only what you have relinquished but the territory we hold.... Mr. Sharett, you have received a letter from the State Department demanding that compensation be paid for the areas we liberated and which were not included in Israel as defined by the U.N. resolution of November 29. You replied that there is no one to give compensation to since there are only invading armies in Palestine. Now there is someone to give it to... You have recognized the annexation... That kingdom has been recognized by Britain and America, and other countries will follow; then the demands will start, whether for Haifa, the southern Negev or other areas.

I would like to announce, on behalf of my party, that I do not think that this problem can be resolved anymore by a show of hands. I wish to state that... we do not accept the Israel Government's recognition of what has happened in the eastern and western parts of Transjordan. In civilized countries what one government decides is generally binding on others... But this signature is not binding upon us, it is the signature of this Government alone... The entire Land of Israel belongs to the Jewish people, and we will not recognize the right of Abdullah or Britain to govern one inch of our homeland.

JOSEPH SAPIR (General Zionists): Mr. Speaker, distinguished Knesset, despite the unconvincing statement made by the Foreign Minister... I wish to express our regret at the fact that he has not given this House any report on the events prior to and following the annexation....

The Government should have told us about what was happening at its own initiative, not as a result of the Opposition's intervention. Any public debate of our foreign policy is of necessity limited... Because of the limited information conveyed to the Opposition parties...we can only base ourselves on certain inferences.

We have been confronted with the fact that the remaining part of our country, the West Bank and the Old City of Jerusalem, now constitute part of another country, on both banks of the Jordan. We have always preferred - and still do so today - the establishment of an independent Arab state in the rest of our country to its annexation by one of the neighboring countries...but the fact of the matter is that the

initiative is no longer ours to take.... Are we to understand that both before and after the annexation the Foreign Ministry agreed to it? ...We maintain that the Government is ignoring the Knesset on this subject. Do we have to constantly point to the grave mistake the Foreign Ministry made before the U.N. decision to internationalize Jerusalem?...We are forced to conclude once again that it has erred in its evaluation of the political forces operating in the area...

As you know, negotiations were held with a Transjordanian representative some time ago, but ended as the result of pressure exerted on the other side by the other Arab countries. Today we find ourselves in a vacuum... the sole salient fact being the annexation. There may be differences of opinion regarding how justified it is for us to relinquish one area or another on the border with Transjordan. But on one painful point - the Old City of Jerusalem - there are no differences of opinion. Here the pain is acute. Here our public stands firm. It is difficult, nay, impossible, to pass lightly over the fact that the Old City of Jerusalem is... part of another country. What does the Government have to say about this split in the nation's soul?

The Prime Minister, D. BEN-GURION: What is your position?

J. SAPIR (General Zionists): I'm coming to that. The Government's announcement of its refusal to recognize the annexation, being accompanied by no other reaction, indicates that it is merely a formality.

... Mapam's approach to our foreign policy is a direct function of its attitude to the regime inside the country...as well as deriving from its identification with the regimes of Eastern Europe... Some people might say that our orientation should consequently be to the West, but my party does not determine its views on foreign policy in accordance with its aspirations in the sphere of domestic policy. It bases them, rather, on overall national considerations of the good of the entire country... Thus, we do not think that the time has come for Israel to make a hasty decision on the great issue of identifying with one side or another. I would like to point out that most of our nation is to be found in the western democracies, and any identification with the East severs us from the rest of our people...

Our relations with Transjordan are undoubtedly affected by our relations with Britain, and vice versa. In principle, we have no basis for opposing the renewal of relations with Britain, despite its anti-Zionist attitude in the last years of its rule here, following the White Paper of 1939, and its stubborn and consistent application by the Labor government. But if we assume that the Government's policy of establishing contact and agreement with one of the Arab countries, as a start towards attaining a series of peace treaties with the other Arab countries and possibly with Britain too...is wise, and if we try to ignore the security problem... we still have to ask ourselves: what has the Government gained... by tacitly assenting to the annexation? In our view it has gained nothing.

In effect, the Hashemite Kingdom of Jordan has fulfilled for itself our dream of "both banks of the Jordan."...The Government has no guarantee that the negotiations with the neighboring country will ever end... in genuine peace. Does the Government put such great trust in the goodwill of our neighbor that it can allow itself to make it such a generous advance payment...? The Government has relinquished what little bargaining power it had for nothing.

We oppose the annexation and demand that our country act against it in the U.N. (that is our reply, Mr. Ben-Gurion)... The annexation of part of our country and the Old City of Jerusalem puts an end for an undefined period of time to the possibility of reaching an understanding with the Arabs who live in this part of our country and of stabilizing our borders at least along the Jordan Valley... In the history of our nation we will unfortunately have to record the Government's position on the annexation as one of the moments causing the gravest concern for the future.

M. WILNER (Maki): Distinguished Speaker and Knesset, the subject of today's debate is a crucial one as regards the long-term solution of the problem of Palestine... The British Government initiated the annexation, and in recent months the American government has joined it in recognizing the annexation of the other half of Palestine by the British-Jordanian kingdom. These facts merely illustrate

once again how the British and American governments... trample... on the independence of nations in accordance with imperialist agreements regarding the division of areas of influence, in preparation for a third world war, and how lightly those empires disregard the rights of nations to independence and self-determination, as they do those of the Palestinian Arabs in this case ...

The results of the annexation are grave for both Israel's security and peace in the Middle East... The British army is now supposedly legally deployed along our borders, within Jerusalem, near Petah Tikva, and elsewhere in the country. The annexation will increase British intervention in Israel's internal affairs...and make Israel more susceptible to British and American pressure. Today, as in the past, an independent, democratic, peace-loving Arab country in the other part of Palestine...is in the interests not only of the Arab people, but also... of Israel.

... It should be clear that... peace in the Middle East will not be attained through a policy which in effect encourages invasion by foreign armies... and encourages... cooperation with feudalism and everything that is rotten in the Middle East... We favor peace treaties with the Arab countries even if those governments do not, to our regret, represent the true interests of the people. The question is, however, under what conditions will peace be made.

... Because we oppose war and aggression, we dissociate ourselves completely...from the statement... made by the Herut representative... But... a peace treaty with Transjordan based on recognizing its annexation of the rest of the country... ould be like the peace obtained at Munich in 1938... when an attempt was made to secure peace by acceding to the aggressor's supposedly final demand... Events have proved that this does not bring peace, and only hastens war...

The Government said that it regards the annexation issue as being open, but... in its statement we read that it is a unilateral step. This means that the Government agrees to the annexation if it is made within the framework of a bilateral agreement... Moreover, the Government has done everything it could to encourage annexation. Over the last two years it has worked against the establishment of an independent Arab state, acting systematically and actively... and thereby hastening the next round of bloodshed in the Middle East and aiding the grand designs of England and America.

We propose: a. that the Knesset resolve not to recognize the annexation of the Arab areas of Palestine to the Abdullah-Bevin kingdom; b. that the Knesset charge the Government with requesting that the U.N. Security Council take steps against the annexation; and c. that the Knesset express its support for and approbation of the struggle of the Arab masses in the other part of Palestine to establish their independent state and drive out the Transjordanian and British invaders.

Z. AHARONOWITZ (Mapai): Distinguished Knesset, in the two major debates we have had on political issues...the entire Opposition... announced that it opposed the Armistice Agreement with Transjordan. There have recently been three debates in the Foreign Affairs and Defense Committee, in which the Foreign Minister participated, regarding a possible peace treaty with Transjordan.

... The Knesset has in the past given its approval to the line adopted by the Government and the Foreign Ministry, namely, of aiming for peace with all the Arab countries, including Transjordan... The renewed negotiations with Transjordan did not involve any recognition of the annexation or the British-Transjordanian treaty on our part. Quite the contrary, the Government's foreign policy till now has brought us peace and is a precondition for the widescale ingathering of the exiles... This issue cannot be discussed without clarifying the Opposition's position, as well as the Government's. But in this debate I speak only in my own name.

Four possibilities were open to us in our relations with Transjordan: the status quo on the basis of the Armistice Agreement; establishing an independent Arab state in the eastern part of western Palestine; a war of conquest on our part; annexation.

Personally, I would prefer the status quo in our relations with Transjordan on the basis of the borders determined in the Armistice Agreement - if the situation were stable. But it began to waver, not only

because of Transjordan's annexation of territory and not only because of the various tendencies of certain powers, but also because of the influence of Egypt, the Mufti and the entire Arab League. Their objective was clearly to establish an independent Arab state within the borders delineated by the U.N. in November 1947. This was accelerated to some extent by the decision to internationalize Jerusalem.

In those circumstances our foreign policy could not be one of inaction, and hence our endeavor to attain a peace treaty with Transjordan. Two Opposition parties in the Knesset deplore the failure to establish an independent Arab state, namely, Mapam and Maki. The latter quite openly advocates the establishment of such a state on the basis of the borders set out by the U.N. in November 1947.

M. WILNER (Maki): I didn't say that!

Z. AHARONOWITZ (Mapai): I have read it, and I advise you, MK Wilner, to beware of committing yourself to anything. Mapam favors the establishment of an independent Arab state on the basis of the borders set out in the Armistice Agreement, while demanding that the whole of Jerusalem be within Israel. Both parties pin their hopes on the progressive forces in the Triangle and beyond it, justifying their stand by maintaining that the annexation will increase the British threat against the U.S.S.R. and Israel.

... In the political debate held in the Knesset a year ago I said that the choice that confronted us was between an independent Arab state and annexation, both of them having points in their favor and neither of them being very attractive. I also said that there was no reason for us to rush into a decision. The political situation has changed meanwhile, and a decision has been imposed upon us, tending towards the establishment of an independent Arab state.

I completely and absolutely oppose the establishment of such a state because... it would not be economically viable... and would be able to survive only as a parasite of Israel. It would have no socio-political basis, and would almost certainly be controlled by the Mufti. Those who talk about the progressive forces are referring to the Arab communists, whom I regard as the enemies of Israel.

TEWFIK TOUBI (Maki): On what basis? The facts prove otherwise.

Z. ABRAHAMOWITZ (Mapai): If an independent Arab state were to be established now we would be facing the front of the Arab League and its pressure in the U.N. to push us back to the borders of November 1947, against which we would have fought... But even a purely political dispute would have caused a rift between us and the U.N. If an Arab state were established I believe that this would temporarily strengthen the Arab League, which is generally regarded as being anti-Soviet and anti-Israel. The U.S.S.R.'s retreat from the demand to internationalize Jerusalem may be partly due to the fact that it has realized this.

But we must take the longer view. We are interested in the stability of the Middle East... At the moment Iraq wants to take over Syria, Syria wants to take over Lebanon, Transjordan wants to take over Syria, and Egypt apparently wants to take them all over... If another "independent" Arab state were to arise and wish to take over Israel, and all the Arab countries wanted to take the new state over, would that add to peace and stability in the Middle East?

Distinguished Knesset, if the status quo no longer exists, if we must oppose a new Arab state, only the third possibility – war - remains... In Tel Aviv, where he spoke with less restraint than here, MK Begin referred not only to the Triangle but also to the Bashan and Amman. His concern for security is shared by all the Opposition parties when it comes to the application of the British-Transjordanian treaty to the annexed territory. We are all anxious, and have been for some time, because that treaty has existed for some time... But I claim that there is something new in it now, namely, that it strengthens the tendency for British military participation in the annexed area, and also that England has announced that the treaty will be held in abeyance during peacetime.

M. BEGIN (Herut): Do you believe that assurance?

Z. AHARONOWITZ (Mapai): I cannot guarantee that any assurance will be kept, the debate is not about who trusts England more or less, however, but about how we should act in the circumstances.

Mr. Begin said what he did relying on historical reasons, which I do not accept. During the course of the history of the Jewish people in Israel the borders have changed... We do not have to achieve in two years what the Jewish nation was unable to do for two thousand.

M. BEGIN (Herut): Do we have to give it up?

Z. AHARONOWITZ (Mapai): Two and a half years ago the public in Israel and the Zionist Organization held different views about partition. Some people opposed an Arab state on principle, some wanted a Jewish state... in all western Palestine, and some wanted a Jewish state on both banks of the Jordan. But the World Zionist Organization... decided, taking the historical circumstances into account, to accept a Jewish state in western Palestine. The Government of Israel and the IDF also decided, expanding Israel's borders through conquest... What representative body has authorized you to speak about your political borders, Mr. Begin...?

E. RAZIEL-NA'OR (Herut): They shouldn't be blocked!

Z. AHARONOWITZ (Mapai): In his speech in Tel Aviv Mr. Begin also made use of sentimental reasons, claiming "Rachel weeps for her sons," and mentioning Rachel's Tomb. I draw your attention to the thousands of graves of the nation's best sons who fell in Israel's war and the mothers who weep for them. Who wants a war of expansion? The workers? The landlords? Mothers and fathers? The youngsters? The IDF? On no account!

N. YELLIN-MOR (Fighters): You are mocking the IDF.

Z. AHARONOWITZ (Mapai): A war of expansion now would also endanger our national existence. You should say quite clearly: "We oppose x and y, and propose war." And if you do not say that to us in the Knesset, how can you appear in Israel's public squares and incite the nation to war?

E. RAZIEL-NA'OR (Herut): There we said that we don't want war.

Z. AHARONOWITZ (Mapai): There you said: "The Hashemite kingdom shall be destroyed by the sword."

Y. BADER (Herut): You'll have war when they want it.

Z. AHARONOWITZ (Mapai): We do not ignore the fact that the annexation was a unilateral step... that the British-Transjordanian treaty has been extended to the annexed territory and that Britain's statement contains reservations about Israel's borders. All that is worrying. Those points are included in the Government's statement. The Knesset must authorize the Government to deal with the situation on the basis of two clear elements: rejection of the alternative of an independent Arab state, and adherence to the aspiration for peace.

Y. HARARI (Progressives): Every now and again, when this debate is held in the Knesset, one gets the impression that there are ardent patriots on one side and stubborn defeatists on the other. This debate has been conducted, in my view, for the last thirteen years, since 1937, when Zionist policy was obliged to decide whether to agree to an independent Jewish state in part of Palestine.

MK Begin has told us of the qualms of conscience he and his friends experienced when they did what they did. I can say that my conscience bothered me... when I decided in favor of partition... It is far easier to address meetings, or even this Knesset, about Israel's historic borders than to explain to the nation that we should set our sights lower and accept imperfect borders...

I doubt whether it has often happened...that a political plan has been as successful... as that of those who advocated partition. We would never have achieved the decision of November 29 had we not agreed, unwillingly but perceptively, to a Jewish state in part of Palestine. None of the facts and operations by which MK Begin and his associates think they brought about the state would have helped had it not been for the official Zionist plan, authorized by the Zionist Congress.

M. BEGIN (Herut): The last Congress rejected that plan utterly. It forbade you to go to London.

The Foreign Minister, M. SHARETT: It did not reject it, that is not true!

Y. HARARI (Progressives): We all want a great many things, but one has to know how and when to accept facts, and not to miss opportunities. The fact that Israel agreed to the partition borders does not mean that Rachel's Tomb has ceased to be a national monument for us, the Cave of Machpelah will always be the site where our forefathers are buried, Jericho will still be the town whose walls fell at the sound of the trumpets and the historical borders in the Bible will never change. But this did not prevent us agreeing to the possible borders at the appropriate moment. Did we fight less for the areas which were not within the partition borders of 29 November 1947? Did we not do everything possible at the right moment, in the war, to conquer them?

H. LANDAU (Herut): Of course you didn't.

Y. HARARI (Progressives): Only you did!

H. LANDAU (Herut): The Gentiles stopped and our Government surrendered.

Y. HARARI (Progressives): One also has to know when to stop during a ceasefire.

Y. BADER (Herut): One also has to know when not to stop.

Y. HARARI (Progressives): Correct, and that's what we did, at the right moments. Are our borders today those we fixed of our own free will, or are they the outcome of various conditions and circumstances, both military and political, as well as of political resolutions passed in an international forum?

Those areas are not in our possession as the result of circumstances which were beyond our control. One does not choose one's enemies, or even the regimes in hostile countries, nor does one sign armistice agreements with allies... We cannot prevent Lebanon giving bases to America if the Christians there prevail over the Moslems. We could not prevent any Arab country giving bases to the devil himself unless we conquered those areas. If that's what you want, then say so in the Knesset. Only MK Yellin-Mor has consistently demanded that we fight for those areas....

The complaint Mapam proposes we submit to the Security Council is not clear to me either. The Hashemite kingdom of Jordan is not a member of the U.N... Should we complain against England for making an agreement with the Hashemite kingdom; for recognizing us "de jure"; or because it has announced that it will not establish bases in peacetime?... And whence this sudden, exaggerated trust in the decisions of the Security Council?

Because time is pressing... I will merely add... that the U.S.S.R.'s announcement is surprising. I never know when to take what the Maki MKs say seriously and when they are merely following the dictates of opportunism. Out of compassion for dumb animals I will drop the subject. But I would like to ask Mapam, which has often said that any contact with the government of Transjordan makes the U.S.S.R. our enemy-

I. BEN-AHARON (Mapam): We never said that... That's not true.

Y. HARARI (Progressives): You have said it not only from this podium but also in the Foreign Affairs and Defense Committee. You... are always asking why we should negotiate with a vassal of England and of imperialism and thereby arouse the enmity of the U.S.S.R.

I. BEN-AHARON (Mapam): I repeat that that is untrue.

Y. HARARI (Progressives): Those things are in the record, in black on white, and can be found there. I would like to recommend that this Knesset resolve that Israel and its Government should continue with its foreign policy of attempting to protect our interests...without being concerned with what impression this makes on either East or West. Only by being consistent will we gain the support of both East and West and become a strong state which is generally respected.

J. BURG (Religious Front): Distinguished Knesset... these debates make it easy for the Opposition to bring the imponderables before the House and neglect the "ponderables," namely, those things which can be calculated... while bandying about slogans and unfounded historical accusations... It is easy for MK Wilner to speak in accordance with the instructions he has received for this month... and send Israel's representatives to talk to the progressive Arab state which does not exist and which we have no intention of establishing, as MK Bar-Yehuda proposes.

... In terms of economic and social development, we are in a backwater...because the civilizing effect of social development has passed it by. In geopolitical terms, however...we are at one of the most central points in the world. If the third world war casts a shadow, it certainly falls on this country... and that being so, we must do our utmost to prevent further conflict in our time... and attempt to gain the approval of Britain, the U.S. and, eventually, the U.S.S.R...

As a believing Jew, I must confess that I cannot grasp the great sacrifice of six million Jews which our nation lost in the war. I find some small consolation in the fact that this tiny corner is left to us, and we can build it... I think that the task of our generation is to build, and refrain from doing anything - as long as there is no provocation - which could impede this task.

I very much regret the fact that we are obliged to discuss annexation here rather than the agreed basis for a political settlement in the region, at least as regards our closest neighbor. But if the Arab world that opposes us is divided, and if some understanding can be reached, even if only temporary, with part of that Arab world, it should be done. Because it is our duty to preserve every drop of Jewish blood that remains.

The previous speaker said that a decision in principle was made in the past about partition, not only in the Knesset but even before the establishment of the state, and without it neither the Knesset nor the state would have come into existence... Consequently, I maintain, we may have to take a course which is not pleasant for us... We have also heard MK Begin talk about the religious parties, and I do not know whether he was praising or condemning us. He claimed that we have abandoned the concept of the Divine promise. We have not relinquished the view that God will keep His promise.

I. BEN-AHARON (Mapam): To what do you adhere meanwhile?

J. BURG (Religious Front): We adhere to the commandments which you wish to neglect.

E. PREMINGER (Mapam): And force others to adhere to them!

J. BURG (Religious Front): ... There is really no point answering such remarks. Our scriptures tell us what will happen to the generation before the Messiah. They mention suffering - which we have undergone in large quantities... They mention poverty - towards which our Minister of Finance is helping us. They also state that we must build in Israel. We must live according to moral precepts - which we are trying to do. That is why I disagree with the argument that we have abandoned the concept of the Divine promise. He who attempts to live in accordance with God's holy law will, I hope, deserve to see the Divine promise fulfilled.

... The Jews who still believe in God and His promises continued to believe in all of Jerusalem, Rachel's Tomb, Hebron and the whole country when they were in the... diaspora, and still do so today, living in those parts of Israel which are ours. ...I think that the Government's representative spoke

clearly. The annexation is a unilateral act.. to which we do not agree. I think it is harmful if the Opposition in this House pretends that we did agree to it.

E. PREMINGER (Mapam): Do you want bilateral annexation?

J. BURG (Religious Front): I oppose barren argumentativeness!... Jewish history did not begin yesterday and does not end today. The history of Israel depends not on unilateral declarations, but on Divine decrees. I think that it is our task, in our situation, to find the path which is not always readily apparent but leads from the Divine intention to the exigencies of the moment. I think that the entire House should take care in posing questions and in weakening the position of the Government on an issue which is vital for us ...

The Foreign Minister, M. SHARETT: The genuine excitement expressed here regarding the annexation is worthy of attention... It is shared by the general population, and I hope that those involved will take it into account. The State of Israel cannot be indifferent to the fate of an area with whose history it is so closely bound up and whose regime and military status is likely to have so direct an influence on its security. The Government has declared...that as far as it is concerned the issue remains open, because without our assent and cooperation, which have not yet been given, no regime can regard itself as being stable and sure there. We seek stability, security and peace, both for ourselves and for the entire region, but these will be attained only through cooperating with us.

... Not all the excitement expressed here can be regarded as genuine, however. When MK Begin deliberately distorts the Government's position, representing it as having agreed to the annexation, he ignores the fact that he is thereby destroying the building which he is supposedly seeking to erect. But he does not really want to build anything; all he seeks is to destroy the Government's standing, and he has failed in that too... He has merely reiterated his bombastic and empty phrases about both banks of the Jordan, the Bashan and the Golan Heights.

M. BEGIN (Herut): There was a time when the Jewish state was a bombastic phrase too, as far as you were concerned.

The Foreign Minister, M. SHARETT: In fact, if one listens to him... he has made his own words meaningless. His contention is that we decided matters long ago... by signing an Armistice Agreement with Jordan. If that is the case, what is the point of this very much overdue debate? It has already been said that this policy, which led to our signing armistice agreements with all the neighboring Arab countries... has gained the support of the entire nation. In accordance with his party's tradition of distorting facts, MK Begin also twisted what I said in the election campaign which preceded the establishment of this Knesset. I never took it upon myself... to guarantee the voters peace, but I said... that if my party were elected to office we would aspire towards peace... I do not know what MK Begin promised in that election campaign. I must confess that I did not interest myself in his speeches. But whether he called for war or merely negated peace, the election results indicated something. The party which I have the honor of representing and which is a partner in the Government has 48 representatives in the Knesset, being 3.5 as many as Mr. Begin's party. This policy is no mere party matter, it is agreed by all the participants in the Government... There are historical reasons for the fact that this alliance of parties received the majority of votes in the elections...and is united in adhering to a certain policy.

This policy led to the establishment of the state, and sustains it still today, despite the immense difficulties. If we have been asked from this podium: "Who authorized you?" Our reply is: The nation! First and foremost, the Jewish nation, which approved the path its representatives had taken in attaining a Jewish state in our time, if not in the whole country then at least in part of it, in as large a part as possible, and as quickly as possible ...

MK Begin was guilty of another distortion when he said that the last Zionist Congress forbade us to agree to partition. Quite the contrary. An attempt was made by parties and persons to pass such a resolution, but it failed... The Zionist Executive agreed by a large majority to a policy of compromise

in order to attain...international assent to the establishment of a Jewish state in part of Palestine. The entire nation endorsed this policy... and worked together to achieve it... The gates of heaven opened and the moment came when we could attain what generations had dreamt of and died for. The entire nation endorsed our achievement unconditionally, celebrating our great victory of 29 November 1947... both those who had supported our policy and those who had opposed it...

...And what would have happened if... the Arab country which was supposed to be established in the rest of Palestine, linked to Israel by economic ties, had been created...and had then allied itself with one of the neighboring Arab states... or with one of the Powers, against Israel's will? We are confronted by a problem of that kind today, but our position is far better, since we have control of 80 percent of our territory, the ports of Haifa and Jaffa, roads, railways and Lod airport, and our sovereignty is no longer threatened by the economic alliance with the Arab country... although 20 percent of our territory has been annexed by the neighboring Arab country...

We have said that we are ready to make peace with all our neighbors, preferring separate negotiations with each one of them, and that we accept the armistice lines as a basis for peace and a final territorial settlement. We adhere to this policy, always having been ready to consider mutual border adjustments.

MK Begin has asked why we are so hasty in our pursuit of peace, and with Transjordan of all countries. I do not know whether peace with Transjordan will be first, or whether there will be peace at all, or when. We are not competing in prophecy. Our task is to determine policy, i.e., not to guess what will be but to assess what we should do, and what will happen tomorrow and the day after... What I do know is that we are surrounded by enemies today, and that we can bear this situation, and have no need to break out of it at all costs... If we are attacked we will be able to fight back, and our successes in the second round of fighting may even be greater than they were in the first... But our prime concern is to avoid a confrontation of that kind. We are interested in peace and stability, for we have historic tasks to fulfill and we must invest all our efforts in them... Even if peace is attained tomorrow... we will continue to be on our guard, but we will know that there has been a change. If we can only breach the ring of enemies around us we must do so.

Why do you mock the armistice agreements as mere pieces of paper?... Do those signatures have any value or not?

Y. BADER (Herut): Abdullah's signature has no value.

The Foreign Minister, M. SHARETT: You don't know what you're talking about. And that is not the only subject on which you talk nonsense... Anyone who says such things is undermining the... security of Israel.

M. BEGIN (Herut): They're threatening another round despite the signatures...as is the Chief of Staff...

The Foreign Minister, M. SHARETT: Am I proposing that we disband the army? We must make every effort to breach the wall surrounding us, but that does not mean that we should disarm ourselves. If this were all pointless would there be such a fuss in the Arab camp about whether to make peace with Israel or not, separately or together?

MK Begin took a sentence out of its context in a Foreign Ministry memorandum, and accused us of relinquishing all territorial claims on Transjordan. We have said that we accept the armistice lines as a basis for a settlement and do not demand territory, but if MK Begin tries to represent this as our abandonment of our rights to our holy places, this is nonsense. We have never abandoned them, and we have said as much, and no side doubts that we adhere to our claim to our share and our rights in the Old City of Jerusalem. If MK Begin wishes to go out into the streets with the demand for the Temple Mount, he is welcome to do so. Many people are strolling through the streets this afternoon, and he can harangue them to his heart's content. I suggest that my colleagues and the other members of the House rely on the man in the street.

Mr. Sapir claimed that the Foreign Ministry failed once again to foresee what would happen.

J. SAPIR (General Zionists): I only said that it had erred in assessing the forces involved.

The Foreign Minister, M. SHARETT: Well, you said that it had failed to foresee what would happen by erring in its assessment of the forces involved. He said that we failed to envisage the internationalization of Jerusalem, and now we have failed again, and this is a surprise. I don't know if it is a surprise.

E. RAZIEL-NA'OR (Herut): That means that it was agreed in advance.

The Foreign Minister, M. SHARETT: I'm coming to that. I said that we had announced our readiness to reach an agreement on the basis of the armistice lines. I also said that as long as there is no agreement the question is open... and the other side must be aware of that ...

MK Sapir recommends that we conduct an information campaign on this matter at the U.N. He has presumably thought about what he said and his proposal is undoubtedly based on a perceptive assessment of future developments. MK Bar-Yehuda accused us of... having brought the British Empire back... and MK Begin correctly pointed out that the British-Jordanian treaty includes a clause whereby each side can invite the other into its territory... The treaty was signed on 15 March 1948, namely, two years and two months ago, and we have been living under that threat all this time... The neighboring country could have invited the British forces into its territory, but it did not... We have been informed that it has no intention of doing so. But its right still exists... The British government also issued a statement to the effect that it would not hasten to place troops here ...

I do not see why some people have seen fit to treat this matter as if the end of the world were approaching... We are certainly not happy about it... Despite the assurances we have received on the subject from the British government, it requires us to be on our guard, as does that government's policy about the supply of arms to certain Middle Eastern countries and its attitude to... separate peace agreements. Some of our recent contacts with the British government have been of a positive nature. This is the case with the agreement to settle outstanding economic differences... and the "de jure" recognition of Israel... We have drawn the attention of our public and the world to aspects of policy which cause us concern... and which we regard as being detrimental to peace and stability in the Middle East, and to say that we acquiesced willingly is a stupid distortion ...

Our policy remains what it was, namely, to do what we can to breach the wall surrounding us and to set the Middle East on a path of peace rather than war. There is no guarantee that this will be attained, nor will we attempt to guess when this will come about. Till then we will have to remain fully on our guard. All our enemies and opponents should be aware of this, but it must be evident what our policy is. We must decide what our aim is and go towards it with open eyes.

N. Yellin-Mor (Fighters): Distinguished Knesset, Those who oppose Abdullah's act of plunder on the basis of the principle of the integrity of the homeland... can be accused by those who acquiesce in it of making a great deal of fuss over... a lost cause.

I admit that there is some logic in that, but I would like to make it clear here... that a new generation is growing up in Israel for which the River Jordan is not the eastern border of the homeland, and for which Abdullah's temporary conquests are meaningless... That generation foresees a future homeland in its expanded, natural borders. There, and there alone, will the millions of scattered Jews be gathered together and enabled to flourish spiritually and materially, culturally and economically. Any fact which opposes this view will not last long.

Thus, this debate is not about whether Abdullah, who was expelled from the Arabian desert by Ibn-Saud, is entitled to rule over more or less of our homeland. There is no place for a debate of that kind on historical grounds or on principle. All Abdullah's territory, on both the east and the west banks of the Jordan, is plundered.

The debate is, essentially, only about the attitude of the Government of Israel to Abdullah's rule... and its refusal to work for the liberation of the homeland... The annexation did not come as a surprise. Everyone knew that Abdullah wanted it...including Israel's leaders, who were suffering from their customary myopia. The function of any foreign policy is to prevent neighbors from expanding territorially...and threatening one's own country.

It could, therefore, have been supposed that the Government of Israel, being aware of Abdullah's intentions, would have issued a warning, or warnings, saying that any attempt at annexation would be regarded as a hostile act... But our Foreign Ministry did nothing!...And it is obvious that Abdullah knew that no reaction would be forthcoming from Israel ...

The inaction of our leaders at this time is comparable to that of those who went to Munich... The only possible explanation must lie in the ongoing love affair between the erstwhile, British-protected Emir and the Jewish Agency, even though the adoration of the latter does not seem to be reciprocated... There can be no other reason for the incessant pursuit of Abdullah, since it is known that peace with him of necessity involves foregoing peace with our other neighbors, with whom peace is more valuable, as well as abandoning our claim to most of our homeland... His entire kingdom has been obtained by plunder...

The Foreign Ministry has tried to auction off "peace with Israel," but there are no buyers... I doubt whether those who fell so that the state might be established wanted their blood to be sold thus...

...The Foreign Ministry's response was a shameful one...and constitutes acceptance of daylight robbery... as well as tacit legitimization of the "Hashemite Kingdom of Jordan"...determining as its price negotiations and a peace treaty... The religious parties appear to have subscribed to this too...

The haste to make peace with Abdullah seems to have caused the Government to take leave of its senses...but peace of this kind brings us ever nearer to disaster... Abdullah has said that he intends to use Israel as a means of getting to Damascus... There is no truth in the rumor that Israel's assent to the situation is merely temporary, and that those areas will eventually be redeemed. The Britain-Abdullah treaty enables British military bases to be established there, and they will crush any attempt to liberate our lost territory. Our experience of the past must teach us that Britain's assurance not to establish bases there in peacetime will be abandoned at the appropriate moment... But what is more significant is the implication that bases will be established there in wartime.

...The danger cannot be exaggerated. Our country is at a focal point for British imperialism, constituting a strategic area for delaying the advance of the Soviet army in case of war. Britain would be interested in making it a front then... and the entire country would become a battlefield... Accepting the annexation is a big step in that direction. In these circumstances there can be no alternative for the Government than to tell the Minister of Defense to instruct the General Staff to complete the interrupted War of Independence.

I know that this resolution will not be passed here today, but the situation will oblige us to follow that path eventually, whatever the composition of the government. I pray that it will not be too late...

The Speaker, J. SPRINZAK: I will allow resolutions to be submitted.

J. KUSOY (Mapai): I submit the following resolution: "The Knesset notes the Government's statement regarding the annexation, with its attendant reservations."

H. RUBIN (Mapam): On behalf of the Mapam faction I submit the following resolution:

- A. The Knesset regards the annexation of the territories on the West Bank as detrimental to:
1. The historical aspiration of the Jewish people to restore the integrity of the country.
  2. The right of the Arab population in that part of the country annexed by Transjordan to political independence within the framework of economic unity with Israel.

3. The terms of the Armistice Agreement between Israel and Transjordan. It also constitutes a threat to Israel's security and independence by extending the application of the British-Transjordanian treaty to the West Bank.
- B. The Knesset declares that the state of Israel will not recognize or accept the annexation, and asks the Government to submit a complaint to the Security Council:
1. Against the illegal act of annexation.
  2. Against the arbitrary extension of the British-Transjordanian treaty to part of Palestine.
- C. The Knesset approves the Government's refusal to resume the negotiations for a peace treaty with Transjordan if the annexation is not annulled.

J. MERIDOR (Herut): Distinguished Knesset, the faction to which I have the honor of belonging does not think that the subject of this evening's debate, the so-called annexation of part of our homeland by Abdullah, is one on which a vote should be taken. We will not participate in the voting, therefore.

On behalf of the Herut Movement founded by the IZL, I declare:

In aspiring towards a political-territorial agreement with the area indirectly conquered by Britain in eastern Palestine known as the "Hashemite Kingdom of Jordan" the Government has brought about the relinquishing of part of our homeland, the annexation of parts of western Palestine, effective recognition of Britain's right to establish and maintain military bases in our country on both banks of the Jordan and the total isolation of Israel in the international arena.

We do not, and never will, recognize the plunder of part of our homeland by an enemy and an oppressor. The entire Land of Israel is ours. The Government's recognition of the illegal conquest, whether through signing a peace treaty with the conquerors or in any other way, does not and will not commit the Jewish people and its youth.

M. WILNER (Maki): Maki's resolution is as follows:

1. The Knesset resolves not to recognize and to oppose the annexation of the Arab parts of Palestine by the Transjordanian kingdom;
2. The Knesset resolves to ask the Security Council to take steps against Britain and Transjordan for the illegal annexation of part of Palestine by Transjordan, constituting a British base;
3. The Knesset resolves to support the struggle of the Arab masses in the rest of Palestine to establish a democratic, peace-loving, independent state which is friendly to Israel.

Furthermore, I would like this proposal to be put to the vote, while at the same time our faction will vote for Mapam's proposal since it contains two principles we share: opposition to the annexation and agreement in principle to an independent Arab state.

J. SAPIR (General Zionists): I would like to state, though not to put to the vote, our refusal to recognize the annexation. We authorize the Government to refrain from recognizing it.

The Speaker, J. SPRINZAK: We will now vote on the proposals.

<u>THE VOTE:</u>	Those in favor of MK J. Kusoy's proposal	53
	Those in favor of MK H. Rubin's proposal	16
	Those in favor of MK M. Wilner's proposal	2

MK Kusoy's proposal: "The Knesset notes the Government's statement regarding the annexation, with its attendant reservations," is adopted.

The Knesset has heard and placed on record the Herut faction's statement that it will not participate in the vote.



**UNITED STATES, UNITED KINGDOM AND FRANCE: TRIPARTITE DECLARATION  
ON PEACE AND STABILITY IN THE MIDDLE EAST, LONDON, 25 MAY 1950**

The Governments of the United Kingdom, France, and the United States, having and occasion during the recent Foreign Ministers meeting in London to review certain questions affecting the peace and stability of the Arab states and of Israel, and particularly that of the supply of arms and war material to these states, have resolved to make the following statements:

1. The three Governments recognize that the Arab states and Israel all need to maintain a certain level of armed forces for the purposes of assuring their internal security and their legitimate self-defense and to permit them to play their part in the defense of the area as a whole. All applications for arms or war material for these countries will be considered in the light of these principles. In this connection the three Governments wish to recall and reaffirm the terms of the statements made by their representatives on the Security Council on August 4, 1949, in which they declared their opposition to the development of an arms race between the Arab states and Israel.
2. The three Governments declare that assurances have been received from all the states in question, to which they permit arms to be supplied from their countries, that the purchasing state does not intend to undertake any act of aggression against any other state. Similar assurances will be requested from any other state in the area to which they permit arms to be supplied in the future.
3. The three Governments take this opportunity of declaring their deep interest in and their desire to promote the establishment and maintenance of peace and stability in the area and their unalterable opposition to the use of force or threat between any of the states in that area. The three Governments, should they find that any of these states was preparing to violate frontiers or armistice lines, would, consistently with their obligations as members of the United Nations, immediately take action, both within and outside the United Nations, to prevent such violation.



**US SENATE AND HOUSE OF REPRESENTATIVES, UN PALESTINE REFUGEE AID ACT  
OF 1950, TITLE III OF PUBLIC LAW 535, 81<sup>ST</sup> CONGRESS, 2<sup>ND</sup> SESSION,  
WASHINGTON, DC, 5 JUNE 1950**

An Act To Provide Foreign Economic Assistance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Foreign Economic Assistance Act of 1950." ...

TITLE III: ID TO PALESTINE REFUGEES

SEC. 301. This title may be cited as the "United Nations Palestine Refugee Aid Act of 1950".

SEC. 302. The Secretary of State is hereby authorized to make contributions from time to time before July 1, 1951, to the United Nations for the "United Nations Relief and Works Agency for Palestine Refugees in the Near East", established under the resolution of the General Assembly of the United Nations of December 8, 1949, in amounts not exceeding in the aggregate \$27,450,000 for the purposes set forth in this title.

AUTHORIZATION OF APPROPRIATIONS

SEC. 303.

- (a) There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed \$27,450,000 to carry out the purposes of this title.
- (b) Notwithstanding the provisions of any other law, the Reconstruction Finance Corporation is authorized and directed, until such time as an appropriation shall be made pursuant to subsection (a) of this section, to make advances to the Secretary of State, not to exceed in the aggregate \$8,000,000, to carry out the provisions of this title. From appropriations authorized under subsection (a) of this sec-

tion, there shall be repaid to the Reconstruction Finance Corporation, without interest, the advances made by it under authority contained herein. No interest shall be charged on advances made by the Treasury to the Reconstruction Finance (corporation in implementation of this section.

NATURE OF ASSISTANCE

SEC. 304.

- (a) The provisions of sections 301, 302, and 303 of the Act of January 27, 1948 (62 Stat. 6), are hereby made applicable with respect to the United Nations Relief and Works Agency for Palestine Refugees in the Near East to the same extent as they apply with respect to the government of another country: Provided, when reimbursement is made by said Agency, such reimbursement shall be credited to the appropriation, fund, or account utilized for paying the compensation, travel expenses, and allowances of any person assigned hereunder.
- (b) Departments and agencies of the United States Government are authorized, with the approval of the Secretary of State, to furnish or procure and furnish supplies, materials, and services to the United Nations Relief and Works Agency for Palestine Refugees in the Near East: Provided, That said Agency shall make payments in advance for all costs incident to the furnishing or procurement of such supplies materials, or services, which payments may be credited to the current applicable appropriation or fund of the department or agency concerned and shall be available for the purposes for which such appropriations and funds are authorized to be used.



**GOVERNMENT OF ISRAEL, LAW OF RETURN 5710-1950, KNESSET, 5 JULY 1950**

*[See also the Amendment to the Law below, dated 23 August 1954]*

- |                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Right of aliyah</i>                            | 1. Every Jew has the right to come to this country as an oleh.                                                                                                                                                                                                                                                                                                                                                       |
| <i>Oleh's visa</i>                                | 2. (a) Aliyah shall be by oleh's visa.<br>(b) An oleh's visa shall be granted to every Jew who has expressed his desire to settle in Israel, unless the Minister of Immigration is satisfied that the applicant<br>(1) is engaged in an activity directed against the Jewish people; or<br>(2) is likely to endanger public health or the security of the State.                                                     |
| <i>Oleh's certificate</i>                         | 3. (a) A Jew who has come to Israel and subsequent to his arrival has expressed his desire to settle in Israel may, while still in Israel, receive an oleh's certificate.<br>(b) The restrictions specified in section 2(b) shall apply also to the grant of an oleh's certificate, but a person shall not be regarded as endangering public health on account of an illness contracted after his arrival in Israel. |
| <i>Residents and persons born in this country</i> | 4. Every Jew who has immigrated into this country before the coming into force of this Law, and every Jew who was born in this country, whether before or after the coming into force of this Law, shall be deemed to be a person who has come to this country as an oleh under this Law.                                                                                                                            |
| <i>Implementation and regulations</i>             | 5. The Minister of Immigration is charged with the implementation of this Law and may make regulations as to any matter relating to such implementation and also as to the grant of oleh's visas and oleh's certificates to minors up to the age of 18 years.                                                                                                                                                        |

DAVID BEN-GURION  
Prime Minister

MOSHE SHAPIRA  
Minister of Immigration

YOSEF SPRINZAK  
Acting President of the State,  
Chairman of the Knesset



**UN GENERAL ASSEMBLY, RESOLUTION 393 (V) REGARDING  
ASSISTANCE TO PALESTINE REFUGEES, 2 DECEMBER 1950**

The General Assembly,

*Recalling* its resolution 302 (IV) of 8 December 1949,

*Having examined* the report of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and the report of the Secretary-General concerning United Nations Relief for Palestine Refugees,

1. Notes that contributions sufficient to carry out the program authorized in paragraph 6 of resolution 302 (IV) have not been made, and urges governments which have not yet done so to make every effort to make voluntary contributions in response to paragraph 13 of that resolution;
2. Recognizes that direct relief cannot be terminated as provided in paragraph 6 of resolution 302 (IV);
3. Authorizes the Agency to continue to furnish direct relief to refugees in need, and considers that, for the period 1 July 1951 to 30 June 1952, the equivalent of approximately \$20,000,000 will be required for direct relief to refugees who are not yet reintegrated into the economy of the Near East;
4. Considers that, without prejudice to the provisions of paragraph 11 of General Assembly resolution 194 (III) of 11 December 1948, the reintegration of the refugees into the economic life of the Near East, either by repatriation or resettlement, is essential in preparation for the time when international assistance is no longer available, and for the realization of conditions of peace and stability in the area;
5. Instructs the Agency to establish a reintegration fund which shall be utilized for projects requested by any government in the Near East and approved by the Agency for the permanent re-establishment of refugees and their removal from relief;
6. Considers that, for the period 1 July 1951 to 30 June 1952, not less than the equivalent of \$30,000,000 should be contributed to the Agency for the purposes set forth in paragraph 5 above;
7. Authorizes the Agency, as circumstances permit, to transfer funds available for the current relief and works programs, and for the relief program provided in paragraph 3 above, to reintegration projects provided for in paragraph 5;
8. (a) Requests the President of the General Assembly to appoint a Negotiating Committee composed of seven or more members for the purpose of consulting, as soon as possible during the current session of the General Assembly, with Member and non-member States as to the amounts which governments may be willing to contribute on a voluntary basis towards:
  - (i) The current program for relief and works for the period ending 30 June 1951, bearing in mind the need for securing contributions from Member States which have not yet contributed;
  - (ii) The program of relief and reintegration projects as provided for in paragraphs 3 and 4 above for the year ending 30 June 1952;
- (b) Authorizes the Negotiating Committee to adopt procedures best suited to the accomplishment of its task, bearing in mind:
  - (i) The need for securing the maximum contribution in cash;
  - (ii) The desirability of ensuring that any contribution in kind is of a nature which meets the requirements of the contemplated programs;
  - (iii) The importance of enabling the United Nations Relief and Works Agency for Palestine Refugees in the Near East to plan its programme in advance and to carry them out with funds regularly contributed;
  - (iv) The degree of assistance which can continue to be rendered by specialized agencies, non-member States and other contributors;
- (c) Requests that, as soon as the Negotiating Committee has ascertained the extent to which Member States are willing to make contributions, all delegations be notified accordingly by the Secretary-General in order that they may consult with their governments;

- (d) Decides that, as soon as the Negotiating Committee has completed its work, the Secretary-General shall at the Committee's request arrange, during the current session of the General Assembly, an appropriate meeting of Member and non-member States at which Members may commit themselves to their national contributions and the contributions of non-members may be made known;
9. Authorizes the Secretary-General, in consultation with the Advisory Committee on Administrative and Budgetary Questions, to advance funds, deemed to be available for this purpose and not exceeding \$5,000,000, from the Working Capital Fund to finance operations pursuant to the present resolution, such sum to be repaid not later than 31 December 1961;
  10. Calls upon the Secretary-General and the specialized agencies to utilize to the fullest extent the Agency's facilities as a point of reference and co-ordination for technical assistance programs in the countries in which the Agency is operating;
  11. Expresses its appreciation to the United Nations International Children's Emergency Fund, the World Health Organization, the United Nations Educational, Scientific and Cultural Organization, the International Refugee Organization, the International Labor Organization and the Food and Agriculture Organization for the assistance which they have rendered, and urges them to continue to furnish all possible assistance to the Agency;
  12. Commends the International Committee of the Red Cross, the League of Red Cross Societies, and the American Friends Service Committee for their invaluable services and whole-hearted co-operation in the distribution of relief supplies until those functions were taken over by the Agency;
  13. Expresses its thanks to the numerous religious, charitable and humanitarian organizations whose programmer have brought much needed supplementary assistance to the Palestine refugees, and urges them to continue and expand, to the extent possible, the work which they have undertaken on behalf of the refugees;
  14. Extends its appreciation and thanks to the Director and staff of the Agency and the members of the Advisory Committee for their effective and devoted work.



**GOVERNMENT OF ISRAEL, STATE PROPERTY LAW (5711-1951),  
PASSED BY THE KNESSET, 6 FEBRUARY 1951**

1. In this Law -

"Israel" means the area in which the law of the State of Israel applies;

"property" includes immovable and movable property and rights and interests of any kind whatsoever;

"property of the Palestine authorities" includes -

(1) all immovable property,

(2) all mines and minerals of whatever kind, situate in or on land or in, on or under water, including rivers, lakes, inland seas and coastal waters,

(3) all movable property,

(4) all rights, whether vested or contingent, which, on the 5th of Iyar, 5708 (14th May, 1948), were held by the Government of Palestine or any of its departments or services, or by the High Commissioner, whether as trustee for the Government of Palestine or otherwise, or by some other functionary of the Government of Palestine in virtue of his office, whether as trustee for the Government of Palestine or any of its departments or services or otherwise than as a trustee;

"urban land" means land in Israel, situate within a town-planning area and not included in a regional planning area;

"concession" includes a licence, permit, mining lease and mining right under the Mining Ordinance<sup>48</sup>, the Oil Mining Ordinance, 1938<sup>49</sup>, or the Radio-Active Minerals Ordinance, 1947<sup>50</sup>.

Inter-  
pretation

<sup>48</sup> *Laws of Palestine* vol. II, cap. 94, p. 938 (English Edition).

Property of the Palestine authorities to be State property.

Ownerless property to be State property.

Acquisition etc. of property on behalf of the State.

2. Property of the Palestine authorities, situate in Israel, is property of the State of Israel as from the 6th Iyar, 5708 (15th May, 1948).
3. Ownerless property situate in Israel is property of the State of Israel as from the day of its becoming ownerless or as from the 6th Iyar, 5708 (15th May, 1948), whichever is the later date.
4. The Government may, on behalf of the State, acquire by way of purchase or exchange or in any other manner, hire, take on lease or otherwise acquire rights in, property situate in or out of Israel, on such conditions as it may think fit.
5.
  - (a) Subject to the provisions of subsections (b) and (c), the Government, may, on behalf of the State, sell or otherwise dispose of, let, grant the lease of, exchange, mortgage, partition, divide, amalgamate, permit the use or exploitation of or otherwise grant rights in State property, whether of the kind referred to in section 2 or 3 or other State property, situate in or out of Israel, on such conditions as it may think fit.
  - (b)
    - (1) The Government shall not, on behalf of the State, sell or otherwise transfer the right of ownership of State property, being immovable property other than urban property, situate in Israel.-
      - (i) and not exceeding one hundred dunams in area, except for the purpose of a boundary adjustment or the rounding-off of an estate, non-agricultural development, or other similar purposes;
      - (ii) and exceeding one hundred dunams but not exceeding one thousand dunams in area, except for the purpose of non-agricultural development and with the approval of the Finance Committee of the Knesset;
      - (iii) and exceeding one thousand dunams in area, except for the purpose of non-agricultural development and with the approval of the Knesset.
    - (2) The Government shall not, on behalf of the State, let or grant the lease of State property, being immovable property other than urban land, situate in Israel and exceeding one hundred dunams in area -
      - (i) for a period exceeding three years but not exceeding ten years, except with the approval of the Finance Committee of the Knesset; or
      - (ii) for a period exceeding ten years, except with the approval of the Knesset.
    - (3) Notwithstanding anything contained in this subsection, the Government may, on behalf of the State -
      - (i) sell or otherwise transfer the right of ownership of property referred to in this subsection, for any purpose, whatsoever, or
      - (ii) let or grant the lease of property referred to in this subsection, for any period whatsoever, to the Keren Kayemet Leyisrael, the Development Authority or a local authority.
  - (c) The Government shall not, on behalf of the State, whether under this Law or under any other law, grant a concession in respect of mines or minerals being State property -
    - (i) for a period exceeding three years but not exceeding ten years, except with the approval of the Finance Committee of the Knesset; or
    - (ii) for a period exceeding ten years, except with the approval of the Knesset.

Transactions involving State property.

<sup>49</sup> P. G. No. 793 of the 7th July, 1938, Suppl. I, p.49 (English Edition).

<sup>50</sup> P. G. No.1612 of the 20th September, 1947, Suppl. 1, p. 291 (English Edition).

- (d) Notice of any sale of State property, being immovable property situate in Israel, under this section shall be published in *Reshumot* within three months of the date of the sale.
- 6.
- (a) The following are authorised to represent the Government in, and execute on behalf of the State documents relating to, transactions referred to in section 4 or 5:
- (1) the Minister of Finance;
  - (2) another Minister or other person authorised in that behalf by the Government either generally or in respect of specific kinds of transactions or property;
  - (3) some other person authorised in that behalf by the Minister of Finance, or by another Minister as specified in paragraph (2), in respect of specific transactions.
- (b) Notice of an authorisation under subsection (a) shall be published in *Reshumot*.
- (c) The signature of the Minister of Finance or, within the limits of an authorisation under subsection (a), the signature of the Minister or other person authorised, on documents relating to any transaction referred to in section 4 or 5, shall be conclusive evidence that the Government has entered into the transaction through the signatory and considers the terms of the transaction to be fair.
7. Save as provided in section 5(c), the provisions of sections 4, 5 and 6 shall not affect the provisions of any other law dealing with State property.
- 8.
- (a) A transaction referred to in section 4 or 5 which -
- (1) was or purports to have been entered into before the coming into force of this Law; and
  - (2) is certified by the Minister of Finance, or a person appointed by him, as having been or purporting to have been entered into on behalf or in the name of the State; and
  - (3) would be validly entered into had the person who entered or purported to enter thereinto on behalf or in the name of the State been competent so to enter thereinto shall be deemed to have been validly entered into.
- (b) Notice of any appointment under subsection (a) (2) shall be published in *Reshumot*.
9. There are hereby repealed:
- (1) sections 12 and 13 of the Palestine Order in Council, 1922-1947<sup>51</sup>;
  - (2) the Public Lands Ordinance, 1942<sup>52</sup>(5);
- 10.
- (a) The Minister of Finance is charged with the implementation of this Law.
  - (b) The Minister of Finance may make regulations as to the safe-guarding, management and control of State property.
  - (c) The Minister of Finance may make regulations as to the manner of registration of State property and as to the change of existing registrations relating thereto.

Representation of the Government in transactions.

Saving of existing laws.

Validation of transaction.

Repeal.

Implementation and regulations.

DAVID BEN-GURION  
*Prime Minister*

ELIEZER KAPLAN  
*Minister of Finance*

CHAIM WEIZMANN  
*President of the State*



<sup>51</sup> *Laws of Palestine* Vol. III, p. 2569 (English Edition); P. G. No. 1642 of the 19th January, 1948, Suppl. II, p. 35 (English Edition).

<sup>52</sup> P. G. No. 1182 of the 30th March, 1942, Suppl. I, p. 39 (English Edition).

**GOVERNMENT OF ISRAEL, ABSENTEES' PROPERTY (AMENDMENT) LAW, 5711-1951,  
PASSED BY THE KNESSET, 6 MARCH 1951**

*[See document dated 14 March 1950 above for the original version of the Law]*

1. The Absentees' Property Law, 5710-1950(1), shall be amended as follows -

- (a) in section 12 -
  - (1) subsection (c) shall be replaced by the following subsection:

"(c)

- (1) The Minister of Finance may prescribe by regulations, with the approval of the Finance Committee of the Knesset, rules to be followed in fixing the rent. Upon such rules being prescribed, the Custodian may change the rent fixed by any contract of lease so as to adapt it to those rules; provided that the change shall not become effective before the expiration of the period of lease or before the 24th Adar Bet, 5711 (1st April, 1951), whichever is the later date. For the purpose of this section, a change of rent as aforesaid shall be deemed to be the fixing of the rent by the contract of lease, and the rent so changed shall be deemed to be the rent fixed by the contract of lease.
- (2) The rent fixed for any property under rules as aforesaid, as reduced under subsection (d) (if so reduced), shall for all intents and purposes be treated as the standard rent of that property within the meaning of the Rent Restrictions (Dwelling-Houses) Ordinance, 1940(2), or as the maximum rent of that property fixed under section 6(1) of the Rent Restrictions (Business Premises) Ordinance, 1941(3), as the case may be."

Amendment  
of Law

○ (2) paragraph (5) of subsection (d) shall be deleted;

- (b) The following section shall be added after section 28:

<p>"Property of an absentee being law fully in the area of Israel.</p>	<p>28A. Notwithstanding anything contained in this Law, property which is not absentees' property on the day of coming into force of the Absentees' Property (Amendment) Law, 5711-1951, shall not become absentees' property by reason only that an absentee, being at the time lawfully in the area of Israel, becomes its legal owner, or enjoys its benefit, or holds it, after that day."</p>
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DAVID BEN-GURION  
*Prime Minister*

ELIEZER KAPLAN  
*Minister of Finance*

CHAIM WEIZMANN  
*President of the State*



**GOVERNMENT OF ISRAEL, NATIONALITY LAW, 5712-1952,  
PASSED BY THE KNESSET, 1 APRIL 1952**

PART ONE: ACQUISITION OF NATIONALITY

1. Israel nationality is acquired-
- by return (section 2),
  - by residence in Israel (section 3),
  - by birth (section 4) or
  - by naturalisation (section 5 to 9).
- There shall be no Israel nationality save under this Law.

Preliminary.

- Nationality  
by Return.
- Nationality  
by Residence  
in Israel.
- Nationality  
by Birth.
- Naturali-  
sation.
2. (a) Every '*oleh*\*\*<sup>53</sup> under the Law of Return, 5710-1950<sup>54</sup>, shall become an Israel national.
  - (b) Israel nationality by return is acquired-
    - (1) by a person who came as an '*oleh* into, or was born in, the country before the establishment of the State - with effect from the day of the establishment of the State;
    - (2) by a person having come to Israel as an '*oleh* after the establishment of the State - with effect from the day of his '*aliyah*\*\*;
    - (3) by a person born in Israel after the establishment of the State - with effect from the day of his birth;
    - (4) by a person who has received an '*oleh*'s certificate under section 3 of the Law of Return, 5710-1950 - with effect from the day of the issue of the certificate.
  - (c) This section does not apply-
    - (1) to a person having ceased to be an inhabitant of Israel before the coming into force of this Law;
    - (2) to a person of full age who, immediately before the day of his '*aliyah* or the day of his '*oleh*'s certificate is a foreign national and who, on or before such day, declares that he does not desire to become an Israel national;
    - (3) to a minor whose parents have made a declaration under paragraph (2) and included him therein.
  3. (a) A person who, immediately before the establishment of the State, was a Palestinian citizen and who does not become a Israel national under section 2, shall become an Israel national with effect from the day of the establishment of the State if -
    - (1) he was registered on the 4th Adar, 5712 (1st March 1952) as an inhabitant under the Registration of Inhabitants Ordinance, 5709-1949<sup>55</sup>; and
    - (2) he is an inhabitant of Israel on the day of the coming into force of this Law; and
    - (3) he was in Israel, or in an area which became Israel territory after the establishment of the State, from the day of the establishment of the State to the day of the coming into force of this Law, or entered Israel legally during that period.
  - (b) A person born after the establishment of the State who is an inhabitant of Israel on the day of the coming into force of this Law, and whose father or mother becomes an Israel national under subsection (a), shall become an Israel national with effect from the day of his birth.
  4. A person born while his father or mother is an Israel national shall be an Israel national from birth; where a person is born after his father's death, it shall be sufficient that his father was an Israel national at the time of his death.
  5. (a) A person of full age, not being an Israel national, may obtain Israel nationality by naturalisation if -
    - (1) he is in Israel; and
    - (2) he has been in Israel for three years out of five years proceeding the day of the submission of his application; and
    - (3) he is entitled to reside in Israel permanently; and
    - (4) he has settled, or intends to settle, in Israel, and
    - (5) he has some knowledge of the Hebrew language, and
    - (6) he has renounced his prior nationality or has proved that he will cease to be a foreign national upon becoming an Israel national.
  - (b) Where a person has applied for naturalisation, and he meets the requirements of subsection (a), the Minister of the Interior, if he thinks fit to do so, shall

<sup>53</sup> \*\* Translator's Note: '*oleh* and '*aliyah* mean respectively a Jew immigrating, and the immigration of a Jew, into the Land of Israel.

<sup>54</sup> *Sefer Ha-Chukkim* No. 51 of the 21st Tammuz, 5710 (6th July, 1950), p. 159.

<sup>55</sup> *I.R.* No. 48 of the 5th Shevat, 5709 (4th February, 1949), Suppl. I, p. 164.

grant him Israel nationality by the issue of a certificate of naturalisation.

(c) Prior to the grant of nationality, the applicant shall make the following declaration:

"I declare that I will be a loyal national of the State of Israel."

(d) Nationality is acquired on the day of the declaration.

6. (a)

(1) A person who has served in the regular service of the Defence Army of Israel or who, after the 16th Kislev, 5708 (29th November 1947) has served in some other service which the Minister of Defence, by declaration published in *Reshumot*, has declared to be military service for the purpose of this section, and who has been duly discharged from such service; and

(2) a person who has lost a son or daughter in such service, are exempt from the requirements of section 5 (a), except the requirement of section 5 (a) (4).

(b) A person applying for naturalisation after having made a declaration under section 2 (c) (2) is exempt from the requirement of section 5 (a) (2).

(c) A person who immediately before the establishment of the State was a Palestinian citizen is exempt from the requirement of section 5 (a) (5).

(d) The Minister of the Interior may exempt an applicant from all or any of the requirements of section 5 (a) (1), (2), (5) and (6) if there exists in his opinion a special reason justifying such exemption.

Exemption from conditions of naturalisation.

Naturalisation of husband and wife.

Naturalisation Minors.

Grant of Nationality to Minors.

7. The spouse of a person who is an Israel national or who has applied for Israel nationality and meets or is exempt from the requirements of section 5 (a) may obtain Israel nationality by naturalisation even if she or he is a minor or does not meet the requirements of section (5) (a).

8. Naturalisation confers Israel nationality also upon the minor children of the naturalised person.

9. (a) Where a minor, not being an Israel national, is an inhabitant of Israel, and his parents are not in Israel or have died or are unknown, the Minister of the Interior, on such conditions and with effect from such day as he may think fit, may grant him Israel nationality by the issue of a certificate of naturalisation.

(b) Nationality may be granted as aforesaid upon the application of the father or mother of the minor or, if they have died or are unable to apply, upon the application of the guardian or person in charge of the minor.

## PART TWO: LOSS OF NATIONALITY

10. (a) An Israel national of full age, not being an inhabitant of Israel, may declare that he desires to renounce his Israel nationality; such renunciation is subject to the consent of the Minister of the Interior; the declarant's Israel nationality terminates on the day fixed by the Minister.

(b) The Israel nationality of a minor, not being an inhabitant of Israel, terminates upon his parents' renouncing their Israel nationality; it does not terminate so long as one of his parents remains an Israel national.

11.

(a) Where a person, having acquired Israeli nationality by naturalisation -

(1) has done so on the basis of false particulars; or

(2) has been abroad for seven consecutive years and has no effective connection with Israel, and has failed to prove that his effective connection with Israel was severed otherwise than by his own volition; or

(3) has committed an act of disloyalty towards the State of Israel, a District Court may, upon the application of the Minister of the Interior, revoke such person's naturalisation.

(b) The Court may, upon such application, rule that the revocation shall apply also to such children of the naturalised person as acquired Israel nationality by virtue of his naturalisation and are inhabitants of a foreign country.

Revocation of Naturalisation.

- (c) Israel nationality terminates on the day on which the judgment revoking naturalisation ceases to be appealable or on such later day as the Court may fix.

Saving of Liability.

12. Loss of Israel nationality does not relieve from a liability arising out of such nationality and created before its loss.

PART THREE: FURTHER PROVISIONS

13. In this Law -

"of full age" means of the age of eighteen years or over;  
"minor" means a person under eighteen years of age;  
"child" includes an adopted child, and "parents" includes adoptive parents;  
"foreign nationality" includes foreign citizenship, and "foreign national" includes a foreign citizen, but does not include a Palestinian citizen.

Interpretation.

- 14.

Dual nationality and dual residence.

- (a) Save for the purposes of naturalisation, acquisition of Israel nationality is not conditional upon renunciation of a prior nationality.  
(b) An Israel national who is also a foreign national shall, for the purposes of Israel law, be considered an Israel national.  
(c) An inhabitant of Israel residing abroad shall, for the purposes of this Law, be considered an inhabitant of Israel so long as he has not settled abroad.

Evidence of Nationality.

15. An Israel national may obtain from the Minister of the Interior a certificate attesting his Israel nationality.

Offence.

16. A person who knowingly gives false particulars as to a matter affecting his own or another person's acquisition or loss of Israel nationality is liable to imprisonment for a term not exceeding six months or to fine not exceeding five hundred pounds, or to both such penalties.

- 17.

Implementation and regulations.

- (a) The Minister of the Interior is charged with the implementation of this Law and may make regulations as to any matter relating to its implementation, including the payment of fees and exemption from the payment thereof.  
(b) The Minister of Justice may make regulations as to proceedings in District Courts under this Law, including appeals from decisions of such Courts.

- 18.

Repeal, adaptation of laws and validation.

- (a) The Palestinian Citizenship Orders, 1925-1942<sup>56</sup>, are repealed with effect from the day of the establishment of the State.  
(b) Any reference in any provision of law to Palestinian citizenship or Palestinian citizens shall henceforth be read as a reference to Israel nationality or Israel nationals.  
(c) Any act done in the period between the establishment of the State and the day of the coming into force of this Law shall be deemed to be valid if it were valid had this Law been in force at the time it was done.

- 19.

Commencement.

- (a) This Law shall come into force on the 21st Tammuz, 5712 (14th July, 1952).  
(b) Even before that day, the Minister of the Interior may make regulations as to declarations under section 2(c)(2).

MOSHE SHARETT  
*Minister of Foreign Affairs*

MOSHE SHAPIRA  
*Minister of the Interior*

YOSEF SPRINZAK  
*Chairman of the Knesset  
Acting President of the State*



<sup>56</sup> *Palestine Gazette* No. 1210 of the 16th July, 1942, Suppl. 11, p. 1193 (English Edition).

**UNITED STATES AND ISRAEL, LETTERS OF EXCHANGE REGARDING  
THE MUTUAL DEFENSE ASSISTANCE AGREEMENT, JULY 1952**

*[The Agreement effected by exchange of notes signed at Tel Aviv 1 and 23 July 1952;  
it entered into force on 23 July 1952]*

AMERICAN AMBASSADOR MONNETT B. DAVIS TO ISRAELI ACTING  
MINISTER FOR FOREIGN AFFAIRS, DAVID BEN GURION

Excellency:

I have the honor to inform Your Excellency that the Government of Israel has been declared eligible to receive from the Government of the United States of America reimbursable military assistance under the provisions of Section 408 (e) of the Mutual Defense Assistance Act of 1949 (Public Law 329, 81st Congress), as amended. The provisions of these laws and the policy of the United States Government require that certain assurances be received before completing any transactions under Section 408 (e) of the Act.

It is the understanding of the United States Government that the Government of Israel is prepared to accept the following undertakings:

1. The Government of Israel agrees to use any assistance furnished under the Mutual Defense Assistance Act of 1949, as amended, to further the policies and purposes of the Act which are to foster international peace and security within the framework of the Charter of the United Nations through measures which will further the ability of nations dedicated to the principles and purposes of the Charter to participate effectively in arrangements for individual and collective self-defense in support of those purposes and principles. The Government of Israel further agrees to furnish equipment and materials, services, or other assistance, consistent with the Charter of the United Nations, to the United States or to and among other nations eligible for assistance under the Mutual Defense Assistance Act to further the policies and purposes of this Act, as set forth above, and as may be mutually agreed hereafter.
2. *The Government of Israel assures the United States Government that such equipment, materials, or services as may be acquired from the United States under the provisions of Section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended, are required for and will be used solely to maintain its internal security, its legitimate self-defense, or to permit it to participate in the defense of the area of which it is a part, or in United Nations collective security arrangements and measures, and that it will not undertake any act of aggression against any other state.*
3. The Government of Israel will not relinquish title to or possession of any equipment and materials, information or services furnished under Section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended, without the consent of the United States Government.
4. The Government of Israel will protect the security of any article, service or information furnished under section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended.
5. The Government of Israel understands that, prior to the transfer of any item or the rendering of any services, the United States Government retains the right to terminate the transaction.
6. The Government of Israel is prepared to accept terms and conditions of payment for any item or service which may be furnished under the Mutual Defense Assistance Act of 1949, as amended, which are in accord with the provisions of Section 408 (e) (2) of this Act.

I have the honor to propose that this note, together with your reply confirming these assurances, constitute an agreement between the Government of the United States of America and the Government of Israel, effective on the date of your Note. Accept, Excellency, the renewed assurances of my highest consideration.

ISRAELI MINISTER FOR FOREIGN AFFAIRS M. SHARETT TO  
AMERICAN AMBASSADOR MONNETT B. DAVIS

SIR:

I have the honor to refer to your note of July 1, 1952, concerning certain assurances and undertakings required from the Israel Government prior to the completion of transactions between the Israel Government and the United States Government under the provisions of Section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended.

The Government of Israel accepts the undertakings and assurances outlined in that note and concurs with proposal that this note, together with your note dated July 1, 1952, referred to above, constitute an agreement covering all transactions for the supply of military assistance under Section 408 (e) of the Mutual Defense Assistance Act of 1949, as amend, between the respective governments, the said agreement to enter into force on the date of this note.

I avail myself of this opportunity to renew to you the assurances of my highest consideration.



**GOVERNMENT OF ISRAEL, LAND ACQUISITION (VALIDATION OF ACTS AND COMPENSATION) LAW, 5713-1953, PASSED BY THE KNESSET, 10 MARCH 1953**

1. (a) In this Law -
- "the Minister" means the member of the Government whom the Government shall authorise for the purposes of this Law by notice published in *Reshumot*;
  - "Development Authority" means the Development Authority established under the Development Authority (Transfer of Property) Law, 5710-1950<sup>57</sup>;
  - "property" means land;
  - "acquired property" means property vested in the Development Authority in pursuance of section 2;
  - "date of acquisition" means the date on which property vests in the Development Authority in pursuance of section 2;
  - "owners", in relation to acquired property, means the persons who immediately before the date of acquisition were the owners of, or had a right or interest in such property, and includes their successors;
  - "the Court" means the District Court in the area of whose jurisdiction acquired property is situated.
- (b) In the case of a person who has a right or interest in property, any reference in this Law to property shall be deemed to be a reference to such right or interest.
2. (a) Property in respect of which the Minister certifies by certificate under his hand-
- (1) that on the 6th Nisan, 5712 (1st April, 1952) it was not in the possession of its owners; and
  - (2) that within the period between the 5th Iyar, 5708 (14th May, 1948) and the 6th Nisan, 5712 (1st April 1952) it was used or assigned for purposes of essential development, settlement or security; and
  - (3) that it is still required for any of these purposes - shall vest in the Development Authority and be regarded as free from any charge, and the Development Authority may forthwith take possession thereof.
- (b) The property shall vest in the Development Authority as from the date specified in the said certificate; the certificate may only be issued within one year from the day of the coming into force of this Law, and shall be published in

Interpreta-  
tion.

Acquisition  
of land for  
purposes of  
develop-  
ment,  
settlement,  
or security.

<sup>57</sup> *Sefer Ha-Chukkim* No. 57 of the 26th Av; 5710 (9th August, 1950), p. 278.

*Reshumot* as early as possible after the day of its issue.

- (c) Property vested in the Development Authority as aforesaid shall be registered in the Land Register in its name, but non-registration shall not affect the validity of the vesting of the property in the Development Authority.
- (d) A certificate under this section shall not constitute an admission that acquired property is not or was not State property or that the State has not or had not a right or interest therein.

Right to  
Compensation.

- 3. (a) The owners of acquired property are entitled to compensation therefore from the Development Authority. The compensation shall be given in money, unless otherwise agreed between the owners and the Development Authority. The amount of compensation shall be fixed by agreement between the Development Authority and the owners or, in the absence of agreement, by the Court, as hereinafter provided.
- (b) Where the acquired property was used for agriculture and was the main source of livelihood of its owner, and he has no other land sufficient for his livelihood, the Development Authority shall, on his demand, offer him other property, either for ownership or for lease, as full or partial compensation. A competent authority, to be appointed for this purpose by the Minister, shall, in accordance with rules to be prescribed by regulations, determine the category, location, area, and, in the case of lease, period of lease (not less than 49 years) and the value of the offered property, both for the purpose of calculating the compensation and for determination of the sufficiency of such property for a livelihood.
- (c) The provisions of subsection (b) shall add to, and not derogate from, the provisions of subsection (a).

Determination of  
compensation by the  
court.

- 4. In the following cases, the right to and amount of compensation shall, on the application of the Development Authority or the owner of the acquired property, be determined by the Court:
  - (1) in the absence of agreement between the Development Authority and the owner of the acquired property as to the grant or amount of compensation;
  - (2) where the owner of the acquired property did not file a claim for compensation with the Development Authority within one year from the day of publication of a certificate under section 2;
  - (3) where a claim as aforesaid was filed but was not supported by sufficient evidence;
  - (4) where different or conflicting claims were filed in relation to the acquired property.

Rules for  
determining  
compensation.

- 5. (a) In fixing the amount of compensation, the Court shall follow *mutatis mutandis* the rules laid down in section 12 of the Land (Acquisition for Public Purposes) Ordinance, 1943<sup>58</sup>; provided that the 12th Tevet, 5710 (1st January, 1950) shall be regarded as the day on which notice of the intended acquisition was published for the purposes of the said section.
- (b) Any amount fixed by the Court as aforesaid shall be increased by an addition of three per centum per annum as from the 12th Tevet 5710 (1st January, 1950).

Decision of  
the Court  
in the case  
of deposit of  
compensation.

- 6. (a) The decision of the Court or, in the case of appeal, of the Court of Civil Appeal shall be final with regard to all parties to whom notices of an application under section 4 have been sent or who have attended and claimed compensation either personally or by attorney.
- (b) A person to whom notice as aforesaid has not been sent or who has not attended and claimed as aforesaid may file a claim within one year from the date of the final decision.
- (c) Where the Court has awarded compensation, but has not issued directions as to the mode of payment thereof, the compensation shall be deposited with the Court, and the Court shall pay it only upon the expiration of one year, or such

<sup>58</sup> P.G. No. 1305 of the 10th December, 1943, Suppl. 1, p. 44 (English Edition).

shorter period as it may decide, from the date of the final decision, and after application has been made to it by a person claiming the compensation; and the compensation shall be paid as the Court may direct.

- (d) Deposit of the compensation with the Court has the effect of full discharge, and relieves the Development Authority from liability as to any claim in relation to the property, unless the Court otherwise orders in connection with a claim under subsection (b).
- (e) A person who alleges that he has a right to compensation deposited with the Court and the whole or any part of which has not been paid, may, within three years from the date of the final decision, apply to the Court for payment of the whole or any part thereof; and any person who alleges that he has a better right to the whole or any part of the compensation, may file a claim against the person to whom compensation has been paid.

Relief from liability for use of compensation.

- 7. The giving of compensation, whether in money or in land, and whether by agreement or under a decision of the Court, or the deposit of compensation under section 6, relieves the Development Authority from any liability for the manner in which such compensation is used or for the misuse thereof.

Inapplicability.

- 8. Section 3(4)(a) of the Development Authority (Transfer of Property) Law, 5710-1950, shall not apply to property of the Development Authority offered or given to the owner of acquired property as full or partial compensation for the acquired property.

Immunity.

- 9. Where the Minister certifies by certificate under his hand that an act done on behalf of the State or the Development Authority in respect of any property was done after such property had first been used or assigned for purposes of essential development, settlement or security, and before it became acquired property, such act shall not serve as cause for an action on the part of the owner of the property or of his predecessor in title, or as basis for a charge.

Regulations.

- 10. The Minister may make regulations as to any matter relating to the implementation of this Law.

DAVID BEN-GURION  
*Prime Minister*

YITZCHAK BEN-ZVI  
*President of the State*



**UNITED STATES SECRETARY OF STATE, JOHN FOSTER DULLES,  
SPEECH ON "SIX MAJOR POLICY ISSUES", 1 JUNE 1953 [EXCERPTS]**

*[Dulles had been sent by Pres. Eisenhower on a fact-finding mission to 12 countries in Europe, the Near East and South Asia.]*

- 3. *Arab Good Will.* The United States should seek to allay the deep resentment against it that has resulted from the creation of Israel. In the past we had good relations with the Arab peoples. American educational institutions had built up a feeling of good will, and also American businessmen had won a good reputation in this area. There was mutual confidence to mutual advantage.

Today the Arab peoples are afraid that the United States will back the new State of Israel in aggressive expansion. They are more fearful of Zionism than of communism, and they fear lest the United States become the backer of expansionist Zionism.

On the other hand, the Israelis fear that ultimately the Arabs may try to push them into the sea.

In an effort to calm these contradictory fears the United States joined with Britain and France in a Declaration of May 25, 1950 which stated that "the three Governments, should they find that any of these states (of the Near East) was preparing to violate frontiers or armistice lines, would, consistently with their obligations as members of the United Nations, immediately take action, both within and outside the United Nations, to prevent such violation." That Declaration when made did not reassure the Arabs. It must be made clear that the present US administration stands fully behind that Declaration. We cannot afford to be distrusted by millions who could be sturdy friends of freedom. They must not further swell the ranks of Communist dictators.

The leaders in Israel themselves agreed with us that United States policies should be impartial so as to win not only the respect and regard of the Israeli but also of the Arab peoples. We shall see such policies.

4. *Peace Between Israel and the Arab Nations.* There is need for peace in the Near East. Today there is an uneasy military armistice between Israel and the Arab States, while economic warfare is being conducted by the Arab States, in retaliation for alleged Israeli encroachments. The area is enfeebled by fear and by wasteful measures which are inspired by fear and hate.

Israel should become part of the Near East community and cease to look upon itself, or be looked upon by others, as alien to this community. This is possible. To achieve it will require concessions on the part of both sides. But the gains to both will far outweigh the concessions required to win those gains.

The parties concerned have the primary responsibility of bringing peace to the area. But the United States will not hesitate by every appropriate means to use its influence to promote a step-by-step reduction of tension in the area and the conclusion of ultimate peace.

5. *Middle East Defense Organization.* A Middle East Defense Organization is a future rather than an immediate policy. Many of the Arab League countries are so engrossed with their quarrels with Israel or with Great Britain or France that they pay little heed to the menace of Soviet communism. However, there is more concern where the Soviet Union is near. In general, the northern tier of nations shows awareness of the danger.

There is a vague desire to have a collective security system. But no such system can be imposed from without. It should be designed and grow from within out of a sense of common destiny and common danger.

While awaiting the formal creation of a security association, the United States can usefully help strengthen the interrelated defense of those countries which want strength, not as against each other or the West, but to resist the common threat to all free peoples.



**UNITED STATES SECRETARY OF STATE, JOHN FOSTER DULLES, STATEMENT  
REGARDING THE REMOVAL OF THE ISRAELI FOREIGN OFFICE FROM TEL AVIV  
TO JERUSALEM, WASHINGTON, DC, 28 JULY 1953**

The United States regrets that the Israeli Government has seen fit to move its Foreign Office from Tel Aviv to Jerusalem.

We have made known our feelings on that subject to the Government of Israel on two prior occasions. It was done in July 1952 and again in March 1953, when our Ambassador, hearing rumors that this was in contemplation, called upon the Israeli Government and requested them not to transfer their Foreign Ministry to Jerusalem.

We feel that way because we believe that it would embarrass the United Nations, which has a primary responsibility for determining the future status of Jerusalem. You may recall that the presently standing U.N. resolution about Jerusalem contemplates that it should be to a large extent at least an international city rather than a purely national city. Also, we feel that this particular action by the Government of Israel at this particular time is inopportune in relation to the tensions which exist in the Near East, tensions which are rather extreme, and that this will add to rather than relax any of these tensions.

The views that I express here are, we know, shared by a considerable number of other governments who have concern with the development of an atmosphere of peace and good will in that part of the world.

We have notified the Government of Israel that we do not intend to move our own Embassy to Jerusalem.



### UN SECURITY COUNCIL, RESOLUTION 101, 24 NOVEMBER 1953

*[As commander of the notorious Unit 101 (Israel's first special forces unit), Ariel Sharon led attacks on Palestinian villages, most notably a massacre in the West Bank village of Qibya on 14 Oct. 1953, where his troops blew up 45 houses and killed 69 Palestinian civilians, incl. many women and children. This UNSC condemned, among other things, the action.]*

The Security Council,

Recalling its previous resolutions on the Palestine question, particularly resolutions 54 (1948) of 15 July 1948, 73 (1949) of 11 August 1949 and 93 (1951) of 18 May 1951 concerning methods for maintaining the armistice and resolving disputes through the Mixed Armistice Commission,

Noting the reports of 27 October 1953,<sup>59</sup> and 9 November 1953<sup>60</sup> to the Security Council by the Chief of Staff of the United Nations Truce Supervision Organization in Palestine and the statements to the Council by the representatives of Jordan and Israel,

#### A

1. Finds that the retaliatory action at Qibya taken by armed forces of Israel on 14-15 October 1953 and all such actions constitute a violation of the cease-fire provisions of Security Council resolution 54 (1948) and are inconsistent with the parties' obligations under the General Armistice Agreement between Israel and Jordan<sup>61</sup> and the Charter of the United Nations;
2. Expresses the strongest censure of that action, which can only prejudice the chances of that peaceful settlement which both parties, in accordance with the Charter, are bound to seek, and calls upon Israel to take effective measures to prevent all such actions in the future;

#### B

1. Takes note of the fact that there is substantial evidence of crossing of the demarcation line by unauthorized persons, often resulting in acts of violence, and requests the Government of Jordan to continue and strengthen the measures which it is already taking to prevent such crossings;
2. Recalls to the Governments of Israel and Jordan their obligations under Security Council resolutions and the General Armistice Agreement to prevent all acts of violence on either side of the demarcation line;
3. Calls upon the Governments of Israel and Jordan to ensure the effective co-operation of local security forces.

#### C

1. Reaffirms that it is essential, in order to achieve progress by peaceful means towards a lasting settlement of the issues outstanding between them, that the parties abide by their obligations under the General Armistice Agreement and the resolutions of the Security Council;

<sup>59</sup> Ibid., Eighth year, 630th meeting, paras. 10-68 and appendices I-III.

<sup>60</sup> Ibid., 635th meeting, annex.

<sup>61</sup> Ibid., Fourth Year, Special Supplement No. 1.

2. Emphasizes the obligation of the Governments of Israel and Jordan to co-operate fully with the Chief of Staff of the Truce Supervision Organization;
3. Requests the Secretary-General to consider, with the Chief of Staff, the best ways of strengthening the Truce Supervision Organization and to furnish such additional personnel and assistance as the Chief of Staff of the Truce Supervision Organization may require for the performance of his duties;
4. Requests the Chief of Staff of the Truce Supervision Organization to report within three months to the Security Council with such recommendations as he may consider appropriate on compliance with and enforcement of the General Armistice Agreements, with particular reference to the provisions of this resolution and taking into account any agreement reached in pursuance of the request by the Government of Israel<sup>62</sup> for the convocation of a conference under article XII of the General Armistice Agreement between Israel and Jordan.

*[Adopted by 9 votes to none, with 2 abstentions (Lebanon, USSR).]*



**GOVERNMENT OF ISRAEL, THE LAW OF RETURN (1950) AS AMENDED IN 1954,  
23 AUGUST 1954**

*[For the original version of 1950 see above, document dated 5 July 1950]*

LAW OF RETURN - AMENDMENT

1. In section 2 (b) of the Law of Return, 5710-1950\*\* -
  - (1) the full stop at the end of paragraph (2) shall be replaced by a semi-colon, and the word "or" shall be inserted thereafter;
  - (2) the following paragraph shall be inserted after paragraph (2):
 

"(3) is a person with a criminal past, likely to endanger public welfare."
2. In sections 2 and 5 of the Law, the words "the Minister of Immigration" shall be replaced by the words "the Minister of the Interior".

MOSHE SHARETT  
*Prime Minister*

YOSEF SERLIN  
*Minister of Health*  
*Acting Minister of the Interior*

YITZCHAK BEN-ZVI  
*President of the State*



**UN SECURITY COUNCIL, RESOLUTION 106 ON ISRAELI ATTACKS  
IN THE GAZA STRIP, 29 MARCH 1955**

The Security Council,

*Recalling* its resolutions of 15 July 1948, 11 August 1949, 17 November 1950, 18 May 1951 and 25 [24] November 1953;

*Having heard* the report of the Chief of Staff of the Truce Supervision Organization and statements by the Representatives of Egypt and Israel;

*Noting* that the Egyptian-Israeli Mixed Armistice Commission on 6 March 1955 determined that a "prearranged and planned attack ordered by Israeli authorities" was "committed by Israeli regular army forces against the Egyptian regular army force" in the Gaza Strip on February 28th, 1955;

<sup>62</sup> *Ibid.*, Eighth Year, Supplement for October, November and December 1953, document S/3140.

*Condemns* this attack as a violation of the cease-fire provisions of the Security Council resolution of 15 July 1948 and as inconsistent with the obligations of the parties under the General Armistice Agreement between Egypt and Israel and under the Charter;

*Calls* again upon Israel to take all necessary measures to prevent such actions;

*Expresses* its conviction that the maintenance of the General Armistice Agreement is threatened by any deliberate violation of that Agreement by one of the parties to it, and that no progress towards the return of permanent peace in Palestine can be made unless the parties comply strictly with their obligations under the General Armistice Agreement and the cease-fire provisions of its resolution of July 15, 1948.



**US DEPARTMENT OF STATE, STATEMENT SUPPORTING UNITED NATIONS EFFORTS TO END HOSTILITIES BETWEEN ISRAEL AND EGYPT, 5 NOVEMBER 1955**

During recent weeks, especially during the last few days, the United States has noted, with deep concern, the increasing tempo of hostilities between Israel and Egypt. According to our information there have been violations of the General Armistice Agreement by both Israel and Egypt which have led to bloodshed and loss of life. The United States deplores resort to force for the settlement of disputes. The Secretary-General of the United Nations and General [E. L. M.] Burns have put forward proposals to Israel and Egypt which are designed to ease the present situation along their common border. The United States strongly supports the United Nations efforts to achieve settlement by peaceful means, especially the current proposals of General Burns, who is the Chief of Staff of the United Nations Truce Supervision Organization.

Recent reports have also been received that United Nations observers who are under General Burns' direction have been prevented from carrying out their assigned functions. The United States continues to believe that these United Nations observers should have full liberty to perform their peaceful functions.

Assistant Secretary Allen informed the Ambassadors of Israel and Egypt of the attitude of the United States and asked for information with respect to their Governments' intentions regarding these matters.



**UN GENERAL ASSEMBLY, RESOLUTION 916 (X), 3 DECEMBER 1955**

The General Assembly,

*Recalling* its resolutions 194 (III) of 11 December 1948, 302 (IV) of 8 December 1949, 393 (V) of 2 December 1950, 513 (VI) of 26 January 1952, 614 (VII) of 6 November 1952, 720 (VIII) of 27 November 1953, and 818 (IX) of 4 December 1954,

*Noting* the annual report and the special report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the special report of the Advisory Commission of the Agency,

*Having reviewed* the budgets for relief and rehabilitation prepared by the Director of the Agency,

*Noting* that repatriation or compensation of the refugees, as provided for in paragraph 11 of resolution 194 (III), has not been effected, that no substantial progress has been made in the program for reintegration of refugees endorsed in paragraph 2 of resolution 513 (VI) and that the situation of the refugees therefore continues to be a matter of grave concern,

1. Directs the United Nations Relief and Works Agency for Palestine Refugees in the Near East to pursue its program for the relief and rehabilitation of refugees, bearing in mind the limitations imposed upon it by the extent of the contributions for the fiscal year;
2. Requests the Agency to continue its consultation with the United Nations Conciliation Commission for Palestine in the best interest of their respective tasks, with particular reference to paragraph 11 of resolution 194 (III);

3. Requests the Government of the area, without prejudice to paragraph 11 of resolution 194 (III), to make a determined effort, in co-operation with the Director of the Agency, to seek and carry out projects capable of supporting substantial numbers of refugees;
4. Notes with gratification that the Government of the Hashemite Kingdom of the Jordan and the Agency have made substantial progress toward resolving the difficulties which impede the granting of rations to all qualified refugee children in Jordan;
5. Notes the serious need of the other claimants for relief as described in the special report prepared by the Director pursuant to paragraph 6 of resolution 818 (IX), namely, the frontier villagers in Jordan, the non-refugee population of the Gaza strip, a number of the refugees in Egypt, and certain of the Bedouin;
6. Appeals to private organizations to give them increased assistance to the extent that local Governments cannot do so;
7. Urges all Governments and individuals to support these private organizations with food, goods and services;
8. Requests the Negotiating Committee for Extra-Budgetary Funds, after the receipt of the budgets from the Director of the Agency, to seek such funds as may be required by the Agency;
9. Appeals to the Governments of Member and non-member States to make voluntary contributions to the extent necessary to carry through to fulfillment the Agency's program, and thanks the numerous religious, charitable and humanitarian organizations for their valuable and continuing work in assisting the refugees;
10. Expresses its thanks to the Director and the staff of the Agency for their continued faithful efforts to carry out their mandate, and requests the Governments of the area to continue to facilitate the work of the Agency and to ensure the protection of its personnel and property;
11. Requests the Director of the Agency to continue to submit the reports referred to in paragraph 21 of resolution 302 (IV) as well as the annual budgets.



**GOVERNMENT OF ISRAEL, ABSENTEES' PROPERTY (AMENDMENT NO. 2) LAW,  
5716-1956, PASSED BY THE KNESSET, 14 FEBRUARY 1956**

*[See document dated 14 March 1950 above for the original version of the Law]*

1. Section 17 of the Absentees' Property Law, 5710-1950(1), shall be re-marked as section 17(a) and the following subsection shall be added thereto:

Addition of  
section 17 (b).

"(b) A person who in a transaction as referred to in subsection (a) has rented from the Custodian a dwelling-house or business premises shall, both during and after the period of the transaction, be treated as a tenant or subtenant within the meaning of the Tenants' Protection Law, 5714-1954(2), and the Tenants' Protection Law, 5715-1955(3)."

- Commencement. 2. This Law shall have effect retroactively as from the 2nd Nisan, 5710 (20th March, 1950).

DAVID BEN-GURION	LEVI ESHKOL	YITZCHAK BEN-ZVI
<i>Prime Minister</i>	<i>Minister of Finance</i>	<i>President of the State</i>



**POPE PIUS XII, 'LAETAMUR ADMODUM', ENCYCLICAL ON PRAYERS FOR PEACE FOR POLAND, HUNGARY, AND THE MIDDLE EAST, ROME, 1 NOVEMBER 1956**

To the Venerable Brethren, the Patriarchs, Primates, Archbishops, Bishops, and other Local Ordinaries in Peace and Communion with the Apostolic See.

Venerable Brethren, Greetings and Apostolic Benediction.

1. We are most pleased to learn that the Consecrated Shepherds of the Catholic world and the rest of the clergy and faithful have responded with generosity and enthusiasm to the paternal entreaty of Our recent Encyclical Letter by supplicating Heaven in public prayers. And so We give unceasing thanks to God from Our heart that He has heard so many prayers, especially of innocent boys and girls, and a new dawn of peace based on justice seems to be breaking at long last for the people of Poland and Hungary.
2. With no less joy have We learned that Our beloved sons, Cardinals of the Holy Roman Church, Stefan Wyszyński, Archbishop of Gniezno and Warsaw, and Jozef Mindszenty, Archbishop of Esztergom, who had both been expelled from their Sees, are acknowledged to be innocent men, unjustly accused of crime, and as such have already been restored to their positions of honor and responsibility and welcomed in triumph by rejoicing multitudes.
3. We are confident that this event will prove a happy omen for the restoration and pacification of these two countries on a basis of sounder principle and nobler law, and, above all, with proper respect for God's rights and those of His Church.
4. Wherefore We call again and again upon all the Catholics of those countries to unite themselves about their lawful shepherds with massed force and drawn ranks, and thus apply themselves diligently to the advancement and strengthening of this holy cause. For it is a cause which cannot be abandoned or neglected without making true peace an impossibility.
5. But even while Our heart still fears on this account, We behold the threat of another frightening crisis. As you know, Venerable Brothers, the flames of another war are being fanned menacingly in the Near East, not far from that holy land where angels descended from Heaven and hovered over the crib of the Divine Child, announcing peace to men of good will. (Luke 2. 14).
6. What else can We do, who embrace all peoples with a father's affection, but raise suppliant prayers to the Father of Mercies and God of all comfort (cf. 11 Cor. 1. 3), and urge all of you to join in them with Us? For "the weapons of our warfare are not carnal, but powerful before God." (11 Cor. 10. 4)
7. We trust solely in Him Who can illuminate the minds of men with His heavenly light and incline their incited wills to those more temperate counsels by which right order among nations may be established, to their common advantage and with certainty that the legitimate rights of all interested parties are being secured.
8. May all men, especially those who hold the destinies of nations in their hands, remember that war brings no lasting benefit, but a host of misfortunes and disasters. Differences among men are not resolved by arms, bloodshed, or destruction, but only by reason, law, prudence, and justice.
9. When wise men who are motivated by a desire for lasting peace meet to discuss such differences, they should certainly feel obliged to enter upon the ways of justice rather than the rash road of violence if they reflect upon the grave dangers of a war which may start as a tiny spark, but can burst into an enormous conflagration.
10. Amidst these dangerous crises We wish especially to convince the heads of governments. We cannot possibly doubt their realization that no other interest motivates Us but the common good and prosperity of all, which can never be achieved by the massacre of one's brothers.
11. And since, as We have said, We place Our hope above all in the providence and mercy of God. We repeatedly, urge you, Venerable Brothers, not to cease encouraging and promoting this zealous crusade of prayer. Through it - with the intercession of His Mother, the Virgin Mary - may Almighty God in His goodness grant an end to the threat of war, a happy solution to the conflicting claims of nations, and assurance everywhere, to the common benefit of all, of those rights granted the Church

by her Divine Founder. Thus may "the whole human family, which has been rent asunder by sin's wound, be brought under the sway of His most sweet rule." (Prayer for the Feast of Christ the King)

12. Until then, lovingly in our Lord, We impart to all of you, Venerable Brothers, and to the flocks entrusted to your care, who will certainly respond like you to Our renewed exhortations, Our Apostolic Blessing, a pledge of heavenly graces and evidence of Our fatherly good wishes.

Given at Rome, from St. Peter's on the first day of November, the Feast of All Saints,  
in the year 1956, the eighteenth of Our Pontificate.



**US PRESIDENT DWIGHT EISENHOWER, SPECIAL MESSAGE TO THE  
CONGRESS ON THE SITUATION IN THE MIDDLE EAST. 5 JANUARY 1957**

To the Congress of the United States:

First may I express to you my deep appreciation of your courtesy in giving me, at some inconvenience to yourselves, this early opportunity of addressing you on a matter I deem to be of grave importance to our country.

In my forthcoming State of the Union Message, I shall review the international situation generally. There are worldwide hopes which we can reasonably entertain, and there are worldwide responsibilities which we must carry to make certain that freedom - including our own - may be secure.

There is, however, a special situation in the Middle East which I feel I should, even now, lay before you. Before doing so it is well to remind ourselves that our basic national objective in international affairs remains peace - a world peace based on justice. Such a peace must include all areas, all peoples of the world if it is to be enduring. There is no nation, great or small, with which we would refuse to negotiate, in mutual good faith, with patience and in the determination to secure a better understanding between us. Out of such understandings must, and eventually will, grow confidence and trust, indispensable ingredients to a program of peace and to plans for lifting from us all the burdens of expensive armaments. To promote these objectives, our government works tirelessly, day by day, month by month, year by year. But until a degree of success crowns our efforts that will assure to all nations peaceful existence, we must, in the interests of peace itself, remain vigilant, alert and strong.

I.

The Middle East has abruptly reached a new and critical stage in its long and important history. In past decades many of the countries in that area were not fully self-governing. Other nations exercised considerable authority in the area and the security of the region was largely built around their power. But since the First World War there has been a steady evolution toward self-government and independence. This development the United States has welcomed and has encouraged. Our country supports without reservation the full sovereignty and independence of each and every nation of the Middle East.

The evolution to independence has in the main been a peaceful process. But the area has been often troubled. Persistent crosscurrents of distrust and fear with raids back and forth across national boundaries have brought about a high degree of instability in much of the Mid East. Just recently there have been hostilities involving Western European nations that once exercised much influence in the area. Also the relatively large attack by Israel in October has intensified the basic differences between that nation and its Arab neighbors. All this instability has been heightened and, at times, manipulated by International Communism.

II.

Russia's rulers have long sought to dominate the Middle East. That was true of the Czars and it is true of the Bolsheviks. The reasons are not hard to find. They do not affect Russia's security, for no one

plans to use the Middle East as a base for aggression against Russia. Never for a moment has the United States entertained such a thought.

The Soviet Union has nothing whatsoever to fear from the United States in the Middle East, or anywhere else in the world, so long as its rulers do not themselves first resort to aggression. That statement I make solemnly and emphatically.

Neither does Russia's desire to dominate the Middle East spring from its own economic interest in the area. Russia does not appreciably use or depend upon the Suez Canal. In 1955 Soviet traffic through the Canal represented only about three fourths of 1% of the total. The Soviets have no need for, and could provide no market for, the petroleum resources which constitute the principal natural wealth of the area. Indeed, the Soviet Union is a substantial exporter of petroleum products.

The reason for Russia's interest in the Middle East is solely that of power politics. Considering her announced purpose of communizing the world, it is easy to understand her hope of dominating the Middle East. This region has always been the crossroads of the continents of the Eastern Hemisphere. The Suez Canal enables the nations of Asia and Europe to carry on the commerce that is essential if these countries are to maintain well-rounded and prosperous economies. The Middle East provides a gateway between Eurasia and Africa.

It contains about two thirds of the presently known oil deposits of the world and it normally supplies the petroleum needs of many nations of Europe, Asia and Africa. The nations of Europe are peculiarly dependent upon this supply, and this dependency relates to transportation as well as to production! This has been vividly demonstrated since the closing of the Suez Canal and some of the pipelines. Alternate ways of transportation and, indeed, alternate sources of power can, if necessary, be developed. But these cannot be considered as early prospects.

These things stress the immense importance of the Middle East. If the nations of that area should lose their independence, if they were dominated by alien forces hostile to freedom, that would be both a tragedy for the area and for many other free nations whose economic life would be subject to near strangulation. Western Europe would be endangered just as though there had been no Marshall Plan, no North Atlantic Treaty Organization. The free nations of Asia and Africa, too, would be placed in serious jeopardy. And the countries of the Middle East would lose the markets upon which their economies depend. All this would have the most adverse, if not disastrous, effect upon our own nation's economic life and political prospects.

Then there are other factors which transcend the material. The Middle East is the birthplace of three great religions—Moslem, Christian and Hebrew. Mecca and Jerusalem are more than places on the map. They symbolize religions which teach that the spirit has supremacy over matter and that the individual has a dignity and rights of which no despotic government can rightfully deprive him. It would be intolerable if the holy places of the Middle East should be subjected to a rule that glorifies atheistic materialism.

International Communism, of course, seeks to mask its purposes of domination by expressions of good will and by superficially attractive offers of political, economic and military aid. But any free nation, which is the subject of Soviet enticement, ought, in elementary wisdom, to look behind the mask.

Remember Estonia, Latvia and Lithuania! In 1939 the Soviet Union entered into mutual assistance pacts with these then dependent countries; and the Soviet Foreign Minister, addressing the Extraordinary Fifth Session of the Supreme Soviet in October 1939, solemnly and publicly declared that "we stand for the scrupulous and punctilious observance of the pacts on the basis of complete reciprocity, and we declare that all the nonsensical talk about the Sovietization of the Baltic countries is only to the interest of our common enemies and of all anti-Soviet provocateurs." Yet in 1940, Estonia, Latvia and Lithuania were forcibly incorporated into the Soviet Union.

Soviet control of the satellite nations of Eastern Europe has been forcibly maintained in spite of solemn promises of a contrary intent, made during World War II. Stalin's death brought hope that this pattern would change. And we read the pledge of the Warsaw Treaty of 1955 that the Soviet Union would follow in satellite countries "the principles of mutual respect for their independence and sovereignty and noninterference in domestic affairs." But we have just seen the subjugation of Hungary by naked armed force. In the aftermath of this Hungarian tragedy, world respect for and belief in Soviet promises have sunk to a new low. International Communism needs and seeks a recognizable success.

Thus, we have these simple and indisputable facts:

1. The Middle East, which has always been coveted by Russia, would today be prized more than ever by International Communism.
2. The Soviet rulers continue to show that they do not scruple to use any means to gain their ends.
3. The free nations of the Mid East need, and for the most part want, added strength to assure their continued independence.

### III.

Our thoughts naturally turn to the United Nations as a protector of small nations. Its charter gives it primary responsibility for the maintenance of international peace and security. Our country has given the United Nations its full support in relation to the hostilities in Hungary and in Egypt. The United Nations was able to bring about a cease-fire and withdrawal of hostile forces from Egypt because it was dealing with governments and peoples who had a decent respect for the opinions of mankind as reflected in the United Nations General Assembly. But in the case of Hungary, the situation was different. The Soviet Union vetoed action by the Security Council to require the withdrawal of Soviet armed forces from Hungary. And it has shown callous indifference to the recommendations, even the censure, of the General Assembly. The United Nations can always be helpful, but it cannot be a wholly dependable protector of freedom when the ambitions of the Soviet Union are involved.

### IV.

Under all the circumstances I have laid before you, a greater responsibility now devolves upon the United States. We have shown, so that none can doubt, our dedication to the principle that force shall not be used internationally for any aggressive purpose and that the integrity and independence of the nations of the Middle East should be inviolate. Seldom in history has a nation's dedication to principle been tested as severely as ours during recent weeks.

There is general recognition in the Middle East, as elsewhere, that the United States does not seek either political or economic domination over any other people. Our desire is a world environment of freedom, not servitude. On the other hand many, if not all, of the nations of the Middle East are aware of the danger that stems from International Communism and welcome closer cooperation with the United States to realize for themselves the United Nations goals of independence, economic well-being and spiritual growth.

If the Middle East is to continue its geographic role of uniting rather than separating East and West; if its vast economic resources are to serve the well-being of the peoples there, as well as that of others; and if its cultures and religions and their shrines are to be preserved for the uplifting of the spirits of the peoples, then the United States must make more evident its willingness to support the independence of the freedom-loving nations of the area.

### V.

Under these circumstances I deem it necessary to seek the cooperation of the Congress. Only with that cooperation can we give the reassurance needed to deter aggression, to give courage and confidence to those who are dedicated to freedom and thus prevent a chain of events which would gravely endanger all of the free world.

There have been several Executive declarations made by the United States in relation to the Middle East. There is the Tripartite Declaration of May 25, 1950, followed by the Presidential assurance of October 31, 1950, to the King of Saudi Arabia. There is the Presidential declaration of April 9, 1956, that the United States will within constitutional means oppose any aggression in the area. There is our Declaration of November 29, 1956, that a threat to the territorial integrity or political independence of Iran, Iraq, Pakistan, or Turkey would be viewed by the United States with the utmost gravity.

Nevertheless, weaknesses in the present situation and the increased danger from International Communism, convince me that basic United States policy should now find expression in joint action by the Congress and the Executive. Furthermore, our joint resolve should be so couched as to make it apparent that if need be our words will be backed by action.

#### VI.

It is nothing new for the President and the Congress to join to recognize that the national integrity of other free nations is directly related to our own security. We have joined to create and support the security system of the United Nations. We have reinforced the collective security system of the United Nations by a series of collective defense arrangements. Today we have security treaties with 42 other nations which recognize that our peace and security are intertwined. We have joined to take decisive action in relation to Greece and Turkey and in relation to Taiwan.

Thus, the United States through the joint action of the President and the Congress, or, in the case of treaties, the Senate, has manifested in many endangered areas its purpose to support free and independent governments - and peace - against external menace, notably the menace of International Communism. Thereby we have helped to maintain peace and security during a period of great danger. It is now essential that the United States should manifest through joint action of the President and the Congress our determination to assist those nations of the Mid East area, which desire that assistance.

The action which I propose would have the following features. It would, first of all, authorize the United States to cooperate with and assist any nation or group of nations in the general area of the Middle East in the development of economic strength dedicated to the maintenance of national independence.

It would, in the second place, authorize the Executive to undertake in the same region programs of military assistance and cooperation with any nation or group of nations which desires such aid.

It would, in the third place, authorize such assistance and cooperation to include the employment of the armed forces of the United States to secure and protect the territorial integrity and political independence of such nations, requesting such aid, against overt armed aggression from any nation controlled by International Communism. These measures would have to be consonant with the treaty obligations of the United States, including the Charter of the United Nations and with any action or recommendations of the United Nations. They would also, if armed attack occurs, be subject to the overriding authority of the United Nations Security Council in accordance with the Charter.

The present proposal would, in the fourth place, authorize the President to employ, for economic and defensive military purposes, sums available under the Mutual Security Act of 1954, as amended, without regard to existing limitations.

The legislation now requested should not include the authorization or appropriation of funds because I believe that, under the conditions I suggest, presently appropriated funds will be adequate for the balance of the present fiscal year ending June 30. I shall, however, seek in subsequent legislation the authorization of \$200,000,000 to be available during each of the fiscal years 1958 and 1959 for discretionary use in the area, in addition to the other mutual security programs for the area hereafter provided for by the Congress.

#### VII.

This program will not solve all the problems of the Middle East. Neither does it represent the totality of our policies for the area. There are the problems of Palestine and relations between Israel and the Arab States, and the future of the Arab refugees. There is the problem of the future status of the Suez Canal.

These difficulties are aggravated by International Communism, but they would exist quite apart from that threat. It is not the purpose of the legislation I propose to deal directly with these problems. The United Nations is actively concerning itself with all these matters, and we are supporting the United Nations. The United States has made clear, notably by Secretary Dulles' address of August 26, 1955, that we are willing to do much to assist the United Nations in solving the basic problems of Palestine.

The proposed legislation is primarily designed to deal with the possibility of Communist aggression, direct and indirect. There is imperative need that any lack of power in the area should be made good, not by external or alien force, but by the increased vigor and security of the independent nations of the area.

Experience shows that indirect aggression rarely if ever succeeds where there is reasonable security against direct aggression; where the government disposes of loyal security forces, and where economic conditions are such as not to make Communism seem an attractive alternative. The program I suggest deals with all three aspects of this matter and thus with the problem of indirect aggression.

It is my hope and belief that if our purpose be proclaimed, as proposed by the requested legislation, that very fact will serve to halt any contemplated aggression. We shall have heartened the patriots who are dedicated to the independence of their nations. They will not feel that they stand alone, under the menace of great power. And I should add that patriotism is, throughout this area, a powerful sentiment. It is true that fear sometimes perverts true patriotism into fanaticism and to the acceptance of dangerous enticements from without. But if that fear can be allayed, then the climate will be more favorable to the attainment of worthy national ambitions.

And as I have indicated, it will also be necessary for us to contribute economically to strengthen those countries, or groups of countries, which have governments manifestly dedicated to the preservation of independence and resistance to subversion. Such measures will provide the greatest insurance against Communist inroads. Words alone are not enough.

#### VIII.

Let me refer again to the requested authority to employ the armed forces of the United States to assist to defend the territorial integrity and the political independence of any nation in the area against Communist armed aggression. Such authority would not be exercised except at the desire of the nation attacked. Beyond this it is my profound hope that this authority would never have to be exercised at all.

Nothing is more necessary to assure this than that our policy with respect to the defense of the area be promptly and clearly determined and declared. Thus the United Nations and all friendly governments, and indeed governments which are not friendly, will know where we stand. If, contrary to my hope and expectation, a situation arose which called for the military application of the policy which I ask the Congress to join me in proclaiming, I would of course maintain hour-by-hour contact with the Congress if it were in session. And if the Congress were not in session, and if the situation had grave implications, I would, of course, at once call the Congress into special session.

In the situation now existing, the greatest risk, as is often the case, is that ambitious despots may miscalculate. If power-hungry Communists should either falsely or correctly estimate that the Middle East is inadequately defended, they might be tempted to use open measures of armed attack. If so, that would start a chain of circumstances which would almost surely involve the United States in military action. I am convinced that the best insurance against this dangerous contingency is to make clear now our readiness to cooperate fully and freely with our friends of the Middle East in ways consonant with the purposes and principles of the United Nations. I intend promptly to send a special mission to the Middle East to explain the cooperation we are prepared to give.

#### IX.

The policy which I outline involves certain burdens and indeed risks for the United States. Those who covet the area will not like what is proposed. Already, they are grossly distorting our purpose. How-

ever, before this Americans have seen our nation's vital interests and human freedom in jeopardy, and their fortitude and resolution have been equal to the crisis, regardless of hostile distortion of our words, motives and actions.

Indeed, the sacrifices of the American people in the cause of freedom have, even since the close-of World War II, been measured in many billions of dollars and in thousands of the precious lives of our youth. These sacrifices, by which great areas of the world have been preserved to freedom, must not be thrown away.

In those momentous periods of the past, the President and the Congress have united, without partisanship, to serve the vital interests of the United States and of the free world.

The occasion has come for us to manifest again our national unity in support of freedom and to show our deep respect for the rights and independence of every nation - however great, however small. We seek not violence, but peace. To this purpose we must now devote our energies, our determination, ourselves



**AHMED SHUQEIRY, MINISTER OF STATE FOR UN AFFAIRS AND PERMANENT REPRESENTATIVE OF THE SAUDI ARABIAN MISSION TO THE UN, SPEECH ON THE PALESTINIAN REFUGEE PROBLEM, UNITED NATIONS, 1958 [EXCERPTS]**

The Five Principles

Having portrayed the refugees' problem against its lengthy background of United Nations' action, of the Conciliation Commission and the relief Agency, we come to the crucial question. What is next? What is the solution?

In my submission, this is the question which must engage our attention and call for our action; and I shall endeavour to answer the question in a manner devoid of any decoration. For when the destiny of a whole people is involved, when the fundamental human rights are in question, and lastly when he peace of the world is at stake, there should be no fineness in our approach. The need calls for plain talking characterized with frankness, and sharp frankness indeed.

It is for these reasons that it becomes our duty to answer the question in all the candour under our command. In this spirit, Mr. Chairman, I propose now to deal with three matters: The solution of the problem, the fundamental principles of the solution, and the measures and sanctions to implement the solution.

Beginning with the fundamental principle of the solution, I must reiterate, even to the point of redundancy, that these fundamental principles constitute the only basis for the solution to the refugee question. No matter how we view the problem, no solution can offer a chance for a peaceful settlement unless it takes full cognizance of the following five principles:

FIRST: The de facto situation created by Israel is entirely unacceptable as a basis for the solution of the Palestinian problem in general, or the refugee question in particular. This de facto situation is the fait accompli of military action that does not vest rights non-existing, or divest rights already existing.

SECOND: The rights of the refugees to their homes and homeland are not related to, or in any way dependent upon, the consent or refusal of Israel. These rights are natural, inherent and self-existing. They are not bestowed even by the United Nations, let alone Israel. They cannot be denied even by the United Nations, let alone Israel. They are vested in the refugees; they reside with the refugees. Thus, consent or no consent, these rights are their imprescriptible, irresistible and indivisible.

THIRD: Resettlement, reintegration, rehabilitation or any similar projects, no matter what their connotation may be, are not a solution by themselves. They should be planned or implemented not as aims, but merely as a means to meet the legitimate aspirations of the refugees and to the extent of giving effect to their inherent right to their homeland.

FOURTH: The relief programme of the refugees is no solution to the problem, neither is it a substitute, no matter for how long it is continued. It is a humanitarian measure having no political implications.

FIFTH: Works projects, and self-support programmes are not a solution; nor a solution to avoid the solution. Self-supporting or dependent, a refugee remains a refugee and his status remains an international problem until it is finally and satisfactorily solved.

To recast such a background has become the more necessary after we heard yesterday the statement on behalf of the United States. The Distinguished Representative of the United States, in his outline of the background of the refugee question, has omitted certain truths entirely, related half-truths on certain aspects and finally arrived at wrongful conclusions on the substance of the problem.

As to the termination of the mandate of the Agency in favor of a better system as implied in the statement of the United States, we have serious misgivings of paramount nature. I must assure the Distinguished Representative of the United States that no Arab state, and no refugee, to use the words of the Distinguished Representative of the United States, feels it 'best to let matters ride as in the past'. To the refugees, continuation of relief is a source of great humiliation. To the Arab governments it is a source of distress. If 'some' feel differently, I assure the Distinguished Representative of the United States, it is not the Arabs anyhow. These refugees who are costing you 7 cents a day per head, have properties, revenues, fortunes in their homeland. The minute they lay hand on their properties they will be the first to thank you and plead the discontinuation of relief. It is only then that the UN responsibility ends, but not before.

I must, therefore, make it quite clear to the Committee in general and to the Distinguished Representative of the United States in particular, that we shall resist any attempt which directly or indirectly reduces in any degree the right of the refugees to repatriation. At a later stage of the debate, I will show the flaw in the reasoning underlying the position of the United States on the question. I simply wish to say here and now that any measure that might be in the direction of even scratching the right to repatriation or absolving the United Nations from its responsibility will be resisted in the Committee and in the Arab world.

With these five principles in mind, I can turn now to the solution of the problem. Here I would say that we need not look for a solution. The solution is there. It is repatriation and nothing but repatriation. It is the only solution that does not dishonor, but certainly does honor the Charter. It is the only solution that does not defeat, but rather does endorse the resolution of the United Nations. It is the only solution that does not defame the bill of human rights, but surely gives it a worthy fame. Lastly, it is the only solution that constitutes an investment of peace, and an asset of confidence in this organization.

After all, repatriation is one of those principles that cannot be questioned by the United Nations. It does not stand by our acceptance, nor does it lapse by our non-acceptance. To borrow a legal term, repatriation is a right *In Rem*, that can be exercised against the whole world, if need be. It springs from the right to a homeland, which is not subject to waiver, surrender, or compensation. Compensation is one remedy open for individual property rights, but a homeland does not submit to compensation even for the most precious possessions of this planet, and indeed the whole inverse with all its fabulous riches. This is no exaggeration, unless I exaggerate your feelings towards your respective homelands.



**AHMAD SHUQEIRY, MINISTER OF STATE FOR UNITED NATIONS AFFAIRS AND  
PERMANENT REPRESENTATIVE OF THE SAUDI ARABIAN MISSION TO THE UN,  
STATEMENTS REGARDING THE PALESTINE QUESTION, UN GENERAL ASSEMBLY,  
13<sup>TH</sup> SESSION, 1 OCTOBER 1958 [EXCERPTS]**

[...] NEW APPROACH TO THE PALESTINE QUESTION

Last, Mr. President, comes the question of Palestine. I have willfully kept it to the end, not as a sequence of order, but precisely because I have desired to leave you with the impressions of a problem that stands out as the greatest of all Arab problems. I shall not weary you with the history of the problem in the United Nations; with the arguments, with the counter-arguments that centered around the question, nor even with the volume of resolutions regarding the repatriation of the refugees and the internationalization of Jerusalem. You all know the tragedy from beginning to end, and the refusal of Israel to enforce those resolutions.

This time I have a new approach to place before you - an approach of a revolutionary character, but one that would relieve the international community of a problem that has more than once endangered world peace and security. And the word problem, fellow delegates, in relation to the question of Palestine, should be the spark that must ignite our deliberations.

In 1947, Palestine became the problem of the United Nations. After a lengthy debate, a resolution for partition and the creation of Israel was adopted. As declared by the supporters of that resolution, it was meant to restore peace to the Holy Land. Partition was envisaged to make the problem cease to be a problem. In the words of the distinguished delegate of the United States, uttered in 1947, "partition offers the best practical opportunity of obtaining, in a future foreseeable now, a peaceful settlement in Palestine." Now we have reached that future.

Today, in 1958, we come to find the problem still outstanding as a United Nations problem and with more grievous dimensions. Partition was decided and Israel was created, but there is no peace reigning in the area. On the contrary, peace has become more remote than ever. The picture is simple and easy to present. A million refugees are still living in exile, and the Holy Land, with all its religious and sacred shrines has become the scene of destruction and desecration.

Yes, Mr. President, the problem you have attempted to solve is still the burning problem of the Middle East. Just consult the records of the Security Council in the last decade and you will find that the problem of Palestine is still the same problem you have endeavored to tackle. Thus it becomes obvious that the assumptions upon which Israel was created have been vitiated not by one or two events, but by a lengthy line of tension, insecurity and instability along a whole decade. For what was the main object for the establishment of Israel? What was the premise upon which partition was decided? The United Nations has aimed at bringing a peaceful settlement of the Palestine question. The boundaries between Israel and the Arabs, as was forcefully argued in 1947 by the representative of the United States in defense of partition, "will be as freely crossed as the boundaries which separate the individual states of the United States".

This, fellow delegates, was the premise upon which Israel was founded. Now after ten years of United Nations efforts, there is still a great amount of talking for a peaceful settlement of the Palestine question. Well, this goes to prove that your 1947 settlement did not lead to a settlement. With this conclusion we are left to the only remaining alternative. The United Nations should reverse the course adopted by the United Nations. Yes sir, it is only a policy of reversal which offers the only chance for peace in the Middle East and for the world as a whole. And reversal of is a healthy policy to avoid the evils of bad policy. In the United Nations reversal is provided for in our procedure as a rule to reconsider passed resolutions. Doubtless, fellow delegates, we have reached the stage when the United Nations must reconsider its passed resolutions that gave rise to Israel. We have reached the stage where the United Nations should undo its own doing, for the whole experiment has proved to be a fiasco.

That it is a fiasco hardly needs any corroboration. Having received two billion dollars of assistance, Israel is still as unviable as it started. Israel has no frontier, the demarcation lines are still armistice lines. Recognition of Israel by the Arab States has not come and it is not forthcoming-now or for all time to come, even should Israel survive for all time to come. Thus all the elements for a reconsideration of the creation of Israel are more than abundant. At a time a slogan had been coined for circulation in the Middle East, that Israel is there to stay. Nothing is so empty as this empty slogan. Israel is there not to stay and is not going to stay. In spite of the recent arms shipment provided by certain Western powers, Israel is not going to stay. The reason is simple-it is no action by the Arab States. It is rather action within Israel. Israel is undoing Israel; and here is where the United Nations' intervention is called for. The United Nations can help an orderly undoing of Israel, lest it should take place in no orderly manner.

The question, however, may be asked, how is this process of the undoing of Israel taking place. In answer to this valid question, the best I can do is to give the floor to a Jewish source that speaks from the heart of New York. Only a few days ago, as though meant to be addressed to this General Assembly, the Jewish Newsletter has revealed to the world this process of the undoing of Israel. I now read from the Jewish Newsletter:

"The Middle East crisis has obscured an important internal problem in Israel which would have occupied the front pages of the newspapers in normal time. Even now it is one of the big stories in the country and is the cause of anxiety among top leaders. A recent emergency meeting of the Department of Immigration of the Jewish Agency, attended by Premier Ben-Gurion, revealed official figures showing that immigration to Israel for the first half of this year had reached an all-time low."

The Jewish letter goes on to say, and I read –

"Not only do American, British, Canadian and other Jews who have homes in Western and overseas countries refuse to immigrate to Israel, but even those who plan to leave their homes do not go to Israel. Immigration figures published by HIAS (United Hebrew Immigrant Aid Society) and by the Canadian Jewish press show that there is considerable and growing immigration of Jews from all European countries to South America, Canada and the United States, while Israel, which is much nearer to these immigrants, is being studiously ignored, despite the free transportation and other inducements it offers."

Having said this, the Jewish letter proceeds to bring the most telling figures –

"The emergency meeting which discussed the critical situation of immigration to Israel also touched upon this problem. It was revealed that 6,000 Jews officially registered as immigrants have left Israel this year; 110,000 have left since the establishment of the State. A great many more, whose number cannot be ascertained, have left the country as tourists. According to official information, the number of people expected to leave Israel this year will reach 30,000. At the Polish Consulate in Tel-Aviv alone, 6,500 immigrants have registered for emigration."

As to Israeli students, the letter states that –

"The most painful fact is that Israeli students who are sent by the government to study at foreign universities, as well as instructors and other emissaries, do their utmost to remain in foreign countries rather than return home. Of 3,000 students who were sent abroad at government expense, only 600 returned. In short, while practically all sources of new immigration have been closed, the flow of emigrants from Israel is steadily rising."

Finally, Mr. President, the Jewish letter ends by saying, and I quote:

"In short, the de-Zionisation of Israel has begun."

This is how the undoing of Israel, by Israel, is taking place, and this is how we can get hold of the master key to the problem. The solution lies in the de-Zionization of Israel. It lies in a return to the situation which existed in 1947, where the legitimate Jewish inhabitants had lived in a flourishing community as fellow citizens with the Moslems and Christians of Palestine. It is a return to a decade backwards, rather than to a three thousand years era of obscurity and wilderness. This, Mr. President, is a most revealing situation. The graph that has marked immigration into Israel is now declining. There is now another graph drawn; it is a graph of migration from Israel, a process which must be supported by the United Nations to help Israelis go back to their former homes. It is on these lines that the United Nations should reconsider its resolution of 1947 which recommended the creation of Israel. To be more specific, and in the light of past experience, the United Nations should undertake the necessary steps which will lead to the following five basic principles:

- (1) The restoration of the geographic unity of Palestine as part and parcel of the Arab homeland.
- (2) The repatriation of Arabs and Jews—the Arab refugees to their homes in Palestine and the Jewish new-comers to their former countries.
- (3) The constitution of Palestine as a democratic state where all the inhabitants have equal rights and duties, Moslems, Christians and Jews alike.
- (4) The disarmament and demobilization of all troops, the demilitarization of the whole country and its neutralization, all guaranteed by the Security Council.
- (5) The appointment of a United Nations representative to report to the General Assembly on matters pertaining to the status quo of religious shrines and the free access to the holy places.

Mr. President, in putting forward this plan for the solution of the Palestine question, we are not led by passions or emotions, although all aspects of human life, the United Nations included, are lifeless without emotions or passions. We are guided by the natural, the normal and the healthy course of history. Palestine is an integral part of the Arab homeland, and such it has been since time immemorial. The Arab nation now on its march towards final liberation will not give up one single inch of their sacred territory. Let on one be mistaken on this matter. This is the final position from which we shall not recede, now and till the end of time. It is not only the million Arab refugees who clamor to redeem their homes, but with them shall strive each and every one of the eighty million Arabs to whom Palestine is home.

In conclusion, let me assure you, fellow delegates, that it is neither passionate nor extreme motivation that has animated the representations we have made before you in this august body. We have been guided by nothing except objective, independent and free thinking.

In particular, we have endeavored to elucidate Arab problems in their proper context, suggesting as we did solutions so clear-cut and so decisive, as to leave no room for alternative solutions. This attitude on our part is no adamance. It is real realism. For there is only one road that leads to peace. It is true that all roads lead to Rome, but for peace there is one road and one road only. It is justice and nothing but justice. In the history of political settlements one major absolute truth has stood the test at all times. Solutions that were based upon justice have lasted and survived, but those that were devoid of justice have been short lived. Ultimately their end was failure and disaster.

Failure and disaster, Mr. President, are not our aim and purpose. Our aim and purpose is to seek peace based upon justice, and to seek justice based upon the real dictates of justice. To this end, we are dedicated, and from this end we shall never be deviated.

So help us God.



**GOVERNMENT OF ISRAEL, ISRAEL LANDS ADMINISTRATION LAW, 5720-1960,  
PASSED BY THE KNESSET, 25 JULY 1960**

- Definitions: 1. In this Law, the term "Israel lands" has the same meaning as in the Basic Law: Israel Lands<sup>63</sup>(1), and the provisions of this Law shall be subject to the provisions of that Basic Law and to the provisions of the Israel Lands Law, 5720-1960<sup>64</sup>;
- subjection to other Laws. 2.
- The Israel Lands Administration, its Director and staff. (a) The Government shall establish an "Israel Lands Administration" (hereinafter referred to as "the Administration") to administer Israel lands.
- (b) The Government shall appoint the Director of the Administration. The obligation to advertise a vacancy under section 19A the State Service (Appointments) Law, 5719-1959<sup>65</sup>, shall not apply to his appointment. Notice of the appointment shall be published in Reshumot. The Director of the Administration shall be directly subordinate to the Minister of Agriculture, and the powers of a Minister within the meaning of the aforesaid Law shall vest in the Minister of Agriculture.
- (c) The employees of the Administration shall be State employees.
- Israel Lands Council 3. The Government shall appoint an "Israel Lands Council" which shall lay down the land policy in accordance with which the Administration shall act, shall supervise the activities of the Administration and shall approve the draft of its budget, which shall be fixed by Law.
- Reports. 4. The Director of the Administration shall submit to the Israel Lands Council, at least once a year, a report on the activities of the Administration. The Government shall submit a report on the activities of the Administration, at least once a year, to the Knesset.
5. In the State Property Law, 5711-1951<sup>66</sup>-
- (1) subsection (b) of section 5 shall be replaced by the following subsection:  
" (b) Save with the approval of the Israel Lands Council, the Government shall not sell, or otherwise transfer the ownership of, or let or lease, Israel lands, within the meaning of the Basic Law: Israel Lands, which are not urban land and the area of which exceeds 100 dunams. ";
- (2) the following paragraph shall be added to subsection (a) of section 6:  
" (4) the Director of the Israel Lands Administration or a person authorised by him in that behalf, in respect of Israel lands, within the meaning of the Basic Law: Israel Lands. ";
- (3) the words "or the Director of the Administration of Israel Lands" shall be added after the words "or other person authorised" in subsection (c) of section 6.
- Amendment of State Property Law, 5711-1951. 6. In the Development Authority (Transfer of Property) Law, 5710-1950<sup>67</sup> -
- (1) the words "The Development Authority is competent" in the opening passage of section 3 shall be replaced by the words  
"Subject to the Basic Law: Israel Lands and the Israel Law, 5720-1960, the Development Authority is competent";
- (2) subparagraphs (a) to (d) of paragraph (4) of section 3 shall be replaced by the following:  
"save with the approval of the Israel Lands Council, the Development Authority shall not sell or otherwise transfer the ownership of, or let or lease, Israel
- Amendment of the Development Authority (Transfer of Property) Law, 5710-1950.

<sup>63</sup> *Sefer Ha-Chukkim* No. 312 of 5720, p. 56; supra, p. 48.

<sup>64</sup> *Sefer Ha-Chukkim* No. 312 of 5720, p. 56; supra, p. 49.

<sup>65</sup> *Sefer Ha-Chukkim* No. 279 of 5719, p. 86; *LSI* vol. XIII, p. 87.

<sup>66</sup> *Sefer Ha-Chukkim* No. 68 of 5711, p. 52; *LSI* vol. V, p. 45.

<sup>67</sup> *Sefer Ha-Chukkim* No. 57 of 5710, p. 278; *LSI* vol. IV, p. 151.

lands, within the meaning of the Basic Law: Israel Lands, which are not urban land and the area of which exceeds 100 dunams;"

- (3) the following closing passage shall be added after paragraph (10) of section 3:  
"Every act under this section in respect of Israel lands shall be done by the Israel Lands Administration.";
- (4) section 4 shall be repealed;
- (5) the passage in section 5 from the words "the Development Authority shall not incur any expenditure" to the end of the section shall be deleted.

Implementation and Regulations. 7. The Minister of Finance and the Minister of Agriculture jointly are charged with the implementation of this Law and may make regulations as to any matter relating to such implementation.

DAVID BEN-GURION    LEVI ESHKOL    MOSHE DAYAN    YTTZCHAK BEN-ZVI  
*Prime Minister    Minister of Finance    Minister of Agriculture    President of the State*



**AHMAD SHUQEIRY, CHAIRMAN OF THE SAUDI ARABIAN DELEGATION TO THE UN AND MINISTER OF STATE FOR UN AFFAIRS, STATEMENTS ON THE PALESTINE QUESTION, UN GENERAL ASSEMBLY, GENERAL DEBATE, 15<sup>TH</sup> SESSION, 30 SEPTEMBER 1960 [EXCERPTS]**

[...] Permit me, Sir, to turn now to another cause of justice and self-determination. It is the problem of another people striving to restore their national life, to live in dignity in their homeland, and to exercise their inherent right of self-determination. The homeland is Palestine and the people are its lawful and legitimate nation.

This session, Mr. President, offers a commanding – a demanding occasion, to state the Arab position on the question of Palestine fully, frankly, and to the last point of finality. I propose to undertake this task for many reasons.

In the first place, this is a unique meeting of so many heads of governments that, in the interests of peace, the case of the people of Palestine should be presented in full. The Palestine case is still misrepresented, and the Zionist forces are never tired of distorting the truth.

In the second place, the admission of new members has brought into this organization new nations that shook off the shackles of colonialism. In a short while, the United Nations would embrace one hundred state members, thus doubling its membership.

It would become a new United Nations, quite different from the United Nations of 1945. It would be a United Nations impregnable to group pressure, and immune to power politics. The United Nations of 1947 which had written the Palestine catastrophe into the annals of history, will exist no more. Today, we have a United Nations that is ready not only to do justice, but to undo injustice.

The second reason, Mr. President, which calls for the presentation of the Palestine problem, apart from the continuity of its tragedy, is to be found in the statement made from this rostrum by His Excellency, Dr. Nkrumah, the President of Ghana.

This statement, Mr. President, on the part of President Nkrumah, has made it imperative that the crucial issue in the Palestine question be placed squarely before the Assembly and before world public opinion. President Nkrumah is a great national hero, whose impressions on the Palestine question do call for a frank statement on the matter - a statement of solid fact, that takes care of the merits, of the justice, and of the equality of the cause.

I shall not, Mr. President, dig deep into the archives of the history of the problem. I do not propose to tell you of the illegality of the Balfour Declaration of 1917 under which the British had promised to offer the Jews a country which none of them did own, and neither did possess. In the same manner, it is not my desire to speak on the Mandate of Palestine of 1922, which was designed by the League of Nations as a sacred trust of civilization to prepare the people of Palestine for independence as in the case of the other Arab countries, Lebanon, Syria, Iraq and Jordan, who won their sovereignty and independence. In the same manner, I shall not attempt to put the United Kingdom in the dock, to address to Sir Harold Macmillan, a question, a devastating question, where is the independent state of Palestine whose creation was entrusted to Great Britain as a mandatory power by the League of Nations.

Neither will I advance the irrefutable argument that the United Nations in 1947 had no right to partition a country against the will of its people, any more than the United Nations now has any authority to partition the Congo or any other territory. Nor will I refer you to the seventy-five resolutions so far passed by the United Nations dealing with various aspects of the question of Palestine. Likewise, I shall not invoke the numerous resolutions of the General Assembly, that urged the repatriation of the refugees - resolutions which Israel has resisted time and again.

Nor will I place before you a whole file of extracts from the reports of the United Nations mediator, Count Bernadotte, and the Palestine Conciliation - all disclosing the defiance of Israel and her refusal to abide by the United Nations Resolutions - a defiance attended with adamant ingratitude and rebellion.

All this history, Mr. President, I shall discard for a moment. I shall confine myself to one major fact which will dispose of the whole issue, a fact which I hope will commend itself to the mind and heart of Dr. Nkrumah as a hero of a heroic people.

I stress people, for people is not an expression. It is not a term. It is a concept of life, a concept of human existence. It is the highest embodiment of human society - indeed, the most sacred.

Again, I stressed people, precisely because the Palestine question is a problem of people; a whole people, clamouring to live in dignity in their homeland, just as the people of Ghana are living in dignity in their homeland, and enjoying their joys, at home under the leadership of their hero, President Nkrumah.

Let us, Mr. President, brush aside resolutions and records although they do support our cause - let us set aside the charter although its principles are on our side - let us leave aside all the dictates of law, justice and democracy, although they all corroborate our cause. Leave that all, and let us speak in human terms - in terms that even a man in the street can easily understand, fully comprehend, and readily grasp. Here is a case of a people - who have lived in their land of generations and generations, since immemorial time - Palestine is their home, just as Ghana is the home of its people, and just as any homeland is the home of its people - adored in love, worshipped in affection, and consecrated in sacrifice.

This people, the people of Palestine, have lived their lives in their homeland. They built their mosques and churches and synagogues - they established their towns and villages. They have made great fortunes and accumulated treasures of possession. In their country, they breathed their hopes and aspirations. They admired their glories - they wailed their defeats - they sang their joy; and to the graveyards they carried their fathers, their grandfathers and all those they have loved. In a word, they have made history when many a country was not on record in the annals of history.

These people of Palestine, Mr. President, are now living in exile for more than a decade, away from their homes, dispossessed of their properties, and what is more, beholding thousands and thousands of Jewish immigrants occupy their houses, seize their farms, usurp their towns and villages, and lay hands on incalculable possessions - the toil, the sweat and the labour of generation after generation. If we are to face the realities of the situation, then, gentlemen, this is the real situation. This is the tragic situation, which must capture our minds and our hearts.

No one, Mr. President, with a clear conscience and with a minimum of feelings of human brotherhood can deny to the people of Palestine the right of repatriation - the right to go back to their homes - to live their lives in their homeland.

Many of you, gentlemen, have been refugees, or political exiles, away from your homeland, longing, in agony - in anguish, to go back home. So you know what it means to be a refugee - to be in exile. It means nostalgia at the climax. It means despair at the peak. It also means hate, and the right to human hate. It means war, and the right to war - in defense of your fatherland and what your fatherland stands for.

The matter is not to seek measures to guarantee no attack between the Arab States and Israel, as suggested by President Nkrumah. In the main, the problem is one that belongs to the people of Palestine. It is true that the Arab States are one in support of the cause of Palestine. But the main party are the people of Palestine themselves.

It is they who are to decide for themselves. The people of Palestine are not a flock of sheep that could be ignored so lightly neither could their existence as a nation be dismissed so easily. The people of Palestine, an ancient Arab nation, are with no little contributions to world civilization. As part of Arab awakening, they have started their national movement long before many nations represented in this organization had stood on their feet. They have fought the British with bravery and chivalry, for a period of 30 years, to achieve their independence.

They have sent their delegations to London and to Geneva under the League of Nations to express their national aspirations. They have been represented in the United Nations. A number of resolutions on Palestine passed by the General Assembly and the Security Council, have been addressed to the people of Palestine. Their peoplehood has been recognized and their national existence has never been denied.

This is, Mr. President, the case of the people of Palestine in its virgin simplicity, and in its real reality. It is the case of a people and their right to their homeland - let no one dare from this rostrum deny to the people their existence as a people their undestructible right - their imprescriptible right - to their homeland. Let us speak not, if we cannot speak justice.

I shall not, however, leave the matter without looking at the other side of the picture - which was made the other side of the picture.

The plea is often advanced that Israel is a sovereign state, and can admit any or exclude any. This is fallacious. The people of Palestine have pre-existed the existence of Israel - and no sovereignty can be exercised to bar the people from their country. To exclude a people from their homeland is no sovereignty - it is banditry.

Another argument put forward is that the security of Israel does not permit large scale repatriation of the Arab refugees. Again, this is ridiculous and blasphemous. No state is justified to secure its security by the exclusion of the people. A state that can only maintain its security by the denial of the right of the people to their homeland, is not worthy of survival; neither can it possess the status of sovereignty. Such a state is not worthy of statehood.

All these and similar arguments fall to the ground. There is nothing in the charter, nothing in the grey-haired international law, and nothing in the recorded precedents of the history of mankind which justifies the exclusion of a people - a whole people from their homeland. And we beg of President Nkrumah, with his vast knowledge of international affairs to point out one precedent, just one single precedent, to this effect.

The proposal to guarantee non-attack between the Arab states and Israel is prima facie during and attractive. But only to those who do not know, or those who are immune to know. Nevertheless, when they begin to know they will realize the magnitude of the problem - they will sound its depth; they will sense its

stirrings, and feel its agitations. And it is only when you feel it profoundly, that you can judge, and judge judiciously and equitably. Let us take one instance - without making a finding in respect of its merits.

In his statement before the Assembly, President Eisenhower has referred in the most moving words to the imprisonment by the Soviet Union of two of the crew of the American aircraft that was shot down last July. President Eisenhower referred to this episode as one of the problems "troubling" the United States and the nations of the world.

Well, this is a contrast for us to consider - to ponder. If the imprisonment of two crews should be of great concern and should so disturb the United States as to compel President Eisenhower to bring the matter before the notice of the United Nations - how much more perturbed, inflamed and tormented should be the Arab feelings to see a whole people of their kith and kin, lead a life of exile in misery - in hardship - in distress, and in isolation. And here we come to be told that we should face the political realities of the situation.

Thus, Mr. President, before we speak of non-attack, let us attack the problem down to the root. Let us talk plainly. Let us apply our minds properly - let us think conscientiously. We cannot simply be asked to recognize the political realities without scrutiny and without balanced evaluation. To recognize the political realities, I am afraid, is a colonial expression. Rather, it is a colonial philosophy which has inadvertently crept into our minds.

We should not be misled by such a maxim which does not take account of the justice of a cause. An aggression can be a political reality. A violation of the Charter, of the Human Rights, and of the fundamental freedoms can establish political realities. Colonialism and imperialism after gaining root do give rise to political realities and how often they did.

Should we then accept aggression, abide by violation, and bow to colonialism? We cannot accept a situation which is the culmination of injustice. We cannot accept a situation, the fruition of aggression or a flagrant denial of inherent rights - God-given rights. This is too dangerous a stand, to accept, or to defend.

We must warn all the small nations - they must be on their guard. They should be on the lookout lest they fall victim to political realities. We, the small nations, survive not through our might, but through our right. We exist by justice, not by expedience or convenience. So let us not waiver - let us not defeat the very principles that gave rise to our being. This is a world of wonders and surprises. A small nation, any small nation, could be overrun by aggression. Its independence may become in danger. The integrity of its territory may be threatened.

How could such a situation be resisted if we are called upon to recognize it as a reality. Colonialism and imperialism have coined many phrases - many arguments to defend their position. "We must recognize the political realities" is one such argument. Colonial powers are in the habit of falling back on such a line of defence. They take refuge behind such a slogan when they are not at their pleasure to do justice or to undo injustice. This has become the habit of the colonial powers - let us not develop their habits. Let us not speak their language. We, the small nations, who are sworn to defend the cause of freedom, should not harness justice to such slogans.

Of similar danger, Mr. President, with reference to the Palestine question, are the statements uttered from another rostrum by Vice President Nixon and Senator Kennedy, the two candidates for the United States election.

Messrs, Nixon and Kennedy, although at variance on a number of matters of foreign policy, have made public pledges to Israel in identical terms. The difference is only one of degree and of tone. Hence, no matter who wins, we can take these pledges to be the cornerstone of the policy of the U.S. with regard to the Palestine question. In fact, they reveal nothing basically new, except that the U.S.

has not profited from the bitter experience of her policy in Palestine - a policy which has alienated the feelings of the Arab world and which, if continued, is bound to lead to an irreparable damage.

In substance, Mr. President, Kennedy and Nixon have declared that he who succeeds to occupy the White House will not hesitate to support Israel. They have stressed that the Suez Canal should be open to Israeli shipping. They have praised the efforts of Israel in every field of political and economic life. They have spoken of industry thriving - of agriculture progressing of the desert blossoming and the rest of the Zionist propaganda. Hearing all this, Mr. President, one is led to think that Nixon and Kennedy are running for Israeli elections - for Israeli Presidency, and not for the Presidency of the United States.

From these statements, it seemed, Mr. President, as though the whole world is Israel, and Israel is the whole world.

The Arab peoples, eighty million, with their material and spiritual power, occupying as they do their strategic subcontinent, mean nothing to the U.S. To Vice President Nixon and his rival it was sufficient to declare that Israel is there to stay, and that is all - that is enough. They did not, for a single moment, deem it proper to declare that also the people of Palestine, are there to stay and to stay in their homeland. Yet we are bound to ask what is meant, when the saying goes that Israel is there to stay? Does it mean that Israel is there to stay - to usurp Arab lands and properties, to entice the millions of Jews of the world to migrate to a country which they have never known? Does it mean that Israel is there to stay, to commit aggression of all sorts and expansions in all directions? This is what it means for Israel to stay. Israel, with the Zionist programme inherent in her basic policy, is dedicated to aggression, and pledged to expansion. In fact, the establishment of Israel, was the culmination of aggression and expansion.

Yet the question may be asked, what is the solution? What is the way out?

This is a pertinent question, that should be answered honestly and seriously. I say seriously, for the issue is one of peace or war, not only for the Middle East but for the world at large. And should testimony be required - suffice it to recall the Israeli war in 1956, which had virtually placed the world right at the brink of war. So what is the solution?

If we are, Mr. President, to take the present situation as a starting point, I have no solution to offer. Neither will there be any solution, and let things go - let events drift to their destined destiny. But if we are here to make peace with justice, as strongly voiced by President Eisenhower, then the solution will commend itself, by itself to the U.N.

The master key to the solution, lies in repatriation. The refugees must go back to their homeland. This is the inherent, unassailable right which has been recognized and reaffirmed in all the resolutions adopted by the General Assembly in each and every session.

On the other hand, we have to remember that thousands and thousands of Jews, now in Israel, have discovered that they have been deceived. They are not at home, for Palestine is not their homeland. Israel has proved to be, for them, a lamentable deception.

The Jews in Israel are at last finding the truth themselves. By instinct and experience, the Jew in Israel has made many conclusions. To him this experiment of creating Israel in spite of all colorful paintings has proved to be a failure. Israel lacks viability - Israel cannot survive indefinitely through outside assistance and grants-in-aid. Politically, economically, and socially it is impossible for Israel to fit in within the pattern of the Middle East. Israel, a mass alien infiltration, is not Asian, nor African, any more than the aliens who set foot on the soil of Africa or Asia with the advent of colonialism. The Arab States did not and will not recognize Israel. This is their sovereign right. And neither will they have any dealings with Israel in any manner. The creation of Israel has doubled manifold the very same evils which it sought to avoid. The whole experiment has failed.

That is how the ordinary Jew in Israel is thinking. He is right, by all means. He has become eager to go back home. He, to, wants repatriation. Israel to him is a life of exile. These are his conclusions. No less than 170,000 Jews have left Israel in the last few years. If it proves anything, this Jewish migration from Israel does certainly prove that 170,000 Jews have reached these conclusions, and the number is rising - all in the direction of repatriation - outside Israel.

With this in mind, Mr. President, conditions can be seen to move towards the natural direction - with the Jews of Israel allowed a free exit from Palestine, the situation would go back to normal. There would only remain those Jews who are the legitimate citizens of the country - not the aliens. The choice would, then, be open for peaceful co-existence. We emphasize peaceful co-existence, for with Zionism there cannot be peaceful co-existence. With aggression and expansion there cannot be peaceful co-existence - a principle which can only be applied when the existence is legitimate and lawful. For who can co-exist with an aggressor? The Palestine Problem is not a question of ideological conflict. It is the homeland which is at stake - which is the whole issue. When the very existence of your people is the question, there cannot be peaceful co-existence. Self-defence becomes overriding and paramount.

After repatriation, the legitimate people of Palestine, Arabs and Jews, could, then, start a life of peaceful co-existence. In fact, before Zionism, Arabs and Jews have lived in peaceful coexistence long before this principle became a political terminology, let alone a political concept. With such an approach, Mr. President, conditions would be brought back to normal. The people of Palestine, the Arabs and Jews determined to live in peace together, would establish the independent state of Palestine, worthy to occupy its seat in the United Nations - a state representing not aliens, but the legitimate citizens of the country. Moslems, Christians and Jews alike. The Holy Land, sacred to the three great religions would become again the land of peace, the land that has given the world the message of peace. [...]



**AHMAD SHUQEIRY, CHAIRMAN OF THE SAUDI ARABIAN DELEGATION TO THE UN  
AND MINISTER OF STATE FOR UN AFFAIRS, RESPONSE TO ISRAELI FOREIGN  
MINISTER GOLDA MEIR, UN GENERAL ASSEMBLY, 11 OCTOBER 1960 [EXCERPTS]**

Yesterday, the statement of the representative of Israel has shown that the term "right of reply" is too modest a term to invoke and too flimsy a norm to employ. We exercise a right of reply to answer a misrepresentation, to impeach an argumentation, to straighten out an inaccuracy or to defeat a testimony, but when a statement is a total falsity, a willful distortion and an entire subversion of truth, the term "right of reply" does not measure up to the situation. We must then look for another term, another remedy, and this is what the statement of Israel calls for. It calls not for a right of reply, but for a right of erasion, a total erasion from the United Nations records, if we are to keep our records in order and in dignity.

This is not a sweeping statement or a pronouncement of verbal exaggeration. Let us take the Israeli statement, one distortion after the other. In presenting her case, the lady from Israel raised the issue of war in Palestine. Mrs. Meir claimed that seven Arab armies have marched across their boundaries with the proclaimed purpose of destroying Israel, its villages, its cities, and its population. I do not wish to go into the records of history. This is a heart-breaking story to tell here in detail after fifteen years of tragedy and catastrophe, a tragedy that has uprooted a whole people from their homeland.

Mrs. Meir is right when she asserts that the refugees are a victim of war. It is true that there was war in Palestine and the refugees are its victims, but the war was waged by Israel. It was a war that started with terror by Israel in 1940 and which ended in the creation of Israel in 1948. The Jewish armies were not virtually unarmed, as claimed, as phrased, as eloquently worded by Mrs. Meir. They were armed to the teeth, and their tactics were pillage, plunder, destruction and extermination.

Let me rush straight to the facts, facts that were reported not by Arab sources, but by an official, independent organ. I refer to the Anglo-American Commission which was despatched to inquire into

and report on the distorted situation of Palestine. What were the findings of that Commission, Mrs. Meir? This is the answer for you, if an answer can be provided. These findings were a devastating rebuttal of the statement of the lady from Israel. The Anglo-American Commission of Enquiry found:

"Palestine is an armed camp with a revival of mass, illegal Jewish immigration on a large scale. The organization of the Haganah, the Israel military force, the Jewish army over 60,000 strong, well armed, procuring its arms since a number of years".

This army which Mrs. Meir claimed to be virtually unarmed was, in fact, unarmed, but from the code of war and from the true traditions of war. It simply spread terror, destruction, fire and committed acts of lawlessness in the Holy Land. No Arab town, no Arab village was spared, open and undefended as they were. Brutal acts were committed without discrimination between men and women, young or old.

The Anglo-American Commission has narrated all these shocking incidents in the most graphic terms. I shall not read the details; permit me only to read the titles of some of the acts committed by the Jewish forces in Palestine:

"Large thefts of arms and explosives by the Haganah" - please remember that Haganah is the Hebrew word for the Israeli army; "Tampering with St. George's Cathedral in Jerusalem in an attempt to assassinate the High Commissioner"; "Attacking the Department of Immigration of Palestine"; "Bombing police head-quarters"; "Broadcasting station attack"; "Government offices bombed"; "Attempted murder of the High Commissioner and his wife"; "Police buildings attacked"; "Lord Moyne, British Minister of State in the Middle East, assassinated"; "Palestine railways attacked"; "British soldiers murdered in cold blood"; "Officers kidnapped"; "King David Hotel bombed, with ninety killed and scores injured"; "Bombing of police trolley"; "Mass Killings by explosives in Haifa"; "Abduction of a judge from the Court"; "Attack on oil refineries"; "Red Cross Clinic bombed"; "Derailment of trains"; "Attack on Arab towns and villages"; "Explosive letters to Mr. Churchill, Mr. Attlee, Mr. Bevin and Mr. Herbert Morrison and other British leaders"; "Field ambulance blown up"; "Setting fire to Arab cinema"; "Bombing Arab quarters"; "Mining naval welfare centre"; "Blasting Arab Semiramis Hotel in Jerusalem"; "Attacking Arab villages"; "Rolling barrels of explosives on Arab quarters"; "Storming Court buildings"; "Kidnapping and killing Polish Consul and a newspaper man".

These are only brief headings of those incidents, barbarous and savage as they were, committed by the Jewish Israeli forces in Palestine. And here comes the lady from Israel to claim that Israel was an innocent lamb, helpless, defenseless, unarmed. And what a poor lamb Israel is. But the lady from Israel is premeditatedly forgetful. She is forgetful even of the declarations of her Prime Minister, Mr. Ben Gurion, on the issue of war. During the course of World War II when the United Kingdom was engaged in a war of life and death, it was Mr. Ben Gurion who declared war as follows - and these are the words of the Prime Minister of the lady who comes from Israel: "We shall fight our war as if there were no war".

Mr. Ben Gurion's declaration of war was put into effect. The Zionist forces waged a war in Palestine. At the close of World War II the Jewish army command declared: "V-Day for the world would be a D-Day for us". The British Commander-in-Chief in the Middle East, in an official communiqué, declared: "The Zionist forces in Palestine are directly impeding the war efforts of Great Britain and assisting its enemies".

These are the unarmed Israeli military forces who have been described to the Assembly by the lady from Israel. Mrs. Meir might suggest that these Zionist military operations belong to a history long past. This is not a clever argument.

The truth is that this war of aggression, of horror, of terror was started in 1939, continued throughout World War II, and was continued further until 1948, to culminate in the emergence of Israel, the usurpation of the Arab homeland and the exodus of its people. The intervention of the Arab armies,

which was referred to by Mrs. Meir, was only for the purpose of containing a war, a Nazi war already started by Israel. I say a "Nazi" war as a reminder for the lady from Israel.

When the British Minister of State, Lord Moyne, was assassinated by the Zionist forces in November 1948, Mr. Churchill addressed to the House of Commons the following words:

"If our dreams of Zionism are to end in the smoke of assassins' pistols and our labours for its future are to produce a new set of gangsters worthy of Nazi Germany, many like myself will have to reconsider the position which we have maintained so consistently and so long in the past. Those wicked activities must cease and those responsible for them must be destroyed, root and branch".

Mrs. Meir has spoken with emotion and anger of the Nazi atrocities against the Jews in Germany. We two condemn the Nazi atrocities. We shiver as the mere memory of those innocent victims, our brothers in humanity, the millions of Jews who were massacred by Nazi Germany. But the Nazi action has led to a similar Nazi reaction. Nazi Germany has passed away in Germany, only to be revived in Israel in the Middle East. It is enough that Churchill has passed the verdict. And as the peace of Europe has necessitated the surrender of Nazism, the peace of the Middle East and the world at large calls imperatively for the surrender of Zionist Nazism in the Middle East.

It was not only Churchill who passed the verdict. Mr. Toynbee, the great historian of our age, has condemned Israel's Nazi atrocities. Mr. Toynbee said:

"The evil deeds committed by the Zionist Jews against the Palestinian Arabs, that were comparable to crimes committed against the Jews by the Nazis, were the massacre of men, women and children at Deir Yassin on the 9th of April, 1948, which precipitated a flight of the Arab population in large numbers from the districts within range of the Jewish armed forces...".

This statement of Toynbee goes also to refute mercilessly the assertion of Mrs. Golda Meir that the refugees left as a result of the call of Arab leaders. What a ridiculous and fantastic allegation to make. These are facts of history which I have quoted from a distinguished historian, and if history is to be consulted, it is Toynbee, not Mrs. Meir, who is to be consulted.

Let me again refresh the memory of Mrs. Meir with another set of facts and declarations. When in 1948 this United Nations of ours was discussing the various resolutions in Palestine, it was not the Arab armies but it was Mr. Gurion who challenged the United Nations. Mr. Ben Gurion did not challenge through political pronouncements; it was a challenge of war. In an address to the Central Committee of Israeli workers, Mr. Ben Gurion declared to the United Nations as follows: "Force of arms" - I repeat, "Force of arms" - "not formal resolutions, will determine the issue".

This is how Israel was addressing itself to the General Assembly in discussing the Palestine question. They simply warned the United Nations that it is the force of arms and not your resolutions which will decide the issue. Thus, the resolutions of the General Assembly to Mr. Ben Gurion were nothing; it is the force of arms. I wonder whom we are to believe. Are we to believe the Foreign Minister in her address to the Assembly or the Prime Minister in his warning to the United Nations? Are we to believe the Foreign Minister or the Prime Minister? I dare say this is a prime distortion, foreign to our Organization.

In fact, the creation of Israel was not the peaceful implementation of a United Nations resolution. Israel is the culmination of force, of brutal force; it is the fruition of war, a war of aggression. When the future of Palestine was under international inquiry, the Israeli command, the command of the Jewish forces, declared its readiness to enforce a Zionist solution at the tip of bayonets, by the force of arms. These are the words of the Israel command.

"There is no doubt that the Jewish force is superior in organization, training, planning and equipment. If you accept the Zionist solution but are unable or unwilling to enforce it, please do not interfere, and we ourselves will secure its implementation".

This is the language of force, uttered by the command, the Israeli command.

Again, when the United Nations, seated at Lake Success and everyone out at Lake Success will bear testimony - was considering a United States trusteeship plan for Palestine instead of partition, the Israeli command addressed to the United Nations the following warning:

"Our battles serve as additional evidence for Lake Success diplomats who are studying the American plan, that the decisive step would be taken in Palestine".

I can go on endlessly to quote Israeli authorities. But this much is sufficient to convince the Assembly that the charge placed at the door of the Arabs is nothing but a fictitious fiction. It is enough to know that it is an Israeli fiction.

Be that as it may, the Israeli statement of yesterday, has proved the very same charge we have been advancing against Israel for years.

Our assertion has always been that Israel is the embodiment of imperialism and colonialism. Through Jewish immigration under British bayonets, the Jews of Palestine have risen from 50,000 in 1919 to 750,000 in 1948. This is an alien infiltration of masses who have never known the country - owned nothing, possessed nothing, neither themselves, nor their forbears, should they be able to trace their ancestry three thousand years old. As a little illustration let me assure you that each and every member of the Israeli delegation now seated in the Assembly, including the lady from Israel, are not, and have never been citizens of Palestine. But, they find enough courage to challenge the right of the citizens of Palestine to go back to their home, their ancestral home, their immemorial home.

The lady from Israel has also spoken the language of imperialism and colonialism. Describing the situation in Palestine, Mrs. Meir declared in her statement: "...rocks, desert, marshes, malaria, trachoma - this is what characterized the country before we came..." (A/PV. 897, pp. 78-80).

I ask our colleagues from Africa and Asia to pay attention to this quotation from the statement of Israel. This is the language of imperialism, the philosophy of colonialism. In Africa, in Asia, what did the colonial Powers say? They said the very same thing as the lady from Israel has said. The colonial Powers have claimed that they have come to Asia and Africa to convert the desert, to drain the marshes, to combat malaria, to battle with trachoma - exactly the very same words used by the lady from Israel. This is no coincidence. Israel and imperialism stem from the same trunk. It stands therefore to reason that Israel should meet the same destiny. Imperialism is fading, withering, retreating, and so it is with Israel. And there is no force on earth that can halt the defeat of imperialism and all the creations of imperialism.

This imperialism of Israel, however, is of a unique character. As claimed by Mrs. Meir, it stems from the antiquated association of the Jews in Palestine. Call them what you call them, such associations are to be found in the archives of history for any territory and for any people. There is not one single span on our earth without association for this people or that. Should we follow the philosophy of Mrs. Meir - or rather, the lack of philosophy of Mrs. Meir - any people can claim any territory, and none could be with a homeland. A ridiculous conclusion; but the conclusion is her's, not mine.

Mrs. Meir goes on in her statement to say: "Every mountain, every valley in our country, as mentioned in the Book of Books, tells of our belonging, of our being there". (Ibid).

I am afraid I cannot speak on this matter without sarcasm. The lady from Israel wishes the Assembly to be wandering in a wilderness of imagination and legendary, travelling back into the avenues of antiquated

history. Should we accept the statement of Mrs. Meir seriously, we will have to reconstruct this world of ours in the same pattern that existed at the time of the Book of Books. Then no nation represented in this Assembly would be in its present homeland, and no homeland would be occupied by its people.

Indeed, we would have a different United Nations entirely, only to fit the taste of Israel and the lady from Israel.

Yet, when we speak of mountains and valleys, let us not forget the vibrant reality, the reality of life and of history. Let us not make an excursion into the imagination. These valleys and mountains have been possessed and occupied by the people of Palestine in continuity and in perpetuity since time immemorial. On these mountains and in these valleys they have built their towns and villages; they have planted their vineyards and orchards; they have established their farms and factories; they have constructed their mosques and churches; they have dug gently and peacefully their graves. This is what makes a homeland dear, sacred and deserving of every honourable sacrifice. These are the true teachings of the Book of Books, if only Mrs. Meir cares to apply her heart and mind to the Book of Books.

Even in terms of individual property and ownership, Israel had nothing in Palestine, and the Arabs had everything. The United Nations Committee which inquired into the question of Palestine has reported to the General Assembly that Jewish ownerships comprised only 6 per cent of the whole area of Palestine, and nothing more. The Book of Books does not permit banditry or robbery, whether it be individual or international. The Book of Books pronounces: "Thou shalt not covet thy neighbour". If the lady from Israel relies on the Book of Books, then Israel should hand over to the refugees their properties, their possessions, their farms, their dwelling houses and, indeed, the entirety of their homeland.

I come last to the chorus of peace - I say "chorus" because it was nothing but a chorus - which was raised so loudly by Mrs. Meir: "Let us sit down in a free, not preconditioned conference to discuss peace". This is the call of the lady from Israel. The call "to discuss peace", to those who do not know, is quite enticing; but those who know cannot be deceived so readily by such slogans of peace.

Let us ask: to discuss what? Are we to discuss the recognition of the usurpation of our country? Are we to discuss the exile of our people? Count Bernadotte was assassinated in Jerusalem by the Zionists forces while on a mission of peace in Palestine - the free peace for which Mrs. Meir is now clamouring so eloquently here in the General Assembly.

The Conciliation Commission, in its fifteen progress reports, has stated that Israel has not repatriated one single refugee nor compensated one single refugee. The fifteen resolutions of the General Assembly calling for the repatriation of the refugees have been completely defied by Israel. The resolution of last year, which was passed unanimously by the Assembly, with the abstention of Israel, reaffirmed repatriation. The lady from Israel said yesterday that these resolutions were misquoted. Tell us how they are to be quoted. We know that they are resolutions of the General Assembly calling for repatriation of the refugees. The truth is that they are ignored by Israel - resisted and denied. So what are we to discuss with Israel?

This call for peace comes from the lady who has recently put the following question to Jewish mothers here in the United States: "Would it be too much to send 1,000 of your sons and daughters to live in Israel?" That is what peace is to Mrs. Meir: our sons and daughters should stay in exile while American sons and daughters are urged by Mrs. Meir to leave their homeland in America, destroy their loyalty to the United States and live in Israel.

After all, what is the record of peace of this Israel that clamours for peace? Condemned by Churchill and Toynbee as a Nazi institution - that is not all for Israel. Israel was condemned by the Security Council for the massacre of Kibya - a whole village destroyed, soul and stone. Israel was condemned by the Security Council for the slaughter of Nahalin, another Arab village, soul and stone. Israel was condemned by the Security Council for the outrage of Gaza, killing refugees while they were sleeping in their camps. These are condemnations of the Security Council. Lastly, Israel was condemned for the tripartite aggression of Sinai, traces of the conspiracy of which were displayed yesterday in the ferocious clapping by the French delegation in support of Israel, a comrade in arms.

I can count scores of condemnations by the Security Council and the Mixed Armistice Commission. I will confine myself to one, because of its bearing on the issue of peace. On 16 February of this year, the Mixed Armistice Commission passed the following decision with regard to the destruction of a whole village by Israel:

"Having considered that this attack has resulted in the almost total destruction of the aforesaid village, in violation of elementary humanitarian principles, "Condemns the Israeli attack against the village of Khirbet-Altawafiq".

This answers the call for peace - committing an act which resulted in the total destruction of a whole village, which has been described by the Armistice Commission as a violation of the most elementary human principles. This is the record - only part of the record - of Israel, which clamours for peace. Israel has extended a hand of peace, but it is a hand soaked with the blood of the innocent, a hand that had uprooted a whole people from its homeland. This is no peace. This is a surrender to the aggressor. The people of Palestine would choose to die, all in all, rather than abandon their homes and their homeland.

The proposal has been made to President Nasser and other Arab leaders to meet Mr. Ben-Gurion to make peace. What a ridicule - what an irony of fate - what an affront to peace - what a travesty of justice, to advance such a proposal and, I would say, such a heresy!

In contrast, the lady from Israel has referred to the proposal for a meeting between Eisenhower and Khrushchev. The comparison is blasphemous. Both great men have refused such a meeting. Khrushchev claimed an apology, and Eisenhower stressed the release of two United States fliers. In our case, Israel's evils cannot be remedied by an apology. Neither are the rights of the whole people of Palestine to be compared to the liberty of two fliers. But still the two great leaders have refused to meet.

Yet, over and above, the matter raises a greater issue. The disagreement between Eisenhower and Khrushchev, with all its gravity, does not involve the loss of a homeland. Had the Soviet Union been occupying the State of New York, Eisenhower would be the last man on earth to accept to meet with Khrushchev. And had the United States been occupying the Ukraine, Khrushchev would be the last man on earth to accept to meet with Eisenhower.

In this context, President Nasser is our Eisenhower and our Khrushchev, and so are all the Arab leaders. And never will they meet Ben Gurion; nor any Arab leader will conceive of meeting Israel, neither now, nor in any time to come. So let it be known. The role of President Nasser is not the surrender of the Arab homeland. He is up for a great and noble cause. So are the rest of the Arab leaders. President Nasser strives to emancipate, to liberate, the Arab homeland, but not to surrender it to imperialism or Zionism, or to all the creations of Zionism or imperialism.

Nevertheless, I should not leave the Assembly in an atmosphere of despair and bitterness. Peace is our goal - our dearest and most sacred - for the homeland is ours, not theirs. And the child of Solomon is ours, not theirs.

Peace in the Holy Land can be realized. Other countries and other peoples have attained peace. It is only through the same way and through the same means that peace can be attained in Palestine. India and Pakistan achieved peace after imperialism was relinquished. So it was in Indonesia. And thus it was attained in Africa. In Ghana and Guinea the people were freed in their homeland and imperialism pulled out, and peace regained.

With Israel it is the same. There are now thousands and thousands of Jews who are clamouring to get out from this tyranny and misery which is called Israel, if they are only given an exit visa. If Israel challenges my statement, I would ask here and now that a United Nations commission be set up to proceed immediately to Israel to inquire into the wishes of the Jews, and I challenge Israel to accept this referendum.

This is the real challenge of peace. When the alien Jews are allowed to quit the country, the situation will go back to normal. There will be no one in Palestine except its legitimate inhabitants - Moslems, Christians and Jews, all alike. They will constitute the Independent State. They will be admitted to the United Nations, and their delegation, composed of Moslems, Christians and Jews, would occupy their worthy seats here in the Assembly hall.

This is how peace can be realized in the land of peace, and this is what we are endeavouring to achieve.

So help us God.



**AHMAD SHUQEIRY, CHAIRMAN OF THE SAUDI ARABIAN DELEGATION TO THE UN  
AND MINISTER OF STATE FOR UN AFFAIRS, SPEECH BEFORE THE UN GENERAL  
ASSEMBLY SPECIAL POLITICAL COMMITTEE, 15 NOVEMBER 1960**

Since this is my first intervention before the Committee, permit me, Sir, to extend to you my warmest congratulations on your election as our Chairman to preside over the deliberations of this Committee. We have known you as an eminent diplomat and the area we covered so far in our work has justified the faith of the Committee in your ability and impartiality. Your vast knowledge of international affairs added to your integrity makes of your Chairmanship a source of guidance in the difficult task that remains before the Committee. We trust that under your talented leadership our work will be crowned with success.

Our heartiest congratulations go also to your colleagues in the Bureau. The Vice-Chairman and the rapporteur have rightly earned our respect and admiration. Both of them are well-known for their vast experience and to them I extend warm tribute.

Mr. Chairman, Fellow Delegates:

The report of the Director of the United Nations Agency for the Palestine Refugees, now under the consideration of the Committee, is a factual document characterized with an objective presentation. From cover to cover, the report is an impassionate narration of facts and a cold enumeration of figures. Yet the drama, the most tragic drama, is there. It is there to be read in those shocking facts - in the trembling figures. And how disastrous are the facts - how catastrophic are the figures. Quoting in fragments, here are fragments of the drama.

On the origin of the problem, the Director reports in the following words:

"The Palestine refugees problem came into being in 1948 when hundreds of thousands of Palestinians fled their homes and took refuge in the surrounding areas".

On the United nations activity in facing the problem, the Director reports in the following words:

"After a period of emergency aid administered by voluntary agencies..., the General Assembly in December 1949 established the United Nations Agency... to assist in the care of the refugees. The Agency's mandate originally envisaged as covering a limited period of international assistance to the refugees, has been specifically extended on three occasions and presently runs until 30 June 1963".

On the attitude of the refugee, the Director reports in the following words:

"In their minds the promise made in Paragraph 11 of General Assembly resolution 194 (111), passed in December 1948 and reaffirmed annually thereafter, continues to be the one acceptable long term solution to this problem, and they are embittered because it still stands unfulfilled...".

With regard to the number of the refugees, the Director estimates the total to be, 1,120,889, with an average net increase of 30,000 per year.

On the present and future outlook, the Director has this to say to the United Nations, and I quote his words,

"Resolution 194 (111) has not been implemented and the outlook for the Palestine refugees is for a continuation of conditions, similar to those of the past twelve years..."

On the solution of the problem, the Director states that

"no quick solution to the Palestine refugee problem is in sight ... The agency itself cannot solve the refugees problems. Any general solution to the complex Palestine problem, of which the refugee problem is a part, will be brought about largely by forces outside the UNRWA which will govern and shape the future of the Middle East..."

On the responsibility of the U.N. the Director states as follows:

"To the Director it appears certain that some responsibility for international assistance will continue for a decade or longer ... The Palestine refugees problem has a bearing on the stability and peace of the Middle East and hence on the stability and peace of the world. It is in this broad context that the Director requests the General Assembly to make its decision".

These findings of fact, Mr. Chairman, as stated by the Director of the Agency, do invite in our minds and hearts a set of staggering questions, particularly so, when the Arab refugees enter their fourteenth year away from their homeland, and what is more when the Director discloses that no quick solution of the problem is in sight. Simple as they are, these staggering questions impose themselves on the United Nations, with a pressing demand for an honest and brave answer. Each and every delegate is duty bound to ask very loudly and indeed with vigor and anger. What is this human tragedy that caught in its grip a million refugees? What is its nature, what is its background? How in the age of the United Nations can a people be uprooted from their ancestral home? And, lastly, what is the end - how can we bring this tragedy to an end?

These are not academic questions, fellow delegates, nor are they posed simply to reveal a paradox, to arouse bewilderment, or to disclose a dilemma. Truly a paradox these questions are, a bewilderment they are. But over and above, these questions involve human existence, worth, and dignity, not fin the abstract but in actual terms of living reality. The item before us refers to a people, a whole people. It pertains to a land holy to millions upon millions of believers all over the world. The problem has caused a regional war in 1948, and was about to unleash a global war in 1956. Last, but no least, these questions present the central questions: Is the United Nations a debating forum devoted to the arts of rhetoric and dialogue, or an international organization to establish peace, maintain law and order, preserve human dignity, do justice, undo injustice, and cherish the principles and objectives enshrined in the charter of the United Nations.

As to the nature of the problem, let me state at the outset, and with no need for any preface, the refugee problem is not simply the outcome of the war that took place in Palestine in 1948. In time of war, any war, mankind had often witnessed multitudes of refugees seeking shelter from the ravages of war. These are war refugees. But this is not the case with the Palestine refugees. Their problem is entirely different. It stands unique, with a unique background, leading to a unique situations. In its very essence, deep at the deep root, the problem of the Palestine refugees is a colonial issue inextricably imbedded in the history of world imperialism.

To those, not familiar with the true origin of the Palestine refugees, imperialism may sound as a strange factor in the problem. But the truth o truth is that imperialism is the reason of reasons for the refugee

tragedy. We all recall many colonial issues that have been inscribed on the agenda of the United Nations since its establishment. Let me assure you that the problem of the Palestine refugee, in its true perspective, is an issue of imperialism that should rally on its side all freedom-loving forces. The item now before you is a colonial issue that should capture the support of all justice-seeking peoples of the world.

The imperialism I have in mind, as the main cause for the Palestine refugees, is the movement known as Zionism, after the word Zion, the name of a small hill in Jerusalem. It was in the womb of imperialism that Zionism was conceived in the Nineteenth Century, giving birth in 1948 to two episodes: the creation of Israel, and the exodus of the Palestine refugees.

I do not desire to go into the history of Zionism. This is outside the orbit of the present item. Nor is it necessary to do so, precisely because the relation between Zionism and the problem of Palestine refugees is easy to trace. By definition, practice and conduct, it is sufficient to know, that Zionism is a movement which has aimed at one single and central objective - namely, the ingathering of the Jews from all corners of the globe, an ingathering not only on the soil of Palestine but on its surroundings, as far as military power can set its boots.

This ingathering of the Jews, is of concern to us in our present deliberations because, I submit, it is the sole and direct cause for the exile of the Arab refugees. Ingathering for one side has led to the dispersion of the other. You do not need to explain why. It is too axiomatic to explain. Palestine is not vacant land, uninhabited, unpopulated, unpossessed. It is a country with a people deeply rooted in their land since time immemorial, possessing their economic, social and cultural life, vibrant with all national aspirations which are common to all peoples of the world. To launch a campaign of ingathering of the Jews in Palestine, is in effect launching a campaign to displace the Arabs from their homeland. War or no war, the problem of Palestine refugee is inherent in Zionism - imbedded in its plans. Indeed it is a natural outcome of its fulfillment. For every Jew "ingathered," there must be an Arab displaced. The process is not without a paradox, even if we take its assumptions to be true.

Zionism uproots an Arab settled in his homeland for generations, only to provide room for a Jew already settled in his country of domicile for centuries. Thus the refugee problem is not the making of a war - as always suggested by Israel. In simple truth, it is the making of a creed, a creed of aggression. To Zionism, Jewish life in the various countries of the world, is one of exile - an exile not of a decade or century, but one which is three thousand years old. And here lies the central reason for the creation of the problem of the Palestine refugees. To Zionism three thousand years' domicile of the Jews abroad is an exile. This is the Zionist philosophy. In the same manner Zionist logic, or to be more precise, Zionist illogic, dictates that the immemorial possession of the Arabs of their homeland is no legitimate existence worthy to be respected and protected.

The net result, however, was not confined to a conflict of creeds, logic, or philosophy simply in the realm of theory. The outcome has led to the largest mass infiltration in the history of imperialism. Thousands and thousands of Jews led by deception, and misled by distortion, have been imported to Palestine against the will of its people.

These waves of migration have taken place between the first and second world wars. I use the term migration loosely and inadvertently. For this is no migration. It is an invasion. Immigration can only take place with the consent of the people of the land and subject to national control.

When this invasional migration had started, Palestine had then been, and for centuries before, preponderantly Arab. The Jews were a fraction. In Jerusalem, for instance, we are told by Obadiah of Bertinoro, a distinguished Jew of the 15th century, that the Jewish families did not exceed seventy in number. In its report to the British Parliament, the Royal Commission of Enquiry on Palestine of 1947, stated that in 1845 in the whole of Palestine there were not more than 12,000 Jews. At the end of World War I, the number of Jews in Palestine had risen to 70,000, hardly one tenth of the total population of the country. This is an insignificant fraction in proportion to the number of Moslems, or

their Christian brethren, who in their fraternal aggregate do constitute the people of Palestine. Nevertheless, under the British mandate and under British bayonet, Jewish migration, public and clandestine has brought into the country a total of 700,000, Jews, who in justice and equity are 700,000 aliens, strangers - foreigners and colonizers - indeed the same category of colonizers who rushed in to Asia and Africa with the advent of Imperialism.

It is this large mass infiltration, this alien ingathering of Jews which marks the beginnings of the refugee problem. In fact, Mr. Chairman, the people of Palestine, as a whole, have been made potential refugees - right from the first moment Zionism has started the ingathering of Jews. It was a march on Palestine. I say march, for the Jews were able to set foot in Palestine in waves of thousands upon thousands, only against the protestations, and indeed in spite of rebellion of the people of Palestine.

Zionism, therefore, through this campaign of ingathering, long before 1948, has made the Arabs of Palestine eligible refugees. In 1920, the Jews were 10 percent of the population; in 1947 they became 33 percent. Conversely, the Arabs, in 1920 were 90 percent. In 1947 they became 65 percent. And the scene of this operation, we must remember, has taken place in a tiny little country, one quarter cultivable, one quarter hilly, one-half desert - all totalling 10,000 square miles, barely the size of Vermont, in the U.S.

In his report, the Director of the Agency speaks of the impact of the various forces on the solution of the refugee problem, and the Palestine problem as a whole. I submit that the emergence of Israel in 1948 has brought into play the main factor that militates against the rapid solution of the refugee problem. After 1947, with the expulsion of the Palestine refugees, Israel has multiplied many fold the operation of ingathering. Large sums of money have been raised - mainly in the U.S. - worldwide organizations established and emissaries dispatched to every corner of the globe, to persuade the Jews at any cost to move speedily into Palestine. The result was most telling. In a decade the Jews in Israel have trebled in number - thus becoming about two millions.

This is no immigration - it is an act of conquest and invasion. Since man has started his first migration on this planet, no immigration has been on such a wild scale - no immigration has ever taken place against the will of the people of the land, and never has migration led to the exodus of a whole people from their fatherland.

It is in this large context, Mr. Chairman, that we must view the problem of the Palestine refugees. It does not stand to contrast or comparison with any of the refugee problems that came in the wake of World War I or II. The problem of the Palestine refugees is a case, *sui generis*, with no parallel, and the equal of none. It is not the fruition of a civil war or strife. It is a colonial issue, an issue of imperialism, but the most ghastly form of imperialism and colonialism.

I have stressed this point, Mr. Chairman, for one valid reason at least. This session of ours has been rightly proclaimed as the Session of the African Continent. The central issue in Africa is one of freedom and sovereignty. Furthermore, the problem of colonialism in its major aspects is now placed on the Agenda of the United Nations. All throughout the evils of imperialism, problems of refugees, we must be reminded, rank first and foremost. They stand first, because of ghastly injustice. They are foremost, due to savage brutality. In Asia and Africa, imperialism, brought ruling classes, traders, bankers, farmers and industrialists, but practically causing no exodus of the native people. In sixteen new members of Africa seated in the committee are, with no exception, Africans, native Africans, representing their native peoples. In the same manner, the independent countries of Asia who had forced their way to this organization - are with no exception, Asiatics, native Asiatics representing their native peoples. In all these instances, whether under the British or the French, the colonial rule in Asia and Africa has left the native people rooted as they were in their homeland. In Palestine, colonialism has followed a more monstrous course. The people, the native people, were literally displaced, by aliens. That is how we witness a refugee nation on the scene - a whole nation uprooted from its homeland - to become now an item on the Agenda of the United Nations.

I must remark, however, that in establishing the relation of the refugee problem to imperialism, we have not employed any thread of exaggeration or a shred of imagination. Facts of history do betray this relationship. I shall let the facts of history speak for themselves.

We have it on record that as long ago as 1840, Lord Shaftsbury had proposed a scheme of Jewish colonization under international guarantee as a means of utilizing the "wealth and industry of the Jewish people" for the economic development of a backward area. With similar aim in view, the British have sent an expedition to explore parts of Sinai - the very same Sinai which was the scene of British, French and Israeli aggression of 1956. In 1903, the British Foreign Secretary, Lord Lansdowne offered the Zionists a tract of country in the highlands of British East Africa. In a statement published on the 8th of February 1920, Mr. Churchill said "If, as may well happen, then, should be created in our lifetime by the banks of the Jordan a Jewish State under the protection of the British Crown, which might comprise three or four millions of Jews, an event will have occurred - which would be especially in harmony with the truest interests of the British Empire". Nothing could be more conclusive than this statement by the last architect of the British Empire who lives now to witness the dissolution of the Empire. But the conclusion is irrefutable that Israel right from the very beginning was conceived an enterprise of imperialism, as a going concern of colonialism; and that the exodus of the Palestine refugees was the second part of the equation.

I say equation for the matter has almost proved to be an equation of algebra - Israel equals the expulsion of the people of Palestine - and the people of Palestine, left in their country, equals the non-establishment of Israel. This is the chain of action the reaction - the relation of cause and effect - with the former leading to the latter. If this were to be an imagination or exaggeration, this honorable committee would not be now in session to examine for the fourteenth time the most tragic of all human tragedy.

All this, Mr. Chairman, will tend to explain with utmost clarity, the real meaning of the conclusion by the Director of the Agency, when he said that the Agency itself cannot solve the refugee problem and that any general solution to the complex Palestine problem, of which the refugee problem is a part, will be brought about largely by forces outside the agency.

Speaking of forces, we have come now to know that Zionism is one of those devastating forces that bears the main guilt for the refugees problem - its past creation - its present continuation and its future perpetuation. It is true, as the Director has observed, that the refugee problem is part of the Palestine problem. But the Palestine problem in its entirety, our colleagues should never forget, is the direct outcome of imperialism.

I hammered this point for the earnest consideration of the Committee as a whole, but addressed specifically to the distinguished representatives of Asia, Africa and Latin America the peoples who have paid the dearest toll for their liberty and independence. The problem of Palestine refugees is not the outcome of a clash of two religions - two languages - two cultures two political ideologies - two social orders - two economic regimes.

Viewed against its historic perspective, the refugee problem, in its genesis, is the making of colonization in the age of imperialism. Due to its strategy importance on the crossroads to three Continents, its proximity to the Suez Canal and its central position in the British lines of communication, Palestine had become in the age of imperialism a target of imperialism. It is within this context that the idea of the establishment of a Jewish national home in Palestine was conceived, and it did not matter in the least for imperialism that such a policy was bound to create a refugee problem. Humanitarian considerations are not in the fiber of imperialism, and the refugee problem stands now in testimony.

Amazing as it may be, you should not be amazed at this conclusion. To say that the problem of the Palestine refugee is an off-shot of imperialism is not logic in the abstract. This is a conclusion supported by bleeding events and agonizing trials. First in these events and trials is the British Balfour

Declaration of the 2nd of November in 1917. An instrument which has proved to be a malignant declaration for the dispersion of the people of Palestine.

I shall not go out of my way to discuss the details of this abominable declaration. I shall confine myself to its purport and impact only insofar as resulting in the catastrophe of the Palestine refugees.

In brief, the Balfour Declaration has promised the establishment of a Jewish home in Palestine with the understanding "that nothing shall be done which may prejudice the civil and religious rights of existing non Jewish communities..."

Even on the face of it, one can readily see the refugee problem deeply imbedded in the Balfour Declaration. The catastrophe runs in its veins. To establish a Jewish national home, in a home already occupied by its people, without their consent, is a flagrant injustice. The Balfour Declaration is the first official instrument that led to the refugee problem. It is true that it embodied an express condition to protect the civil and religious interests of the people of Palestine, but the absurdity, the preposterous absurdity is there.

How can you establish in Palestine a Jewish home without destroying the home of the Arabs. This dual obligation of establishing a Jewish national home and the protection of the people of Palestine is incompatible, contradictory and indeed unworkable. If you mean to establish a Jewish national home, you are bound out of necessity to destroy the rights of the Arabs. On the other hand, if you mean to respect the rights of the Arabs you cannot establish the Jewish national home. But the British, the administering power has chosen to establish the Jewish national home, and the natural result has followed. It was bound to follow, and the refugee problem stands before you as the destined consequence.

It is necessary, however, to remark that before becoming refugees, the Arabs were the prophets to prophecy their disaster. When the people of Palestine knew of the Balfour Declaration they had expressed many a warning. They declared their resistance to a policy aiming at usurping their homeland and endangering their national existence. They warned that the Jewish National Home could only be established on the remains of the Arabs. They protested that the Balfour Declaration was not workable, compatible or consistent. In a word, they feared they would become refugees. It required no genius to arrive at such conclusions. The wording of the Balfour Declaration was sufficient to disclose such dangerous repercussions. It was only after thirty years of repression, and having admitted into the country 700,000 Jews, that the British government have confessed to the UNSCOP in 1947 that "the mandate has proved to be unworkable, and that the obligations undertaken to the two communities in Palestine have been shown to be irreconcilable."

This confession is most tragic even if it were made by a boy in the kindergarten - no matter how stupid he may be. You promise to give a boy the pencil of another boy, without prejudice, without injury, without dispossession. How fantastic and ridiculous can such a promise be. And this is what happened in Palestine. The Balfour Declaration was irreconcilable *ab initio*, and was bound to end irreconcilable. But why attempt the experiment, why make the trial. The end was what we have foreshadowed - what we are witnessing now. It took the British thirty years to find the irreconcilable, the inconsistency, the unworkable, but after what?

It was only after the tragedy of one million refugees, that Britain has seen the obvious and witnessed the daylight in a day glowing with light.

That it was obvious was also recognized by the UNSCOP. In its report to the U.N. it declared that "the terms of the mandate include provisions which have proved contradictory in their practical application".

I must however, stress the fact that the refugee problem was disguised so to speak, in the willful vagueness of the terms of the Balfour Declaration. It was not an innocent vagueness with innocent intentions. The whole undertaking was maliciously willful. In analyzing the meaning of the Jewish National Home the UNSCOP said the following: "The notion of the National Home has provoked

many discussions concerning its meaning, scope, and legal character, especially since it has no known legal connotation and there are no precedents in international law for its interpretation. It was used in the Balfour Declaration and in the Mandate, both of which promised the establishment of a "Jewish National Home" without, however, defining its meaning. The conclusion seems to be inescapable that the vagueness in the wording of both instruments was intentional". And this is the conclusion which I desire to bring home to the minds of the Committee - that if the vagueness of the meaning of the Jewish National Home was intentional, then this is the more valid reason to expect the emergence of a refugee problem as a result of such a disastrously vague policy.

Let us now turn to another aspect of the refugee problem. In his report, the Director of the Agency has requested the General Assembly to make its decision in the broad context of war or peace not only in relation to the Middle East but to the world at large. This request, on the part of the Director, I submit, is the master key to the Palestine question in general and the refugees' problem in general. The issue before us, in its wide context, is one of war or peace, particularly so, when we recall that the Balfour Declaration for the establishment of a Jewish national home was itself an instrument of war.

Important as it may be, I shall not elaborate the point that the Balfour Declaration was issued at a time which the British did not possess Palestine and had no right to dispose of a country not their own. It is enough to know that the whole thing was a war policy, which not only lacks legality and morality, but in fact led to a brutality.

In support of this point let me read from a statement made by Mr. Lloyd George who was the head of the cabinet that issued the Balfour Declaration: "The launching of the Balfour Declaration," said Mr. Lloyd George, "was due to propagandist reasons". Outlining the serious position in which the Allied and associated powers were then, he said "The Romanians had been crushed. The Russian Army was demobilized. The French Army was unable at the moment to take the offensive. The Italians had sustained a great defeat. Millions of tons of British shipping had been sunk by German submarines. No American divisions were yet available. In this critical situation - Jewish sympathy would make a substantial support to the Allied cause, and in particular would confirm the support of American Jewry".

It is under these circumstances that the Balfour Declaration was issued - as a propaganda campaign - as an instrument of war and as a lever to drag the U.S. into the war - such circumstances are not only tainted with imperialistic designs but have proved to be the malignant seeds sown in 1917, to grow into a catastrophe in 1948, when the refugees were expelled from the country.

But although, as we have traced, it was potentially growing with the growth of the Jewish national home in Palestine, the problem of the Palestine refugees had taken a definite turn in November 1948. In the three decades preceding, the danger facing the Arabs of Palestine was rising slowly but steadily. In 1948, the situation has rapidly moved to the point of explosion. Thus far, the danger was potential. It started then, to be actual. The United Kingdom, desirous to relinquish its authority as a mandatory power has asked the United Nations to decide the future of Palestine, and the United Nations became seized of the problem. That was a decisive landmark, inadmissible for us to track closely under the present item. Nor is it relevant at this stage to refer to the Jewish war of atrocities that led the United Kingdom to choose to evacuate the country and place the matter in the hands of the Assembly. I shall only address myself to the immediate cause that unleashed the catastrophe of the refugee.

And at this point, I ask your indulgence - I beg of you - not to be struck by amazement nor shocked by bewilderment. Loudly and tragically I speak of amazement and bewilderment, for now, after fourteen years of sober reflection and sound evaluation, everyone should realize what flagrant injustice and what disastrous iniquity has brought about the tragedy of the Palestine refugee. I submit, Sir, that we must be ready in our hearts not to resist frankness, no matter how bitter it may be, and no matter how sharp its edges may be. We must be receptive, objective, and open minded - this is the charter of our charter - The United Nations of 1947 is no more existing. Ours of 1960, is a different United Nations. The crushing duress and cracking pressure that dominated the U.N. in 1947 and led to the tragedy of the refugees stands

no more. The United Nations of today must be ready not only to do justice for the present and future, but to undo the injustice of the past, if we are determined to preserve world peace for the present and future.

The simple truth, tragic and disastrous as it may be, is that the refugee problem has started on 29th November 1947 with the adoption of resolution 181 (S11), which provided for the partition of Palestine and the establishment of Israel. No matter how innocent some delegates have been for supporting such a resolution, and no matter how poor victims were other delegations that have fallen under the most abominable pressure ever to be experienced in the United Nations, the stark fact remains that the partition of Palestine and the establishment of Israel should be held responsible for the creation of the Palestine refugees. The explanation is simple, and the facts are simply too.

I shall not place before you any assertion of my own. I shall leave it for the (UNSCOP) the U.N. Commission to spell out the facts. I refer you to paragraphs 22, 25, 29, 162, 164 of the report of the UNSCOP. This is for the distinguished delegates to examine, and for Israel to contradict, but without distortion.

Summing up those facts, we can readily find that when the partition of Palestine was decreed, the Jews were only 1/3 of the population. They owned only six percent of the whole area in Palestine. The Arabs owned the rest. They produced 80 percent of the total cereal crops, 98 percent of its olives and 75 per cent of its citrus - and these are the three main sources of national income.

The UNSCOP further states that there is no clear territorial separation of Jews and Arabs, and that the economic separateness of Jews and Arabs does not correspond to any clear territorial division.

On the general pattern of the Jewish State, as proposed, the U.N. Committee has provided the most amusing features. While the land in the Jewish State is predominantly Arab-owned, the population figures do furnish the most awkward international joke. In the so-called Jewish State, the Jews were 498,000, against 497,000 Arabs - only one thousand Jews in excess of the Arabs. Is it not an international joke to establish a Jewish State with marginal majority of 1000 Jews?

Verily and truly it is a joke of the first order - But this joke has led to a tragedy of the first order - in its horror and terror.

Thus the picture is now crystal clear. The tragedy of the Palestine refugees is to be found lurking in every word of the partition resolution - a resolution that recommended the creation of a Jewish State on Arab land and with no Jewish majority. This is a tragedy of common sense that led to a human tragedy.

But tragedy or no tragedy, Zionism was determined to go ahead with its plans - and let Rome be set on fire. A Jewish State must be established and let Carthage be destroyed. The Zionists, however, were faced with the dreadful question: How can a Jewish State be established on Arab land, and with such a great majority of Arab population. The Arabs, and this is their right, will not accept Jewish sovereignty, nor will they abandon their lands. To Zionism, that was an obstinate fact which must be confronted. The Jewish State will either be established by sheer brutal force, or be abandoned. The choice has to be made, and it was made. Zionism had decided: The Jewish State must be established, and the Arabs must be driven out from their country. And this is exactly, fellow delegates, what has taken place. Under unspeakable terror, bloodshed and destruction, the defenseless people of Palestine were driven out of their towns, villages and homes. Their homeland was usurped, and the so-called State of Israel was established.

At this stage it is only fair to examine how the refugees have become refugees. We are duty bound to present the picture, at least in miniature; for, of the million refugees, every single refugee has a tragedy to say to the U.N. Israel was established on the remains, the root, the exodus of each and every refugee. Israel was proclaimed on 15 May 1948 - and I submit, Sir, nothing could be more conclusive than to picture the general situation in Palestine just shortly before that inglorious date.

After the Partition Resolution of November 1947, the Jewish forces went into the field of action. They have undertaken to establish Israel. Knowing that Israel cannot be established before the Arabs are driven out, the Jewish forces were in need of a major war operation-terror. The Jewish forces have carried the operation terror, with all the rules of terror - And Israel has provided the world with a code of terror - quite original and abominable. Let us examine one or two instances.

On April 10, 1948, the village of Deir Yassin, in the suburbs of Jerusalem, was attacked by the Zionists. The Jewish forces rounded up most of its 600 inhabitants, looted everything of value in the village, and next turned their attention to their human booty, slaughtering men, women and children without mercy. About 250 Arabs were butchered. Among these, were fifty-two mothers with babies at their breast, sixty other women and young girls, and 25 pregnant women, whose bodies were deliberately ripped open with bayonets. Little children were cut to pieces under the eyes of their mothers. About 150 mutilated corpses of women and children were thrown down a well. Zionist troops prevented all access to the scene of the massacre, and when M. Jacques Regner, delegate of the International Red Cross, asked permission of the Jewish Agency to make an inspection of the place, he was delayed a whole day, in order to give the assassins time to clean up the frightful mess. In relating the facts Mr. Regner stated "the situation was simply horrible". Apart from the bodies that had been thrown down the well, other corpses were lying about among the ruins of the destroyed houses. Mr. Regner himself found a little girl about six years old injured, but still living, under a pile of dead bodies, and her personally took her to a hospital.

Four days after the massacre of Deir Yassin, the Jewish forces attacked the village of Nasr el Din, near Tiberias, and repeated there the same horrors. The bulk of the population of this village consisted of defenseless women and children, yet the Zionists attacked them with machine-guns and hand-grenades. Of the whole population of this village, only forty women and children were able to escape to a neighboring village. All the rest perished, victims of the Zionists blood thirst.

On May 6, 1948, the Jewish forces attacked some Arab villages near Tiberias, and blew up the German monastery on the shore of Lake Tiberias, killing the three monks who were then living there.

On the same day, a Jewish scouting plane directed the Jewish forces to a place near Samakh where a large number of Arab civilian refugees were trying to escape by boats. Hundreds were killed while others were drowned.

Also on May 6, the Jewish forces packed a large number of old men, women and children into the village mosque at El Zaytoun (near Safed) and then deliberately blew up the mosque with these innocent victims, thus destroying the house of God and his creation.

On May 13, 1948, the Jewish forces attacked the village of Beit Darras, in the Gaza district. They found the inhabitants to consist only of children, women and elderly men. These innocent and harmless people were brutally murdered in cold blood. Some of the women were pregnant and were subjected to the same ghastly treatment as that suffered by the women at Deir Yassin, ripped open with bayonets. The bodies of some of the old men were mutilated. Having disposed of the human victims, the Jewish forces looted all the household goods and provisions in the village, and then systematically destroyed all houses by mines and shell-fire.

These and scores of similar dreadful acts of terror have been part and parcel of the major operation: Terror: to clear the way for the establishment of Israel. The central target was to drive out the Arabs - usurp their lands, so that the rise of Israel becomes possible.

At times, Israeli spokesmen would either deny these atrocities or throw them at the door of Jewish dissident groups. But this is a perjury - a perjury by the verdict of an Israeli court.

In proceedings instituted by Kauffman, the Israeli officer, who conducted the massacre of Deir Yassin, and had sued Israel for pension, the court declared "We have been convinced that the Deir Yassin operation was ordered by the Jewish Minister of War as an operation against the Arabs".

Nothing could be more condemning to Israel than a verdict from a court of Israel. It is these brutal acts that brought about the exodus of the refugees - acts which aroused universal despite, consternation and indignation in every part of the civilized world. They were condemned as a modern version of Nazism. Father Ralph Gorman writing in the "Sign", the American National Catholic Magazine, said "The Nazis never used terror in a more cold-blooded way than the Israelis in the massacre of Kibya".

Even pro Zionists in the U.S. have been appalled by these atrocities. Hall Lehrman, writing in the Commentary Magazine said "The Israeli soldiers have looted, burned and slaughtered ... It is even hinted that certain officers actually ordered their troops to let themselves go".

An American Missionary, Miss Bertha Vester, who has spent her entire life in Jerusalem reported in her book entitled "Our Jerusalem", that Jewish jeeps with loudspeakers were warning the inhabitants in Jerusalem and Arab villages, in these words: "Unless you leave your homes, the fate of Deir Yassin will be your fate".

In the Foreign Affairs Quarterly of July, 1954, the British Lt. General Glub wrote as follows:

"The Israelis seized every possible opportunity to get rid of the Arabs still living in the area allotted to them. ... The civil inhabitants were driven out immediately by Israeli troops or were given half an hour to leave. All means of transport were seized by the Israeli army, so that the inhabitants were obliged to abandon all their possessions and homes".

In his book *The Revolt*, Menachem Begin who led most of these atrocities, has boasted that the Deir Yassin butchery has resulted, and I quote "in the maddened flight of the Arab refugees, the economic and political significance of which can hardly be over-estimated". This confession touches the heart of the problem. The political significance, to which Begin referred was the establishment of Israel; the economic, was the seizure of all Arab land and property.

Yet in few lines, Begin has provided us with the whole background of the problem of the Arab refugees. With criminal pride, the leader of Jewish atrocities, Begin, wrote as follows:

"Kolonia Village, which had previously repulsed every attack of the Haganah, was evacuated overnight and fell without further fighting. Beit-Iksa was also evacuated. These two places overlooked the main road; and their fall together with the capture of Kastel by the Haganah, made it possible to keep open the road to Jerusalem. In the rest of the country, too, the Arabs began to flee in terror, even before they clashed with Jewish forces. The Jewish forces proceeded to advance through Haifa like a knife through butter. The Arabs began fleeing in panic, shouting "Deir Yassin." Not one person of 14,000 people was left in Safad in northern Palestine, six hours after the exodus commenced".

This is in brief the story of the refugees, and mind you, as related from events that all took place between November 1947, the date of the partition resolution, and the 15 May 1948 the day of the proclamation of Israel.

The rest of the story, Mr. Chairman, is hair raising and heart breaking. These innocent refugees, expelled from their homes, have streamed in all directions to the surrounding area. Ever since, they have survived through U.N. assistance, while their possessions are seized by Israel - possessions that do not admit of any evaluation - they are the toil and sweat of generations - The refugees have left behind, their towns, villages, homes, farms, factories, shops, public domains and scores of possessions of invaluable value. The revenue of these possessions is enormous. It amounts to millions of dollars, and this is the right occasion

for me to propose that a General Administrator be appointed to look after the properties of the refugees. He will collect their revenues and hand them over to the refugees. We suggest that Dr. Davis, the Director of the Agency be authorized to act as a General Administrator of the properties of refugees. Dr. Davis possesses the experience and the confidence required for such a mandate. If for any reason it should be necessary to assign this task for another independent agency appointed by the General Assembly, we would be only willing to accept such an arrangement as long as it secures to the refugees the rentals, produce, and revenues of their properties. Furthermore, we would be ready to consider the possibility of defraying the expenditure of the Administering Agency from the revenues of the refugees properties, thus relieving the U.N. from further financial commitments. For the last thirteen years, the Israelis have been seizing the whole income of the refugees. Entering upon its terms of reference, the first thing the administering agency would do is to collect from Israel the total of such income. This proposal, I submit, is a great relief to the refugees and the U.N. Thousands of the refugees would live on their own and the U.N.'s financial responsibility would be reduced to a minimum. It is most inhuman that the refugees should survive on international charity, when their national wealth does not admit estimation. The U.N. should not pay the price of the defiance of Israel. Israel should surrender the properties of the refugees to U.N. authority. This is a fair proposal to make, and the minimum the U.N. should do. The refugees are suffering beyond imagination and such a measure becomes the more demanding. No amount of words would be sufficient to describe the life of the refugees. It is simply horrible, unthinkable, and indescribable. They live now in tents and camps, and their distress has moved the conscience of the world. Their tragedy has provided a complete history of frustration and human suffering. This disastrous episode has attracted to the refugees camps, congressmen, Parliament members, commentators, reporters, humanitarians, religious ministers and people of all walks of life. All have returned from these visits with the souvenirs of grief and bereavement. This is no wonder for this is the drama of a whole people uprooted from their homeland, living in exile - in the captivity of nostalgia, in the agony of homelessness - in the grip of anger, and entrenched in determination to go back home. These are no metaphors of eloquence. These are no words of wailings. There are no expressions of lamentations. These are the burning issues of a reality - an existing reality. Even diplomats, who are said to act without sentiments, have described the refuge situation in the most moving words - Mr. Henry Byroad, for some time a U.S. Assistant Secretary of State, said "a breath of fresh air would be given the world if all concerned would simply admit the fundamental facts that these people are homeless..." Returning from his visit to the refugees in the summer of 1953, the late U.S. Secretary of State, Mr. Dulles, said "within these camps, the inmates rot away, spiritually and physically. Even the Grim Reaper offers no solution, for as the older ones dies. Infants are born to inherit their parents' bitter fate."

I have placed these facts before you not to arouse your indignation and resentment against Israel. Israel is immune to all sentiments of indignation, and Israel is impregnable to any feeling of resentment. Neither moral pressure is of any avail with Israel. After all, the problem of the refugees is the cold-blooded making of Israel, and no one should expect Israel to go against its very nature of defiance, and its very instinct of aggression. Defiance and aggression are not the attributes and qualities of Israel. They are inherent in her existence. These facts however are placed before the U.N. in an endeavor to arrive at a peaceful solution of the problem - and, at this point, permit me Mr. Chairman to say right away that the U.N. has already decided the solution, and has already established the machinery for the solution. You will find this in the U.N. resolution 194e 111 of December 1948. Under this resolution which has been commonly known as the repatriation resolution, the General Assembly decided that the refugees who wish to go back to their homes should be permitted to do so, and those who do not wish to go back to their homes should be compensated. This is the gist of the resolution. To put teeth in the resolution, the General Assembly has established The Palestine Conciliation Commission with definite instruction to facilitate the repatriation of the refugees wishing to return. This is the U.N. solution and this is the U.N. machinery - both decided in one resolution.

But what was the result. In a word, not a single refugee was repatriated - and not a single refugee was compensated. The Conciliation Commission has been unable to persuade Israel to accept the U.N. resolution. Up to this moment, the Conciliation Commission has submitted to the Assembly no less than 15 progress reports - all reporting no progress, except the defiance of Israel in progress.

Faced with this defiance of Israel, the U.N. has not betrayed its definite stand. Time and again, the General Assembly, reaffirmed its resolution of repatriation of 1948. Each and every session, Israel, basing herself on mutilated press clippings, raises the rusty arguments of sovereignty, the decaying plea of war, and the decomposed pretext of Israel's security and economy. But each and every session the General Assembly proceeds to uphold its resolution of repatriation. I shall not read the pertinent paragraphs of these resolutions. It is enough simply to enumerate them. They are: 194 (3), 212 (3), 302 (4), 393 (5), 394 (5), 512 (6), 513 (6), 614 (7), 720 (8), 318 (9), 916 (10), 1018 (11), 1191 (12), 1315 (13), 1456 (14).

All these resolutions have been passed by the Assembly and all these resolutions have been violated by Israel. The resolutions of the last session was unanimously adopted with Israel abstaining. And here we are convened at this session only to find Israel devoted to her chronic rebellion against the wishes of the international community - a rebellion committed against the U.N. by the very creation of the U.N.

Had this organization not been torn by power politics, by the balance of terror and the East-West conflict, we would have reminded the U.N. of the forgotten article of the Charter. Article 6 of our Charter provides that "a member of the U.N. which has persistently violated the principles contained in the present Charter may be expelled from the organization by the General Assembly upon the recommendation of the Security Council".

Israel's position on the question of the Arab refugees qualifies her for such a punishment. In the words of the Charter, Israel has persistently violated the principles of the Charter. Israel's persistent exclusion of the refugees is a persistent violation of the principles of the Charter. If Israel's resistance to U.N. resolutions passed by the Assembly in the last 13 years, is not a persistent violation of the Charter, I wonder what the term violation means. Expulsion of Israel from the U.N. is the least sanction to redress the expulsion of a whole people from their homeland. And such a remedy must be invoked at the right moment.

I must remind, you, however, that the right of the refugees to their homeland does not arise from the U.N. resolutions or even the U.N. Charter. It is their birth right, inherent in their being, emanating from their national existence, devolving upon them from their ancestors - and the ancestors of their ancestors since recorded history. The right of the people of Palestine to their homeland is not the license, the grant, or the grace of the U.N. This organization does not establish a homeland, nor constitute a people. It does not invest or divest a public right. All the U.N. can do is recognize, uphold and support a right; and all the U.N. should do is facilitate the right to be realized, materialized and activated.

With regard to the problem of the Palestine refugees, the U.N. has recognized the right of the refugees to repatriation. But repatriation is a right which stands even without the U.N. recognition. The right of a people to their homeland is not deniable or even debatable. Otherwise, we would be impeaching this organization as an organ for Nations United. Nations do not exist without their homeland and their right to their homeland. Your right to your homeland is paramount - it constitutes the base of the pyramid without which the pyramid is bound to collapse. Without a homeland your independence, your sovereignty, your security, your dignity and indeed your very existence are the absolute non-existence, and the infinite nothingness.

Thus, Mr. Chairman, the right of the refugees to their homeland is primary, elementary and mandatory. It cannot and will not be assailed by any consideration of any nature. The right of the people of Palestine to their country - is the very same right you have with regard to your country - a right you exercise with full right, and enjoy with full joy. Let no one in this committee infringe the rights of the people to their homeland unless he is ready to betray his right to his own homeland.

I have laboured this point for the simple fact that the problem of the Arab refugees, is in essence, the problem of a whole who should not be denied their right to self determination. The people of Palestine are the 20th century victims of the denial of the right of self determination. As the U.N. Committee has rightly remarked in 1947 "The principle of self determination was not applied to Palestine. Actually, it may be said that the Jewish National home and the man date for Palestine run counter to that principle".

With this glaring conclusion, I should like to put the question, can the U.N. deny the right of self determination to the Arab refugees. Has the right of self determination become a refugee principle uprooted from the U.N., without a home and with no support?

In exercise of that principle, the people of Palestine have been, since their exile, clamoring to go back to their homeland to live in their homes.

In 1922 the people of Palestine were placed under Mandate A to prepare them for independence. You all know, people under Mandate C, and even people under direct rule - under no mandate - have become independent, and were admitted to the U.N. To deny the people of Palestine their right to their homeland is travesty of the U.N., a mockery of the universal declaration of the rights of man, and a shameful breach of international decency.

Last year, the General Assembly has adopted a resolution requesting the Conciliation Commission to make further efforts for the repatriation of the refugees. That was a unanimous resolution. A year, now, has elapsed and not a single refugee has been repatriated. If for the past year, one refugee was repatriated each month, we would expect the Conciliation Commission to report the repatriation of 12 refugees. The questions then arise: what further efforts has the Conciliation Commission made to implement the resolution of the General Assembly? Why has not the Conciliation Commission submitted a progress report pronouncing no progress? Why has not the Commission complied with the resolution of the General Assembly?

Clearly, Mr. Chairman, this is a serious situation. The problem involves the destiny of a whole people whose dignity has been wounded by charity. To the U.N. it involves a great financial responsibility necessitated by the defiance of Israel and perpetuated by the continued defiance of Israel. Such a situation calls the Conciliation Commission to question - and a serious question indeed.

We are, therefore, bound to ask in public, and from this forum whether the Conciliation Commission stands ready to implement the resolution of last year for the repatriation of the refugees. The Conciliation Commission, we cannot deny, has been faithful in its support to the principle of repatriation, but in the field of action, the Commission has failed. The Commission did not even suggest to the Assembly any course of action. I do not think any explanation of this default has been ventured in the past - and I venture to explain why.

The Conciliation Commission has been constituted from the U.S., France and Turkey. This composition, by itself, was a great blunder - and those Arab regimes who did not see the blunder at the time, exist no more - I say a blunder for many reasons - in the first place with such a composition the Commission does neither reflect an equitable geographic representation nor the general trends in the U.N. The Commission is a Western composition, and it is mainly the west that supported the partition of Palestine and the creation of Israel. The U.S. is not only deeply involved with Israel, but particularly interested in its luxury and prosperity. France's position was some - what balanced at the beginning, but was later imbalanced by the aggression of 1956 and the sale of arms to Israel. As to Turkey - and here I speak of Turkey the government - not the people - the old regime did not, to say the least, live up to the expectations.

I wonder, whether after this bitter experience, and with such a composition, the Conciliation Commission is willing to do any useful work in the field of repatriation. It is now twelve years, since the Palestine Commission has been established. So far, the Commission submitted fifteen progress reports, that could be summed up in a word - nil - with this nil in mind, the one million refugees are wondering whether the Conciliation Commission should be maintained, abolished, or expanded.

These lines of action are really open for serious consideration and the U.N. should make up its mind as early as possible.

The maintenance of the Commission with such inaction is a stagnation, and a U.N. mockery. To abolish the Commission has the advantage of alerting the world public opinion of the worth of the U.N.

To expand the Commission is not without justification. The Commission should not be an organ of the West, for the simple reason that the U.N. is not an organization of the West. At present, the Commission is constituted of three nations, why not add six other nations. Three would be representing the Eastern block with the Soviet at its head, and three others would be uncommitted nations - one from Asia, one from Africa and the third from Latin America. In the whole, it would be a nine member Commission representing all shades of the U.N.

This is, Mr. Chairman, how we can start a beginning for the solution of the refugee problem, within the framework of the U.N. I say within the framework of the U.N. for if we fail to act as we should act, a solution to the problem would be sought outside the U.N. This conclusion is justifiable indeed. That it is justifiable hardly calls for reasoning. This is quite natural and human - and we cannot resist human nature. The Arab refugees, have been telling you through direct solicitation, through the reports of the Conciliation Commission, and through the reports of the Director, that they are determined to go back to their country, that lapse of time serves only to kindle their languish that change of conditions in Palestine does not change their national aspirations, and that no power on earth would bend their determination to go back to their homes in their homeland. So far, their demand has not been met. Israel is in defiance and the U.N. is in silence - no action and no sanction.

To the refugees this is quite intolerable, and unacceptable. These people were the so-called sacred trust of the League of Nations. Starting from 1947, this trust has devolved upon the U.N., and the U.N. cannot and will not be absolved from its responsibility before they are returned to their homes. In the Congo, the U.N. has shouldered a vast and active responsibility. I beg of my colleagues of Africa, to say in passing that the plight of the Arab refugees is more grievous than the situation in the Congo. With all its seriousness, the situation in the Congo does not involve the fate of a people. No matter what dangerous developments may take place in the Congo, the people would remain in the Congo - they would still live in the Congo. With regard to the Arab refugees, they are not there - they are not in their homeland, and the refugees simply ask, what is the worth of the U.N. if we cannot live in our homes. I would not hesitate also to ask what is the worth of the U.N. if the U.N. cannot restore a refugee to his home, restitute his property and protect his dignity.

If we, in the U.N. do not answer these questions, the refugees are bound to answer them themselves. If we do not protect their right, they are bound to protect them themselves. If we do not enforce the law - they are bound to take the law in their hands.

Taking the law in their hands simply means rising to arms. It means war and all the misery and sorrow of war. War is bad, but what is worse is to allow a situation to drift to the brink of war.

Let me tell you, the Arab refugees are now starting a movement of reorganization. They are a gallant people who fought the British for thirty years to emancipate their country.

The tombs of their martyrs and the graves of their heroes have gemmed its plains, its valleys, and its mountains. The refugees are determined to die to the last man, woman and infant in defense of their country rather than die in starvation and humiliation.

Should the refugees rise to arms, it will be the responsibility of the U.N., caused by the inaction of the U.N. The Charter makes it imperative upon the U.N. to remove all causes of war and threat of war. The universal declaration of the rights of man, in its preamble, has demanded the protection of human rights so that "man is not to be compelled to resort to rebellion against tyranny and oppression". The preamble of the constitution of the UNESCO has declared that "war was made possible by the denial of the democratic principles of the dignity, equality and mutual respect for men..."

Thus, Mr. Chairman, the U.N. is duty bound, not to make war possible by the denial of the dignity of man. What is before you is not the dignity of one man, but the dignity of a whole people. So let the

U.N. restore to these people their dignity, and not make war possible. Except for self preservation, and the sacred defense of one's country, war is the worst invention ever made by man.

That is why I have pressed for a solution within the U.N. before it is too late - before a solution is sought outside the U.N. It is our ardent hope that the U.N. would wake up, would harken to the siren, would rise to the challenge, would shoulder its responsibility, and finally would extend to the land of peace, a message of peace, based on justice, equity and human dignity.



**AHMAD SHUQEIRY, CHAIRMAN OF THE SAUDI ARABIAN DELEGATION TO THE UN  
AND MINISTER OF STATE FOR UN AFFAIRS, INTERVENTION REGARDING THE  
ISSUE OF PALESTINIAN REFUGEES, UN GENERAL ASSEMBLY, 30 NOVEMBER 1960  
[EXCERPTS]**

I have listened with close attention to the various statements that were made before this Committee, since I first made my opening address. Of particular significance is the statement of the honourable Francis Wilcox on behalf of the U.S. We attach great importance to his statement for many reasons.

First, the United States is a great power and its views, in spite of the sovereign equality of the U.N. members, must carry a great deal of weight; Second, the U.S. has played a major role in the partition of Palestine, the establishment of Israel and its continued survival. Third, the U.S. is a prominent member of the Palestine Conciliation Commission, with France and Turkey as the other members. Yet is fairness to international realities and with all due respect to Turkey and France, we can take the Conciliation Commission to be composed of the U.S. and the U.S. only. [...]

It is a fact that on the question of the refugees, the Arab Delegations do speak with a great deal of sentiment, carried by high passion. This is quite understandable, natural and human. Charged as it is with humanitarian convulsion, the question of the refugees involves out of necessity a set of human feelings. I assume that the delegates to whom I am addressing myself, Israel excluded, are moved by human feelings on this problem. As members of a human brotherhood, we all share in the sentiments of distress in any distressing problem. The question is only one of degree between those proximate and those remote. For our part, our feelings are expressed in the strongest of emotional passions and passionate emotions, for the refugees are our people and Palestine is our homeland. [...]

Again, Mr. Chairman, the problem under consideration involves one million refugees, representing half of the people of Palestine. In terms of the population of the U.S., the Palestine refugee problem means 80 million citizens. This is what it means for us to suffer a refugee problem; and what is involved embraces everything that belongs to human life. What is at stake is not only food and shelter but dignity, national existence and all the spiritual and material human rights. [...]

The Palestine problem, of which the refugee problem is only an integral part, has been the direct outcome of the lack of statesmanship on the part of the U.S. In 1947, it was the U.S. that pressurized the U.N. to adopt a policy that led to the present calamity of the Palestine refugees. What sort of statesmanship is it to divide a country against the wishes of its people. What statesmanship is it for the U.S. to have extended on the 15th May 1948, recognition to Israel just one minute after its establishment had been declared, without being assured that Israel would respect the rights of the refugees. What statesmanship is it for the U.S. to have endorsed, on the 11th May 1949, the admission of Israel to the U.N. without the slightest assurance that Israel would implement the resolution of the U.N. on the problem of the refugees. All throughout these years and up to the present moment, the U.S. has been extending economic assistance, grants in aid, and facilities for fund raising campaigns, without pondering for a moment that such policy on the part of the U.S. amounts to fortifying the refusal of Israel to admit the rights of the refugees to their homes and homeland.

The matter, however, Mr. Chairman, did not stay at this point. The U.S. made another appeal which goes far deeper to the substance of the matter. In his statement before the committee, the Distinguished Representative of the U.S. has urged all delegations to proceed from the premise that the crucial factor is the present and future welfare of the Palestine refugees themselves. He further stated that if all work proceeds from that basic premise, real progress will be possible. This is a highly important statement that cannot be left without comment. It becomes more serious indeed when we remember that it is made by a State Member of the Conciliation Commission, entrusted to carry out the resolutions of the U.N. on the question of the refugees. [...]

The proposals of the U.S. boil down to two main points. The first, to accept the de facto situation as a starting point for the solution of the Palestine problem. The second, in relation to the Palestine refugees, is the repatriation of one tenth of the refugees and the integration of the remaining nine tenths in the Arab countries.

Such proposals, Mr. Chairman, not as yet denied, are totally unacceptable. The Arabs will not accept the de facto situation, and never will they accept it. We will not abandon the right of any of the refugees. Neither would we abandon the right of one single baby refugee to his right of repatriation. I stress baby refugees to answer the point referred to by the Distinguished Representative of the U.S. that "about half of the refugee are young people born after their parents left their former homes". But this is not all. We shall not be confined only to the mere rejection of the U.S. proposals. Should they stand undenied, we are bound to take the necessary position in keeping with the resolutions of the U.N. on the question of the refugees. Our position, then, would be to consider the U.S. becoming disqualified to serve as a member in the Conciliation Commission. Furthermore, we will be bound, under such circumstances, to discontinue our cooperation with the Commission.

This is not an extreme position inspired by the spur of the moment. It is a balanced application of the very statesmanship which the U.S. has urged. To declare the disqualification of a commission member when he violates the terms of reference of the mandate, is a sound judgement based on sound statesmanship. In the present case, to propose the repatriation of a fraction of the refugees, is an infraction of the resolution of the U.N. and a breach of the mandate as assigned by the U.N. It is an established rule of international jurisprudence and practice that when the terms of reference of any assignment are violated, the assignment becomes ipso facto rescinded, further action is arrested and the assignees lose their status under the assignment. Thus, should no denial of those proposals be made, the U.S. stands absolved from her membership in the Commission with no necessity for a formal resolution by the U.N.

Let me turn now to the U.S. financial approach to the refugees problem. In his statement, the distinguished delegate of the U.S. has invited our attention to the fact that since May 1950, a number of governments have voluntarily contributed a total of nearly 319 million dollars. Since UNRWA began, we are told by the Distinguished Delegate of the U.S., the contribution of the U.S. has been over 222 million dollars. Here is an occasion for me to pause for a while to look into the balance sheet of the whole transaction.

First of all I should like to express my deepest gratitude to all contributing governments, and charitable institutions for their donations and services to alleviate the plight of the refugees. I express this gratitude not only out of a sense of responsibility but in response to our best traditions of gratitude. You can ascribe to the Arabs any demerits if you please. But the Arab chivalry and the sense of gratitude are the qualities that cannot be denied to the Arabs even in their greatest moment of hardship and affliction.

But with candor and truth I should tell our distinguished friend of the U.S. that the 222 million dollars so far contributed by the U.S. is in essence not without a political background. This sum is only a partial price for the policy of the U.S. on the question of Palestine. Against our advice and protests the U.S. has chosen to pursue a policy which was bound to lead to the expulsion of the Arabs of Palestine from their homeland. The U.S. has employed every form of undue pressure and every amount of duress to drive the U.N. into the hazards of the partition of Palestine. Now, after the catastrophe, the U.S. cannot simply wash its hands from the mess. The donations of the U.S. are only a partial

indemnity for the damage done to the people of Palestine. It is no use complaining of the consequences, when the consequences are the direct result of the policy adopted. This is the price of lack of statesmanship in handling the Palestine question. You did not heed our warnings nor the warnings of great friends of yours. In 1947, when the U.N. was discussing the partition of Palestine, Sir Zafarullah Khan, then foreign minister of Pakistan, a man of great talent and foresight has appealed to you in the General Assembly in these historic and moving words "I beg of you not to ruin and blast your credit in the Middle East". This appeal you have rejected and most of your credit in our lands has been ruined. What remains is on the way to ruin, should you continue the same policy.

The U.N. should bear in mind, the U.S. included, that the hundreds of millions of dollars extended as a relief to the Arab refugees does not stand to measure to the sufferings of the refugees, or the loss of their property. The exile of the refugees from their homeland and the loss of their national dignity, does not admit evaluation. An inch of Palestine is as valuable as any inch in the territory of the U.S. Neither of them can be valued for the whole treasure of the world. Damage done to Arab property can be compensated, but for Palestine as an Arab homeland there is no compensation. The Arabs will not give up their right to their homeland for all the wealth in the world.

It is with such a background that Count Bernadotte, assassinated by the Zionists in the course of his heroic mission for the refugees, has stressed the U.N. responsibility for the question of the refugees. In his progress report to the General Assembly, the U.N. mediator has emphasized the continuing responsibility of the U.N. not to be discharged unless and until the repatriation of the refugees is implemented.

On the other hand, it is neither fair nor just to confront the refugees with any inference of indebtedness for the payments so far made by the contributing government. The refugees have not been repatriated through a fault of their own. They are not repatriated because of Israel's defiance. The U.N. members who are continuing their payments are simply paying the price of Israel's denial of the rights of the refugees. The U.S. alone, not to say the U.N., can bring Israel to her knees. Israel's emergence has been made possible by the support of the U.S. Israel's viability in the past and present was also made possible by the support of the U.S. Without the U.S., the past decade has shown, Israel's existence is a political fiction. By withholding the U.S. economic assistance, Israel would admit the second day the rights of the Arab refugees, if only, in the words of Mr. Kennedy, the President elect, the U.S. moves forward.

Let us turn now to another aspect in the position of the U.S. In his statement to the committee the distinguished representative of the U.S. said that: "the PCC cannot fruitfully work in a vacuum. Progress ... depends fundamentally on the attitudes and the actions of the parties". The distinguished representative of the U.S. went on further to say: "During the last several years, the governments concerned directly with the Palestine problem have not utilized the commission by proposing possible solutions".

This is all wrong, Mr. Chairman. I do submit with all due respect that this statement of the U.S. is wrong in fact and wrong in conclusions. The distinguished representative of the U.S. is a very able and charming personality. He deserves our respect and admiration. But we are bound to tell him that what I have just cited of his statement is neither corroborated by the facts nor supported by the U.N. resolutions to which the U.S. has subscribed.

Our record with the PCC is one of a long history - too long to be capitulated at present. Those who followed closely the work of the PCC are not unaware of the facts. In particular, the States members of the PCC should be the last to be unmindful of the facts. The U.S., I assume, should not be forgetful of our attitude towards the Conciliation Commission. In a previous session, I have outlined our attitude towards the PCC in its efforts on the question of the refugees, and I quote from my statement: "The Conciliation Commission, at the outset of its mission, held its conference in Beirut in March 1949, in an attempt to explore the positions of the parties. The Commission heard the views of the Arab delegation, and the representatives of the refugees. Later, the Commission flew to Tel Aviv and met the Israeli authorities. Although the talks of the Commission were of an exploratory character, it had appeared from the start that Israel was beginning to manufacture a case against repatriation. The Beirut Conference failed because of Israel.

"Thereupon the Commission asked the parties to send their representatives to Lausanne for a fresh start in a fresh and neutral atmosphere. The invitation was accepted and the talks lasted for weeks and weeks. On 12 May 1949, a protocol was signed between the parties and the Commission, making the partition plan of 1947 a basis for discussion. The Israeli delegation signed this protocol which declared the object to be: 'to achieve as quickly as possible the objectives of the General Assembly's resolution of 11 December 1948, regarding refugees, the respect for their rights and the preservation of their property.' But no sooner had this protocol been signed, than Israel refused to accept repatriation, and the Lausanne Conference failed, because of Israel.

"In a further effort, the Conciliation Commission called the parties for further discussion in New York. The meetings took place during the whole summer of 1949 and covered every aspect of the refugee question, but the New York talks ended in failure, because of Israel.

"But the Commission did not fail in its patience. The parties were called again - this time to Geneva. Discussion roamed over every field. The meetings exhausted all winter, the spring and most of the summer of 1950. The Geneva talks failed, because of Israel.

"Trying again, under these trying circumstances, the Conciliation Commission called the parties to a meeting at Lake Success in October 1950. The talks were held as usual - Israel rejected repatriation and as usual, the meetings failed.

"The Commission, not yielding to this continued failure, called for another conference to be held - this time, in Paris. The meetings were started in the middle of September 1951 and continued to the end of November - Israel stood adamant against repatriation and compensation; and the conference dispersed on this failure".

All throughout these years we have cooperated with the Commission regarding all aspects of the Palestine question. We have submitted a number of proposals oral and written. The records of the Conciliation Commission are too voluminous to be summarized. They dealt with every aspect of the Palestine question. We have offered the Conciliation Commission a solution for every problem. We have submitted detailed proposals with regard to the properties of the refugees, their conservation, and their administration. On the repatriation of the refugees we have also stated the principles and details for the whole operation of repatriation. On the question of the internationalization of Jerusalem, and this is included in the terms of reference of the Conciliation Commission, we have submitted detailed proposals for the establishment of an effective U.N. regime for the city of Jerusalem. In the Trusteeship Council we have worked out a statute for the city of Jerusalem. In all aspects, we have done our most and our best to bring the efforts of the Conciliation Commission to a success. This is our record with the Conciliation Commission. What is the record of Israel?

In the first place, Israel has violated the Lausanne protocol which bears her signature. In the second place Israel has rejected the internationalization of Jerusalem and instead claimed the city to be her eternal capital. In the third place, Israel has refused to recede one inch from the Arab territory she now holds, and in the words of Mr. Ben Gurion, Israel would not hand over at the peace table what she has gained in the battlefield.

With this record in mind, it is only fair and just that the U.S. should state the facts in fairness and justice. It is unfair and unjust, on behalf of the U.S., to refer to the Arab States and Israel in the same terms and in the same adjectives. Israel has rejected the implementation of the U.N. resolutions on the question of repatriation while the Arab States have always urged the implementation of these resolutions. You cannot put in one equation the defiance of Israel and the acceptance of the Arab States. You must place the guilt where it belongs and seat the guilty in the dock. I wonder what is it that the Arabs are asked to do. What is it that they are asked to propose to the PCC? What reasonable proposals are they urged to suggest? Should they propose the abandonment of the rights of the refugees? Should they agree to the integration of the refugees in their countries? Is this what you consider to be reasonable, realistic and practicable?

Such proposals we shall never advance, nor will we accept, now or at any time to come. The Arab States will never betray the right of the Arabs of Palestine to their country. Palestine is their home, and to those who deny this historical fact I would simply say "You do not, then, belong to your

homeland." Furthermore the Arabs of Palestine are determined to go back to their country. This is their indomitable determination, now and for all time to come.

Thus, Mr. Chairman, if the Conciliation Commission is now in vacuum, it is because Israel has succeeded to bring failure to the effort of the Conciliation Commission. The Commission, to o, instead of pursuing an effort of action, has retreated into inaction just maintaining a shadow existence. Instead of disclosing the rebellion of Israel against the efforts of the PCC and in violation of the U.N. resolutions, the distinguished Delegate of the U.S. places the Arab governments and Israel on the same footing.

But this approach of the U.S. regarding the refugee problem is not amazing. That was the U.S. policy in the past and in the present. I do not think that it would even develop into fairness in the future, unless a basic change of mind and a revolutionary approach is made by the new U.S. Administration.

In formulating their policies, on the question of the refugees and on the Palestine question as a whole, the U.S. is bridled and led by the Zionists against the true interests of the U.S. When a group of U.S. diplomats told President Truman of the deteriorating American position in the Middle East, President Truman replied: "I am sorry, gentlemen,... I do not have hundreds of thousands of Arabs among my constituents".

This is most eloquent, most telling and most informative. It simply shows that the position of the U.S. on the problem is not based on fairness, or justice. It is not even based on the interests of the peoples of the U.S. as a whole. It is based on the agitations of some thousands of American Zionists in the U.S. I beg your pardon, they are not American Zionists - they are Zionists in America.

That is why the statement of our colleague of the U.S. cannot tolerate to be fair and just. On the contrary, because of this Zionist pressure we should expect it to be unfair and unjust. And it is because of this Zionist pressure that the U.S. cannot take a just, fair and bold position within the Conciliation Commission. This is the cardinal defect in the composition of the PCC ever since it started in 1948, when the U.S. was first chosen as a member of the Conciliation Commission. [...]

At the very end of the statement of our distinguished colleague of the U.S. the whole problem of the Palestine refugees seems to be brought to an end. It is brought to an end without an introduction, bluntly and frankly. It is brought to an end without much speaking but by employing the letter A. Of the five points which distinguished Representative of the U.S. has stressed as necessary to make real progress in dealing with the problem of the Palestine refugees, the fourth point reads as follows: "The Palestine Conciliation Commission must continue its efforts to prepare the way for progress toward A solution of the refugee problem".

Thus the U.S. is looking for A solution of the refugee problem. This little A is more telling than a whole volume. For anyone descending upon the U.N. from the planets, confronted for the first time with the problem of the refugees, this statement of the U.S. seems very sensible and reasonable. The matter simply appears as a refugee problem for which we must seek a solution. But as soon as we tell this celestial visitor that the U.N. has already decided a solution since the year 1948d, he would be shocked.

We cannot, therefore, but be bewildered at this statement on behalf of the U.S. The U.N. Resolution 194 III has decided the repatriation of the refugees. This resolution has been recalled and reaffirmed in each and every session. The U.S. did not only vote for these resolutions but was a co-sponsor, I daresay a major co-sponsor of these resolutions. As such the U.S. should stand for the effective implementation of the U.N. resolutions. Instead, the U.S. comes this year to remind us that we should search for A solution as though the solution has never been found. It is regrettable for a great power as the U.S. to hide the little letter A. Such a hiding, Mr. Chairman, does warrant the assertions of the Soviet Union that were it not for the support extended by the U.S., Israel would have long ago recognized the rights of the refugees.

In the course of the debate, Mr. Chairman, the gentleman from Israel has desperately attempted to destroy the case of the refugees on a number of grounds. First of all, he endeavored to reduce the number of

refugees. His concern, on this count, is to eliminate the resentment of world public opinion. The attempt is abortive and is refuted by the figures of the U.N. Agency which has been handling this matter now for ten years. Israel has attacked the refugees, driven them out of their homeland and dispossessed them of their properties. After such a crime, it is no wonder Israel is attempting to reduce the number of its victims. But their number is no difficulty. We can ask the Agency to carry out a census, when Israel retracts from her defiance to the U.N. The second is the question of reintegration. This is not the first time this plea, or distortion, is invoked by Israel in the U.N. We entirely reject as groundless the contention made by the gentleman from Israel that the U.N., the Secretary-General, the Conciliation Commission, the CLAP Mission or the UNRWA have suggested reintegration as a substitute for repatriation.

Repatriation, ever since December 1948 up to December 1959, has been the policy of the U.N. and all organs acting under the U.N. So far, the General Assembly has adopted 15 resolutions supporting repatriation. Contrary to what the gentleman of Israel has suggested, Resolution 393 V did not speak of reintegration in vacuum. In Paragraph 4, reintegration has been defined as either through repatriation or resettlement - repatriation for those who wish to be repatriated and resettlement for those who do not wish to be repatriated. This is the gist of reintegration. On several occasions, this point was raised by Israel, and in each instance, we read the pertinent paragraph on the question. We expect Israel to raise the argument next year and we shall read the resolution of the General Assembly again. Should Israel find it pleasing to distort, it shall be more pleasing for us to refute. Anyhow, if Israel is not tired to repeat a fallacy, why should we be tired to state the truth. [...]

Your U.N. has unjustly raised these historic associations from the resurrection of the past. Your appeal to forget the past, where was it in 1947. Why did you look far back to the past of antiquity, to establish a State from the ruins of the temple of Solomon? The refugees, on the other hand, have a past, but well defined, continuous and immemorial. The Arabs of Palestine are the inhabitants of the country since recorded history. Their exile is not three thousand years old, as the Hebrew exodus. It is 13 years old, preceded only in its medieval and modern history by 13 centuries. When we speak of forgetting the past, let us not forget that in this world of ours there is something called logic, common sense. Forgetting the past is plain nonsense.

The second slogan, Mr. Chairman, calls upon us to face the realities. This has been laboured at length by the gentleman from Israel. In reality this slogan lacks reality. It means that the refugees have been expelled from their country and that is the end. There should be no return, the conditions of the country have changed and Israel does not want the refugees to go back. The country is now Israel and there is no room for the refugees. This is the Israeli case. All this is sheer nonsense. If we are to accept situations as they exist, this organization of ours should not exist. There is no room and reason for the U.N. We have to face the realities of the situation, and there is no need for an international forum to examine any situation. Maybe, to make a show, in a showroom, the U.N. can be convened just to be seized with any situation and then proceed immediately to pronounce that this is an existing situation and that is all. In this sense, all injustices are realities - they do exist. They become part of international life. Territorial invasions, breaches of the peace, and many other violations can be realities. Should we accept them? Should we simply resign, abdicate and retire? If this is the philosophy with which we approach international problems why not liquidate the U.N. and leave the events establish themselves as existing realities. It is more honourable to revert to the law of the jungle, pure and simple. We will meet then, only to apply the law of the jungle in the U.N., in these nicely decorated chambers well equipped with all the amenities of civilization.

The third slogan, Mr. Chairman, has urged that we should not reverse the course of history. On the surface this seems to be an innocent appeal. Who can resist a genuine reminder not to reverse the course of history. In fact the refugee problem is the outcome of an Israel attempt to reverse the course of history. It is a simple fact of history that Palestine is the ancestral home of the refugees since the days of Canaan. The establishment of Israel itself, was, therefore, a reversal of the course of history. Its emergence since 1948 has not become history, nor part of the course of history. The whole thing is still an experiment proceeding towards failure. Those who volunteer the advice not to reverse the course of history, must apply it where it belongs. Zionism is the only surviving ideology endeavoring

to reverse the course of history. If Zionism is based on religion, the trend of history is not in the direction of establishing States on the basis of religion. If it is the race, there is nothing known as the Jewish race, and it is a stigma in the present historic era to create a State on the basis of race. [...]

The fourth slogan, Mr. Chairman, is the appeal for negotiations, with a view to solving the refugee problem by the agreement of the parties concerned. This is a chronic slogan of Israel. The gentleman from Israel has made of it much ado about nothing, in a poor imitation of Shakespeare's play.

In the first place I should like to stress that the people of Palestine, not the Arab States, are the main party concerned. Just as had been the case in the U.N. on the items of Tunisia, Morocco, Libya and now Algeria, the Arab States do stand to support the cause of justice and equity. Thus it is with Palestine. Although part of the Arab homeland, Palestine is an Arab country with a special entity and a separate personality. Its people, although part of the Arab nation, are lord and master of their country. They have the last word in the destiny of their country. The Arab States, therefore, are not a party to negotiate with Israel, just as they are not a party to negotiate the Algerian question with France. The Arab States are backing the Algerian cause but it is the government of Algeria which is the lawful party to negotiate. Thus it is the people of Palestine, who determine the destiny of Palestine. This is the intelligible meaning of the principle of self-determination. There is no reason why the people of Palestine should be denied this universal principle. The gentleman from Israel suggested the other day that the refugees be resettled in the Arab countries where there are no barriers of religion, etc. ...I shall make no effort to refute this fallacy. The people of Palestine belong to Palestine and can only be resettled in Palestine. There's no need to look for new homes because they have their homes in Palestine. By analogy the suggestion from Israel, should the Christians of New York be driven out by its Jews, is tantamount to saying "you Christians, go and live in other states where there are no barriers of religion. The people of Palestine reject any resettlement outside their homeland. Israel's permission for repatriation, as suggested by the gentleman from Israel does not arise, for the people of Palestine have existed in Palestine centuries before the establishment of Israel.

In the second place, the question of repatriation, by its very nature, does not admit negotiations. The moment you speak of negotiations for repatriation, you have destroyed repatriation as a principle. Negotiations are conceivable for problems which are problematic, for matters which are contentious, for questions which are debatable, for issues which are arguable. I should like to ask you, is the question of repatriation contentious, arguable, debatable? Is the question of repatriation negotiable? Repatriation is an inherent right, just as the right to live, to worship, to freedom, to liberty, to human dignity. Are these rights subject to negotiation. The rights of man as embodied in the Universal Declaration are rights per se, that stand on their own. They are not rights that rise as a result of negotiation. We know, negotiations can end in denial or acceptance. Can the right of repatriation be denied? Never, and I would challenge the U.N., Israel excluded, to deny the right of repatriation. Therefore, neither the Arabs of Palestine, nor the Arab States, would enter into negotiations with Israel on the question of repatriation. This is a final conclusion reduced to the last point of finality - never to be changeable and never to be reversible.

In the third place, and I make it third because it is not the first consideration, the U.N. has recognized the right of repatriation independent of the agreement of Israel. The arguments raised by the gentleman from Israel on this point had been raised at every session since 1948. At each and every session they were rejected, and at each and every session the U.N. has reaffirmed its stand on repatriation. The U.N. resolution 194 III did not make the agreement of Israel a condition precedent for the repatriation of the refugees. Paragraph II pronounced that "the refugees wishing to return to their homes ...should be permitted to do so..." The same paragraph spelled out the injunction to the Conciliation Commission to facilitate the repatriation of the refugees. Thus, the agreement of Israel is not written into the resolution. It could never be. Repatriation would be sheer nonsense if we were to subject it to the consent of Israel. It would be tantamount to subjecting our resolutions to the consent of one or more of its members - indeed it would amount to subjecting the whole of the U.N. to the agreement of this member or that. The whole idea of the U.N. would be a comedy and its charter would be a tragedy.

On the 12th May 1949, at 10:30 A.M. a meeting of the Palestine Conciliation Commission was held in Lausanne with the Israeli Delegation. Those present were: Mr. De Boisanger (Chairman) France, Mr. Yalcin, Turkey, Mr. Ethridge, United States of America, Mr. Azcarate (Principal Secretary), Dr. Walter Eytan, Israel.

In the course of this meeting the following Protocol was signed by the delegation of Israel, on the one hand, and the members of the Conciliation Commission on the other:

Protocol

The United Nations Conciliation Commission for Palestine, anxious to achieve as quickly as possible the objectives of the General Assembly resolution 11 December, 1948, regarding refugees, the respect for their rights and the preservation of their property, as well as territorial and other questions, has proposed to the delegation of Israel and to the delegations of the Arab States that the working document attached hereto be taken as a basis for discussions with the Commission.

The interested delegations have accepted this proposal with the understanding that the exchanges of views which will be carried on by the Commission with the two parties will bear upon the territorial adjustments necessary to the above indicated objectives.

Lausanne, 12 May 1949.

(Signed) Claude de Boisanger (France), Chairman  
Cahid Yalcin (Turkey)  
Mark Ethridge (United States of America)  
Walter Eytan (Israel)

This resolution 194 III, I am not tired to repeat, has been reaffirmed by all the resolutions passed by the Assembly on the question of the refugees. Of these, resolution 512 VI has a direct bearing on this slogan of negotiations and agreement. This resolution leaves no room for agreement and negotiation, because it calls for unreserved, unconditional and unqualified implementation. Paragraph 3 reads: "CONSIDERS that the governments concerned have the primary responsibility for reaching a settlement of their outstanding differences in conformity with the resolutions of the General Assembly on Palestine".

Paragraph 4 reads: "URGES the governments concerned to seek agreement with a view to an early settlement of their outstanding differences in conformity with the resolutions of the General Assembly on Palestine...".

Paragraph 5 reads: "CONSIDERS that the Conciliation Commission for Palestine should continue its efforts to secure the implementation of the resolutions of the General Assembly on Palestine...".

Thus in one resolution the General Assembly has pronounced three injunctions urging the repatriation of the refugees through implementation not negotiation. And before this resolution as well as the remaining fourteen resolutions are shamefully revoked, the U.N. is duty bound to implement its resolution. Any slogan for the agreement of Israel or any appeal for negotiations with Israel is an attempt which brings upon the U.N. nothing but shame, disgrace and degradation.

I say shame, Mr. Chairman, for the slogan of negotiation has no meaning with Israel. The gentleman from Israel has gone into great labour to show that resolution 194 III was one and single, and should be viewed as a whole. Well let us take it as a whole, and let us put the record of Israel in relation to the whole of the resolution.

The Palestine question, Mr. Chairman, falls into three main divisions: The refugees question, the territorial question, and the question of Jerusalem - all these problems are treated by the resolutions of the General Assembly.

On the question of Jerusalem, Israel has transmitted to the Trusteeship Council a document T431, which contained the declaration made by Mr. Ben Gurion with regard to Jerusalem. Mr. Ben Gurion states as follows:

"The General Assembly of the United Nations has decided to place Jerusalem under an international regime as a separate entity. This decision is utterly incapable of implementation - if only for the determined, unalterable opposition of the inhabitants of Jerusalem themselves. But for the state of Israel there has always been, and will be, one capital only - Jerusalem, the eternal. So it was three thousand years ago - and so it will be, we believe, until the end of time".

With Jerusalem declared a Jewish capital until the end of time, what are we going to negotiate?

On the question of the refugees, the Palestine Conciliation Commission in Paragraph 13 of its progress report of 1950 stated as follows: "The Commission has not succeeded in achieving the acceptance of the principle of repatriation by the Government of Israel".

With this statement, Mr. Chairman, is there anything left for negotiation on the question of the refugees, when Israel does not even accept the principle of repatriation?

On the question of the territorial aspects, the Permanent Representative of Israel in a letter dated 27 October 1949, addressed to the Conciliation Commission, stated the following: "The Government of Israel now asserts its title to the territory over which its authority is actually exercised. All that territory had to be fought for ... but of the territory now constituting the State of Israel there can be no secession".

With this statement, Mr. Chairman, is there anything left to negotiate on the territorial question, when Israel rejects to give back areas assigned to the Arabs by the United Nations? Thus on the whole Palestine problem, there is nothing to negotiate, and we have to negotiate nothing.

The fifth and last slogan urges for resort to peaceful means rather than to force of arms. We cannot agree more. Resort to force to resolve international problems is outlawed by the Charter of the U.N. It is through peaceful means that international disputes must be settled. In the case of the refugees, the matter has been settled as early as December 1948 in support of repatriation. Ever since, the refugees have been conveying to you through all peaceful means their demand for repatriation. It was expressed, through direct solicitations, through the Conciliation Commission, through the Director of the UNRWA, and through the representatives of the Arab Delegations. The refugees have always demanded that effective measures be taken to put their rights into effect. For fourteen years they have been resorting to peaceful means to demand these rights. Until when should they wait the U.N. inaction. Resort to force indissmissible, only when the U.N. resorts to action. But when it retires to inaction - and for 14 years, the refugees have no course to follow but to take the law in their hands. The truth of the matter is that Israel, right from the beginning, has resorted to force. By the force of arms Israel was established. The U.S. King Crane Commission of 1921 has declared that the Zionist plan for the establishment of a Jewish State could only be established by military force. After his trip to the Middle East, President Roosevelt told the State Department that, in his opinion, a Jewish State in Palestine could be established and maintained only by military force. The day before yesterday, the gentleman of Israel told the Committee that "There is no other realistic outcome, short of a war which would destroy the State of Israel, and resettle the refugees among the ruins". Of course the gentleman of Israel can speak of the ruins so lightly for neither the land nor the property in Palestine are the ownership of Israel. This is the strategy of every retreating army in destroying the land of the enemy. Nonetheless, Israel has put the question very frankly and we should provide the answer very frankly too. Israel has been established not as a peaceful implementation of the resolution of the U.N. It was established by the force of arms, and by the force of arms Israel has driven out its people and dispossessed their property. At this session Israel asserts that repatriation can only be effected by war. The Arabs of Palestine, then, have no other choice but to resort to war. It would be a war of liberation, to regain their homes and homeland. It would be a war in self defense. It would be a war invited by Israel and by Israel's denial of the U.N. authority.

Israel, therefore, should not complain of the military preparations of the Arabs of Palestine. If you do not restore to me my home except by war, then war shall be the answer. The Arabs of Palestine, the present generation or their descendants, if you please, shall spare no effort or sacrifice until their country is emancipated to the last span.

Yet in an attempt to maintain peace, a number of delegations have stressed the need for an immediate solution to the refugee problem. I would repeat, the solution should be sought not for the principle, the principle has been decided and there is no power on earth to deny it. It should be focused on the measures of implementation. It is admitted that the refugee problem is part of the Palestine question. This is a major finding in the report of the Director of the Agency. The solution as recommended in 1947 in resolution (181 SII) has proved to be a calamity. It has led to the refugee problem, it brought about conflict, and has generated insecurity. It is still breeding instability, and should it continue, it will lead to untold consequences. The U.N. is therefore duty bound to go into a reconsideration of that resolution. And a reconsideration is one peaceful means to remove an injustice. The gentleman from Israel has attempted in vain to demolish resolution 194 of the 1948 repatriation resolution. His hair-splitting distortion is of no avail. In 1948, Israel has made every effort against the adoption of the repatriation resolution. But in spite of all the arguments, of the sovereignty of Israel, of the security of Israel, of the fiction of peace with Israel, the General Assembly has passed its resolution. There is nothing invalid about that resolution.

But the resolution which stands now null and void is the resolution of 1947 which gave rise to the establishment of Israel. In the first place, the United Nations is not empowered to partition a country against the wishes of its people. In all the colonial issues, in Asia or Africa, that were examined by the United Nations, the General Assembly did never resort to partition as a solution. The territorial integrity of any country is one of the fundamentals of the United Nations. By decreeing the partition of Palestine, the United Nations was simply betraying its own charter.

Contrary to what the gentleman from Israel has inferred, the partition of the sub continent of India, which give rise to the two sovereign States of India and Pakistan, was made outside the U.N. and by the consent of the people concerned. In the case of Palestine, not only an entire lack of consent was obvious, but there was a determined opposition, and what is devastating, the Jews in Palestine were the minority. They were an alien mass in gathering possessing literally all the features of an invasion. [...]

It is on the books of the U.N., that even those who voted for that resolution have done so with such a reluctance, that goes to vitiate their votes. Speaking on the plan for the creation of Israel, the representative of Sweden said that the "plan has its weak sides and some dangerous omissions". The representative of Canada said "we support the plan with heavy hearts and many misgivings". The representative of New Zealand spoke of the "grave inadequacies of the present proposal". The Foreign Minister of Belgium said of the plan "we are not certain that it is completely just, we doubt whether it is practical; and we are afraid that it involves great risks ... The Palestine question is particularly disturbing for Belgians. They have to make an effort to understand Zionism. The national home of our Jewish patriots is in Belgium. No one has treated them in such a way as to make them want to find another home in Palestine." The representative of the U.S. envisaged that "the boundary between the Jewish and Arab States will be as friendly as the boundary which runs for three thousand miles between Canada and the U.S." In all its paragraphs, the resolution itself had aimed at bringing peace to the holy land. These were the assumptions of the delegations that supported the 1947 resolution - assumptions that are now fully vitiated by the general unrest that has overtaken the Middle East from 1947 until the present moment. That resolution has aimed at bringing peace to two conflicting communities within Palestine. After this resolution, the conflict has widened. It has embraced the states of the region, and in 1956 has almost brought the world close to a nuclear conflagration. The boundaries which the U.S. envisaged to be as peaceful as those separating the U.S. and Canada, have proved to be the boundary of hate, unrest and bloodshed, bringing in its wake the expulsion of over one million human beings. [...]

It is under these circumstances, Mr. Chairman, that the question of the refugees was brought into the international arena. The question of the refugees has arisen in the wake of the Palestine question. To

solve the refugees question by repatriation you have to solve the Palestine question, and for the Palestine question there is only one solution and one solution only. This is how we see the solution. Palestine is a State under the mandate. That is the real status under the League of Nations. The U.N. as its successor, must respect its political independence, and its territorial integrity. The refugees should be repatriated and the unity of Palestine must be restored. It goes without saying that the Jews, the legitimate citizens of Palestine, will enjoy full rights. The half-million Jews who migrated from Arab lands to Palestine in the last decade will be given the choice to stay as citizens in Palestine in the last decade will be given the choice to stay as citizens in Palestine or go back to their respective Arab countries.

We take them to be our citizens. The rest of the immigrants will be repatriated to their countries of origin or to wherever they can go. Thus the situation would be normalized in Palestine. Its people, the legitimate citizens, Moslems, Christians and Jews alike can constitute their State in accordance with all the democratic principles and with a democratic constitution. Palestine, free and independent will join the U.N. and its delegation will embrace Moslems, Christians and Jews in accordance with their merit and ability.

As we see it, as we are endeavoring to realize it, this is the only way to solve the question of the refugees, and the only way to solve the question of Palestine. Indeed it is the only way to extend peace to the holy land, to the Middle East and to the whole world.

With Israel's Statehood, there can be no repatriation of the refugees, no peace in Palestine, no stability in the Middle East and no tranquility in the world. The U.N. will have to make its choice - Israel or peace.

For our part, our choice is for peace. The land is ours, the people are ours. We cannot but throw our choice on the side of peace. And the battle for peace we shall spare no sacrifice, no matter how great it may be, for the cause is great and noble. And it is worthy for the United Nation to join in our determined efforts to do justice, undo injustice, and maintain peace in the land of the prince of peace.



### **FEDERAL STATE OF THE UNITED ARAB REPUBLIC, MANIFESTO OF PRINCIPLES, 17 APRIL 1963**

*[The following manifesto – intended to govern the new Federation - was signed by Egyptian Pres. Gamal Abdel Nasser and the presidents of Iraq and Syria. However, it was never implemented].*

In the name of the Merciful Compassionate God, In the name of the Almighty God,

The three delegations representing the United Arab Republic, Syria and Iraq met in Cairo and in response to the will of the Arab peoples in the three regions and the great Arab fatherland, brotherly talks began between the three delegations on Saturday, 6 April, and ended on Wednesday, 17 April, 1963.

The delegations in all their discussions were inspired by faith that Arab unity was an inevitable aim deriving its principles from the oneness of language bearing culture and thought, common history-making sentiment and conscience, common national struggle deciding and defining destiny, common spiritual values stemming from Divine messages and common social and economic understanding based on liberty and socialism.

The delegations were guided by the will of the masses of the Arab peoples, demanding unity, struggling to attain it and sacrificing in its defence, and realizing that the hard core of the union is to be formed by the unification of the parts of the homeland which have acquired their freedom and independence and in which nationalist, progressive governments have emerged with the determination to destroy the alliance of feudalism, capital, reaction and imperialism, and to liberate the working forces of the people in order to join them in alliance and to express their genuine will.

The revolution of 23 July was a historical turning point at which the Arab people in Egypt, discovering their identity and regaining their free will, set out on their quest for freedom, Arabism and union. The revolution of the 14th of Ramadan [8 February] illuminated the true Arab face of Iraq, and the path leading it to the horizons of unity, envisaged by the zealous elements of the 14 July revolution. The revolution of 8 March put Syria back into the line of the union destroyed by the setback of reactionary secession, having destroyed all the obstacles which the reactionaries and imperialism had determinedly put up in the path of union.

The three Revolutions thus met which affirmed again that unity is a revolutionary action deriving its conceptions from the people's faith, its power from their will, and its objectives from their aspirations for freedom and socialism.

Unity is a revolution - a revolution because it is popular, a revolution because it is progressive, and a revolution because it is a powerful tide in the current of civilization.

Unity is especially a revolution because it is profoundly connected with the Palestine cause and with the national duty to liberate that country. It was the disaster of Palestine that revealed the conspiracy of the reactionary classes and exposed the treacheries of the hired regional parties and their denial of the people's objectives and aspirations. It was the disaster of Palestine that showed the weakness and backwardness of the economic and social systems that prevailed in the country, released the revolutionary energies of our people and awakened the spirit of revolt against imperialism, injustice, poverty and underdevelopment. It was the disaster of Palestine that clearly indicated the path of salvation, the path of unity, freedom and socialism. This was kept in mind by the delegations during their talks. If unity is a sacred objective, it is also the instrument of the popular struggle and its means to achieve its means to achieve its major objectives of freedom and security in liberating all the parts of the Arab homeland and in establishing a society of sufficiency and justice, a society of socialism, in continuing the revolutionary tide without deviation or replace and its extension to embrace the greater Arab homeland, and in contributing to the progress of human civilization and consolidation of world peace.

It was unanimously agreed that unity between the three regions would be based, as required by the Arab people, on the principles of democracy and socialism, would be a real and strong unity which would consider the regional circumstances to consolidate the ties of unity on a basis of practical understanding, not ignore the reasons for partitioning and separation, and make the power of each region a power for the Federal State of the Arab Nation, and make the Federal State a power for each of its regions as well as for the whole Arab Nation.



**PALESTINE LIBERATION ORGANIZATION (PLO), DRAFT CONSTITUTION (PLO CHARTER), ARAB SUMMIT CONFERENCE, CAIRO, SEPTEMBER 1963**

*[The charter was prepared under Egyptian auspices following an agreement at the Arab Summit Conference in 1963 by Ahmed Shuqeiry, who later became President of the PLO].*

1. In accordance with this constitution, an organization known as 'The Palestine Liberation Organization' shall be formed, and shall launch its responsibilities in accordance with the principles of the National Charter and clauses of this constitution.
2. All the Palestinians are natural members in the Liberation Organization exercising their duty in the liberation of their homeland in accordance with their abilities and efficiency.
3. The Palestinian people shall form the larger base of this Organization; and the Organization, after its creation, shall work closely and constantly with the Palestine people for the sake of their organization and mobilization so they may be able to assume their responsibility in the liberation of their country.

4. Until suitable conditions are available for holding free general elections among all the Palestinians and in all the countries in which they reside, the Liberation Organization shall be set up in accordance with the rules set in this constitution.
5. Measures listed in this constitution shall be taken for the convocation of a Palestinian General Assembly in which shall be represented all Palestinian factions, emigrants and residents, including organizations, societies, unions, trade unions and representatives of [Palestinian] public opinions of various ideological trends; this assembly shall be called 'The National Assembly of the Palestine Liberation Organization.'
6. In preparation and facilitation of work of the assembly, the Palestinian representative at the Arab League [i.e., Ahmed Shukairy] shall, after holding consultations with various Palestinian factions, form:
  - (a) A Preparatory Committee in every Arab country hosting a minimum of 100,000 Palestinians; the mission of each one of these committees is to prepare lists according to which Palestinian candidates in the respective Arab country will be chosen as members of the assembly; these committees shall also prepare studies and proposals which may help the assembly carry out in work; these studies and proposals shall be presented to the Coordination Committee listed below.
  - (b) A Coordination Committee, with headquarters in Jerusalem; the mission of this committee shall be to issue invitations to the assembly, adopt all necessary measures for the holding of the assembly, and coordinate all proposals and studies as well as lists of candidates to the assembly, as specified in the clause above; also the committee shall prepare a provisional agenda - or as a whole, undertake all that is required for the holding and success of the assembly in the execution of its mission.
7. The National Assembly shall be held once every two years; its venue rotates between Jerusalem and Gaza; the National Assembly shall meet for the first time on 14 May 1964, in the city of Jerusalem.
8. To facilitate its work, the Assembly shall form the following committees:
  - (a) The Political Committee: shall be in charge of studying the political sides of the Palestine question in the Arab and international fields.
  - (b) The Charter By-laws and Lists Committee: shall consider the National Charter as well as the various by-laws and lists required by the Organization in the execution of its duties.
  - (c) The Financial Committee: shall formulate a complete plan for the National Palestinian Fund required for financing the Organization.
  - (d) Information Committee: shall work out a complete scheme for information and offices to be established in various parts of the world.
  - (e) The Juridical Committee: shall study the various legal aspects of the Palestine question, be it in relation to principles of International Law, UN Charter, or international documents pertaining to the Palestine question.
  - (f) Proposals and Nomination Committee: shall coordinate proposals and nominations submitted to the Assembly.
  - (g) Awakening Committee: shall study ways and means for the upbringing of the new generation both ideologically and spiritually so they may serve their country and work for the liberation of their homeland.
  - (h) The National Organization Committee: shall lay down general plans pertaining to trade unions, federation, sports organizations and scouts groups; this is in accordance with rules and laws in effect in Arab countries.
9. The National Assembly shall have a Presidency Office composed of the President, two Vice-Presidents, a Secretary, and a Secretary General; these officers shall be elected by the National Assembly when it meets.
10. These (above-listed eight committees) shall submit their reports and recommendations to the National Assembly which, in turn, shall discuss them and issue the necessary resolutions.
11. The National Assembly shall have an executive apparatus to be called 'The Executive Committee of the Liberation Organization' which shall practice all responsibilities of the Liberation Organization in accordance with the general plans and resolutions issued by the National Assembly.
12. The Executive Committee shall be formed of fifteen members elected by the National Assembly; the Committee shall in its turn elect a President, two Vice-Presidents and a Secretary General.

13. The Executive Committee can be called to a meeting in the time and place decided by the President, or by a proposal submitted by five members of the Committee.
14. The Presidents of the Executive Committee shall represent the Palestinians at the Arab League; therefore, his office shall be in Cairo since the Arab League Headquarters is there.
15. The Executive Committee shall establish the following departments:
  - (a) Department of Political and Information Affairs.
  - (b) Department of the National Fund.
  - (c) Department of General Affairs.Each one of these departments shall have a Director General and the needed number of employees. Duties of each one of these departments shall be defined by special by-laws prepared by the Executive Committee.
16. The Executive Committee has the right of calling the National Assembly to meet in a place and time it specifies; it has the right also to call to a meeting any committee of the National Assembly to study certain subjects.
17. The Executive Committee shall have a consultative council to be known as 'The Shura [Consultative] Council'; the Executive Committee shall select the president and members of this council from people of opinion and prestige among the Palestinians; prerogatives of the Consultative Council are in matters proposed to it by the Executive Committee.
18. The Arab states shall avail the sons of Palestine the opportunity of enlisting in their regular armies on the widest scale possible.
19. Private Palestinian contingents shall be formed in accordance with the military needs and plans decided by the United Arab Military Command in agreement and cooperation with the convened Arab states.
20. A Fund, to be known as 'The National Palestinian Fund', shall be established to finance operations of the Executive Committee: the Fund shall have a board of Directors whose members shall be elected by the National Assembly.
21. Sources of the Fund are to be from:
  - Fixed taxes levied on Palestinians and collected in accordance with special laws.
  - Financial assistance offered by the Arab governments and people.
  - A 'Liberation Stamp' to be issued by the Arab states and be used in postal and other transactions.
  - Donations on national occasions.
  - Loans and assistance given by the Arabs or by friendly nations.
22. Committees, to be known as 'Support Palestine Committees', shall be established in Arab and friendly countries to collect donations and to support the Liberation Organization.
23. The Executive Committee shall have the right to issue by-laws for fulfilment of provisions of this constitution.
24. This draft constitution shall be submitted to the National Assembly for consideration; what is ratified of it cannot be changed except by a two thirds majority of the National Assembly.



**NATIONAL COVENANT OF THE PALESTINE LIBERATION ORGANIZATION,  
FIRST ARAB PALESTINE CONGRESS, JERUSALEM, 28 MAY 1964**

STATEMENT OF PROCLAMATION OF THE ORGANIZATION

*In the name of God, the Magnificent, the Compassionate,*

Believing in the right of the Palestine Arab people to its sacred homeland Palestine and affirming the inevitability of the battle to liberate the usurped part from it, and its determination to bring out its effective revolutionary entity and the mobilization of the capabilities and potentialities and its material, and spiritual forces;

And in realization of the will and determination of our people to wage the battle of liberating its homeland forcefully and vigorously in harmony with its role as the effective and fighting vanguard of the sacred march;

And in realization of a genuine and dear national aspiration embodied in the resolutions of the League of Arab States, and the First Arab Summit Conference;

And depending upon God the Almighty and in the name of the First Arab Palestine Congress held in the city of Jerusalem this day on the 16th of Muharram of the year 1384, corresponding to 28 May 1964,

I do hereby proclaim the establishment of the Palestine Liberation Organization as a mobilizing leadership of the forces of the Palestine Arab people to wage the battle of liberation, as a shield for the rights and aspirations of the people of Palestine and as a road to victory.

*Ahmed Shukairy*  
Chairman of The First Palestine Congress

#### THE PALESTINIAN NATIONAL COVENANT: INTRODUCTION

*In the name of Almighty, the Magnificent, the most Merciful,*

We, the Palestinian Arab people, who waged fierce and continuous battles to safeguard its homeland, to defend its dignity and honor, and who offered all through the years continuous caravans of immortal martyrs, and who wrote the noblest pages of sacrifice, offering and giving.

We, the Palestinian Arab people, who faced the forces of evil, injustice and aggression, against whom the forces of international Zionism and colonialism conspired and worked to displace it, dispossess it from its homeland and property, abused what is holy in it and who in spite of all this refused to weaken or submit.

We, the Palestinian Arab people, who believe in its Arabism and in its right to regain its homeland, to realize its freedom and dignity, and who have determined to amass its forces and mobilize its efforts and capabilities in order to continue its struggle and to move forward on the path of holy war until complete and final victory has been attained.

We, the Palestinian Arab people, depending upon our right of self-defense and the complete restoration of our lost homeland - a right that has been recognized by international covenants and common practices including the Charter of the United Nations - and in implementation of the principles of human rights and comprehending the international political relations, with its various ramifications and limits, and considering the past experiences in all that pertains to the causes of the catastrophe, and the means to face it.

And embarking from the Palestine Arab reality, and for the sake of the honor of the Palestinian individual and his right to free and dignified life,

And realizing the national grave responsibility placed upon our shoulders, for the sake of all this,

We, the Palestinian Arab people, dictate and declare this Palestinian National Covenant and how to realize it.

*Article 1.* Palestine is an Arab homeland bound by strong Arab national ties to the rest of the Arab Countries and which together form the large Arab Homeland.

*Article 2.* Palestine with its boundaries at the time of the British Mandate is a regional indivisible unit.

*Article 3.* The Palestinian Arab people have the legitimate right to their homeland and is an inseparable part of the Arab Nation. It shares the sufferings and aspirations of The Arab Nation and its struggle for freedom, sovereignty, progress and unity.

*Article 4.* The people of Palestine determine their destiny when they complete the liberation of their homeland in accordance with their own wishes and free will and choice.

*Article 5.* The Palestinian personality is a permanent and genuine characteristic that does not disappear. It is transferred from fathers to sons.

- Article 6.* The Palestinians are those Arab citizens who were living normally in Palestine up to 1947, whether they remained or were expelled. Every child who was born to a Palestinian parent after this date whether in Palestine or outside is a Palestinian.
- Article 7.* Jews of Palestinian origin are considered Palestinians if they are willing to live peacefully and loyally in Palestine.
- Article 8.* Bringing up Palestinian youth in Arab and nationalist manner is a fundamental national duty. All means of guidance, education and enlightenment should be utilized to introduce the youth to its homeland in a deep spiritual way that will constantly and firmly bind them together.
- Article 9.* Doctrines whether political, social or economic, shall not distract the people of Palestine from the primary duty of liberating their homeland. All Palestinians constitute one national front and work with all their feelings and spiritual and material potentialities to free their homeland.
- Article 10.* Palestinians have three mottoes: National Unity, National Mobilization, and Liberation. Once liberation is completed, the people of Palestine shall choose for its public life whatever political, economic or social system they want.
- Article 11.* The Palestinian people firmly believe in Arab unity, and in order to play its role in realizing this goal, it must, at this stage of its struggle, preserve its Palestinian personality and all its constituents. It must strengthen the consciousness of its existence and stance and stand against any attempt or plan that may weaken or disintegrate its personality.
- Article 12.* Arab unity and the liberation of Palestine are two complementary goals; each prepares for the attainment of the other. Arab unity leads to the liberation of Palestine, and the liberation of Palestine leads to Arab unity. Working for both must go side by side.
- Article 13.* The destiny of the Arab Nation and even the essence of Arab existence are firmly tied to the destiny of the Palestine question. From this firm bond stems the effort and struggle of the Arab Nation to liberate Palestine. The people of Palestine assume a vanguard role in achieving this sacred national goal.
- Article 14.* The liberation of Palestine, from an Arab viewpoint, is a national duty. Its responsibilities fall upon the entire Arab Nation, governments and peoples, the Palestinian people being in the foreground. For this purpose, the Arab Nation must mobilize its military, spiritual and material potentialities; specifically, it must give to the Palestinian Arab people all possible support and backing and place at its disposal all opportunities and means to enable them to perform their role in liberating their homeland.
- Article 15.* The liberation of Palestine, from a spiritual viewpoint, prepares for the Holy Land an atmosphere of tranquillity and peace, in which all the Holy Places will be safeguarded, and the free worship and visit to all will be guaranteed, without any discrimination of race, colour, tongue, or religion. For all this the Palestinian people look forward to the support of all the spiritual forces in the world.
- Article 16.* The liberation of Palestine, from an international viewpoint, is a defensive act necessitated by the demands of self-defence as stated in the Charter of the United Nations. That is why the people of Palestine, desiring to befriend all national which love freedom, justice, and peace, look forward to their support in restoring the legitimate situation to Palestine, establishing peace and security in its territory, and enabling its people to exercise national sovereignty and freedom.
- Article 17.* The partitioning of Palestine in 1947 and the establishment of Israel are illegal and false regardless of the loss of time, because they were contrary to the wish of the Palestine people and its natural right to its homeland, and in violation of the basic principles embodied in the Charter of the United Nations, foremost among which is the right to self-determination.
- Article 18.* The Balfour Declaration, the Mandate system and all that has been based upon them are considered fraud. The claims of historic and spiritual ties between Jews and Palestine are not in agreement with the facts of history or with the true basis of sound statehood. Judaism because it is a divine religion is not a nationality with independent existence. Furthermore the Jews are not one people with an independent personality because they are citizens of the countries to which they belong.

- Article 19.* Zionism is a colonialist movement in its inception, aggressive and expansionist in its goal, racist and segregationist in its configurations and fascist in its means and aims. Israel in its capacity as the spearhead of this destructive movement and the pillar of colonialism is a permanent source of tension and turmoil in the Middle East in particular and to the international community in general. Because of this the people of Palestine is worthy of the support and sustenance of the community of nations.
- Article 20.* The causes of peace and security and the needs of right and justice demand from all nations, in order to safeguard true relationships among peoples and to maintain the loyalty of citizens to their homeland, that they consider Zionism an illegal movement and outlaw its presence and activities.
- Article 21.* The Palestine people believe in the principle of justice, freedom, sovereignty, self-determination, human dignity, and the right of peoples to practise these principles. It also supports all international efforts to bring about peace on the basis of justice and free international cooperation.
- Article 22.* The people of Palestine believe in peaceful co-existence on the basis of legal existence, for there can be no coexistence with aggression, nor can there be peace with occupation and colonialism.
- Article 23.* In realizing the goals and principles of this Covenant the Palestine Liberation Organization carries out its complete role to liberate Palestine in accordance with the fundamental law of this Organization.
- Article 24.* This Organization does not exercise any regional sovereignty over the Western Bank in the Hashemite Kingdom of Jordan, on the Gaza Strip or the Himmah Area. Its activities will be on the national popular level in the liberational, organizational, political and financial fields.
- Article 25.* This Organization is encharged with the movement of the Palestine people in its struggle to liberate its homeland in all liberational, organizational, political, and financial matters, and in all other needs of the Palestine Question in the Arab and international spheres.
- Article 26.* The Liberation Organization cooperates with all Arab governments, each according to its ability, and does not interfere in the internal affairs of any Arab States.
- Article 27.* This Organization shall have its flag, oath and an national anthem. All this shall be resolved in accordance with a special system.
- Article 28.* The Fundamental Law for the Palestine Liberation Organization is attached to this Covenant. This law defines the manner of establishing the Organization, its organs, institutions, the specialties of each one of them, and all the needed duties thrust upon it in accordance with this Covenant.
- Article 29.* This Covenant cannot be amended except by two-thirds majority of the National Council of the Palestine Liberation Organization in a special session called for this purpose.



**COUNCIL OF KINGS AND HEADS OF STATE OF THE ARAB LEAGUE, DECLARATION  
ISSUED AT THE SECOND ARAB CONFERENCE, ALEXANDRIA, 13 SEPTEMBER 1964**

The Council of the Kings and Heads of State of the Arab League held its second meeting, at Al-Montasah Palace, Alexandria, 5 to 11 September 1964. Participating in the meeting were:

H.M. King Hussein I of the Hashemite Kingdom of Jordan;  
 El-Sayed El-Bahi El-Adgham, Representative of the President of the Republic of Tunisia;  
 President Ahmed Ben Bella, President of the Democratic and Popular Republic of Algeria;  
 General Ibrahim Abbud, President of the Higher Council of the Armed Forces of the Republic of Sudan;  
 Field Marshal Abdel Salam Mohammed Aref, President of the Republic of Iraq;  
 Prince Faisal Al-Saud, Deputy for the King of Saudi Arabia;  
 General Mohammed Amin El-Hafez, President of the National Council of the Revolution Command of the Arab Syrian Republic;

President Gamal Abdel Nasser, President of the United Arab Republic;  
Field Marshal Abdallah El-Sallal, President of the Yemeni Arab Republic;  
Sheikh Abdallah Al-Salem Al-Sabbah, Prince of the State of Kuwait;  
President Charles Helou, President elect of the Republic of Lebanon;  
H.M. King Idriss I of Libya;  
Prince Abdallah, Representative of H.M. the King of Morocco;  
El-Sayed Ahmed El-Shukairy, Head of the Palestine Liberation Organization.

The Council of Kings and Heads of State of the Arab League studied the report of the Secretary General of the Arab League on the resolutions and principles adopted by the first session of the Arab Summit Conference, the implementations of these resolutions and means of strengthening them.

The Council expressed its satisfaction with the unity of Arab ranks, with the progress of work on the resolutions of the first session, and with the initiation of collective constructive work for the advancement of the Arab people and for ensuring victory for the cause for which they are struggling.

In its second session, the Council achieved remarkable success in strengthening the solidarity of the Arab world and the joint Arab action and adopted resolutions augmenting and completing those of the first Summit Conference.

The Council was unanimous in defining national objectives for the liberation of Palestine from Zionist colonialism and in committing itself to a plan for joint Arab action both in the present stage for which plans have been made, and in the following stage.

The Council stressed the necessity of utilizing all Arab potentialities, and the mobilization of their resources and capabilities, in order to counter the challenge of colonialism and Zionism as well as Israel's continued aggressive policies and its insistence on denying the rights of the Arabs of Palestine to their homeland.

The Council adopted resolutions for the implementation of Arab plans, especially in the technical and military fields, including embarking on immediate work on projects for the exploitation of the waters of the River Jordan and its tributaries.

The Council welcomed the establishment of the Palestine Liberation Organization to consolidate the Palestine Entity, and as a vanguard for the collective Arab struggle for the liberation of Palestine. It approved the Organization's decision to establish a Palestinian Liberation Army and defined the commitments of the member States to assist it in its work.

The Council discussed the political and economic surveys and reports concerning the relations of the Arab countries with foreign countries. It discussed the results of the visits of the Arab Foreign Ministers to foreign countries.

The Council expressed its appreciation for the support given by foreign countries to Arab causes in general and the Palestine cause in particular. It decided on the continuation of these contacts with all countries of the world and the completion of studies as a prelude to the implementation of principles adopted in the First Summit Conference which called for the regulation of relations vis-à-vis foreign countries in accordance with their position regarding the Palestine question and other Arab causes.

The Council confirmed Arab determination to oppose anti-Arab forces, primarily British colonialist policy and its exploitation of wealth and acts of extermination now practised in the Occupied South in defiance of the Charter and principles of the United Nations and the right of the people to self-determination and the resolutions of the General Assembly and of the United Nations Special Committee with Regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

The Council resolved to combat British imperialism in the Arab Peninsula and to provide assistance to the liberation movement in the Occupied South and Oman.

The Council devoted attention to consolidating Arab friendly relations with the emirates of the Arab Gulf to ensure the indivisible Arab freedom and to realize common interests.



**MICHAEL COMAY, PERMANENT REPRESENTATIVE OF ISRAEL TO THE UN,  
NOTE TO THE UN SECURITY COUNCIL, 18 SEPTEMBER 1964**

*[In response to the Arab Summit declaration of 13 Sept. (see above), Comay sent the following note and a second one dated 19 Oct. (see below) to the UN.]*

I have the honour, on instructions from the Government of Israel, to draw the urgent attention of the Security Council to the decisions taken at the Arab summit conference held at Alexandria, from 5 to 11 September 1964.

The proclamation made public at the end of the conference, on 11 September, contains *inter alia* the following passage (translated from the Arabic):

"The Council has unanimously defined the national cause as that of liberating Palestine from Zionist imperialism and pursuing a plan of joint Arab action both during the present stage - for which plans have already been laid down - and at the next stage, for which it has already been decided to make preparations.

"The Council stresses the need to utilize all Arab potentialities and concentrate all Arab energies against the challenge of imperialism and Zionism.

"The Council has adopted the necessary resolutions to implement Arab plans, especially in the military and technical fields.

"The Council welcomes the establishment of the Palestine Liberation Organization as a support for the Palestine entity and a vanguard of the joint Arab struggle to liberate Palestine. The Council has endorsed the Organization's decision to establish the Palestine Liberation Army and has also fixed the obligations of the member States towards the Organization."

The clear purport of this proclamation is that thirteen member-States of the United Nations have set themselves the aim of liquidating another member-State, have declared that to be a central policy objective guiding their collective actions, and have determined to concentrate all their national potential on the attainment of this aim.

The Alexandria decisions are without parallel. They stand in naked conflict with the Charter of the United Nations and with every accepted principle governing relations between States. Moreover, they clash with international efforts to seek ways of relaxing tension, of settling disputes by pacific means, and of attaining permanent world peace.

These decisions must be seen in the perspective of years of hostile and bellicose policies against Israel on the part of the Arab States, their refusal to recognize the existence of Israel, their military provocations on the borders, their boycott and blockade, and their continuous and escalating rearmament. These States reject every proposal to seek a peaceful settlement of disputes between Israel and themselves.

The State of Israel, which embodies the hopes of the Jewish people, and within which the Jewish survivors have gathered, will know how to defend itself, and to repel any aggression.

For many years the Government of Israel has urged the international community, inside and outside the United Nations, to take serious note of such aggressive policies directed against the State of Israel. It is imperative to stress once again before the United Nations that these policies, now given explicit formulation and endorsement in the decisions of the Alexandria conference, inflame the tension in the Middle East, and constitute a threat to international peace and security.

It would be unwarranted for the United Nations and its members to acquiesce in this open challenge to United Nations principles, or to ignore the threat to the peace which is involved.

I have the honour to request that this letter be circulated to the members of the Security Council, as a Council document.

*(Signed)* Michael Comay  
Permanent Representative of Israel to the United Nations



**REPRESENTATIVES OF ALGERIA, IRAQ, JORDAN, KUWAIT, LEBANON, LIBYA,  
MOROCCO, SAUDI ARABIA, SUDAN, SYRIA, TUNISIA, UNITED ARAB REPUBLIC AND  
YEMEN, LETTER ADDRESSED TO THE PRESIDENT OF THE UN SECURITY  
COUNCIL, 6 OCTOBER 1964**

*[The letter came in response to the Israeli note to the UN of 18 Sept. 1964,  
regarding the Arab summit of 13 Sept.]*

With reference to the letter contained in document S/5980 of 18 September 1964 we have the honour, upon instructions from our respective Governments, to state the following:

1. In an attempt to deal with the Palestine problem detached from its historical context, the Israel representative made deliberate misrepresentations and deletions regarding the statement on Palestine in the *Declaration [annex]* issued by the Council of the Kings and Heads of State of the member States of the Arab League at its second session held at Alexandria, from 5 to 11 September 1964. This Declaration has reaffirmed the views that our Governments separately and jointly have expressed in the United Nations, and which were supported by joint declarations and resolutions adopted in international conferences, to uphold, restore and safeguard the rights of the Palestinian people to their usurped homeland. These rights stem from the universally accepted principle that a country belongs to its indigenous inhabitants regardless of allegations made by colonial forces working to determine its destiny against the free will of its own people.
2. Therefore, the Declaration "stressed the necessity of utilizing all Arab potentialities, and the mobilization of their resources and capabilities, in order to counter the challenge of colonialism and Zionism as well as Israel's continued aggressive policies and its insistence on denying the rights of the Arabs of Palestine to their homeland".
3. Israel, which was born as a result of colonial aggression, has consistently violated and disregarded the resolutions of the Security Council regarding Palestine. While no Arab Government has ever been condemned by the Security Council, the unfounded statement made in the letter regarding the "years of hostile and bellicose policies against Israel on the part of the Arab States" must, therefore, be examined in the light of the fact that Israel has been condemned five times by the Security Council for premeditated military attacks. These condemnations were embodied in the following resolutions:
  - (a) Security Council resolution of 18 May 1951 2/ concerning the "aerial action taken by the forces of the Government of Israel on 5 April 1951" on the Syrian borders.
  - (b) Security Council resolution of 24 November 1953 3/ regarding the "action at Qibya taken by the armed forces of Israel 14-15 October 1953".

- (c) Security Council resolution of 29 March 1955 4/ which condemns the attack which was "committed by Israel regular army forces against the Egyptian regular army force" in the Gaza strip on 28 February 1955.
- (d) Security Council resolution of 19 January 1956 5/ which condemns the Israeli attack against Syria on 11 December 1955 as a "flagrant violation ... of Israel's obligations under the Charter" and expresses the Council's "grave concern at the failure of the Government of Israel to comply with its obligations".
- (e) Security Council resolution of 9 April 1962 6/ which reaffirmed "the Security Council resolution of 19 January 1956 which condemned Israeli military action" against Syria and determined that "the Israeli attack of 16-17 March 1962" (near Lake Tiberias) constituted "a flagrant violation of that resolution".

The most flagrant example of Israel's acts of aggression has been the attack on Egypt in 1956, which was roundly condemned by the international community.

4. The record of Israel in the international community hardly qualifies it to accuse other States of violating the United Nations Charter and of posing a threat to international peace and security. No other Member of the United Nations has such a consistent record of aggression, violations and lawlessness.
5. Furthermore, our Governments deem it necessary to draw the attention of the Security Council to recent Israeli aggressive policies and statements which create an imminent danger to international peace and security.

We have the honour to request that this letter and the attached official text of the Declaration issued at Alexandria on 11 September 1964 be circulated to the members of the Security Council, as a Security Council document.

*The representatives of the Following States Members of the United Nations:*

(Signed) H.B. AZZOUT ( <i>Algeria</i> )	Saleh SUGAIR ( <i>Saudi Arabia</i> )
A.H. ALJUBOURI ( <i>Iraq</i> )	Omar ADEEL ( <i>Sudan</i> )
W.M. SADI ( <i>Jordan</i> )	Rafik ASHA ( <i>Syria</i> )
S.J. KHANACHET ( <i>Kuwait</i> )	M. EL-MEMMI ( <i>Tunisia</i> )
Georges HAKIM ( <i>Lebanon</i> )	M. EL-KONY ( <i>United Arab Republic</i> )
Wahbi EL-BOURI ( <i>Libya</i> )	M.A. ALAINI ( <i>Yemen</i> )
Dey Ould SIDI BABA ( <i>Morocco</i> )	



**MICHAEL COMAY, PERMANENT REPRESENTATIVE OF ISRAEL TO THE UN,  
NOTE TO THE UN SECURITY COUNCIL, 19 OCTOBER 1964**

*[This was the second note sent by Comay in response to the Arab Summit declaration of 13 Sept. (see above) to the UN. See also document dated 18 Sept. 1964 above.]*

I have the honour to refer to the letter dated 6 October 1964, addressed to you by the Representatives of thirteen Arab States (S/6003).

In my letter to you of 18 September 1964 (S/5980), the attention of the Security Council was drawn to a passage in the declaration issued by the Council of Arab Kings and Heads of State, at Alexandria, on 11 September 1964. That passage appears as follows in the official text of the declaration, attached to the above-mentioned letter of the Arab Representatives:

"The Council was unanimous in defining national objectives for the liberation of Palestine from Zionist colonialism and in committing itself to a plan for joint Arab action both in the present stage for which plans have been made, and in the following stage.

"The Council stressed the necessity of utilizing all Arab potentialities, and the mobilization of their resources and capabilities, in order to counter the challenge of colonialism and Zionism as well as Israel's continued aggressive policies and its insistence in denying the rights of the Arabs of Palestine to their homeland".

"The Council adopted resolutions for the implementation of Arab plans, especially in the technical and military fields, including embarking on immediate work on projects for the exploitation of the waters of the River Jordan and its tributaries.

"The Council welcomed the establishment of the Palestine Liberation Organization to consolidate the Palestine entity, and as a vanguard for the collective Arab struggle for the liberation of Palestine. It approved the Organization's decision to establish a Palestinian Liberation Army and defined the commitments of the member-States to assist it in its work."

This official text serves to corroborate and strengthen the charge in my previous letter of 18 September, that "The clear purport of this proclamation is that thirteen member-States of the United Nations have set themselves the aim of liquidating another member-State, have declared that to be a central policy objective guiding their collective actions, and have determined to concentrate all their national potential on the attainment of this aim."

That charge constitutes the central and overriding issue raised by my previous letter. The most significant and sinister feature of the reply of the Arab Representatives is that it fails to deny that charge, and seeks to divert attention to other matters.

Issues of war and peace are far too grave to permit of evasive and ambiguous language. Either these thirteen Arab States have set themselves the aim of liquidating another member-State, or they are willing to renounce the use of force and abide by the provisions of the Charter, and, in particular, the principles set out in Article 2 thereof. It is the right of the United Nations and the international community to expect an unequivocal answer to this question.

The letter from the Arab Representatives, by evading the real issue, only bears out the need for the United Nations and its members to take serious note of the threat to international peace and security involved in the anti-Israel policies of the Arab States, as proclaimed in the Alexandria declaration.

I would request that this letter be circulated to members of the Council, as a Security Council document.

*(Signed)* Michael Comay  
Permanent Representative



## **PALESTINIAN NATIONAL LIBERATION MOVEMENT – FATEH, CONSTITUTION, 1964**

### Introduction to the Constitution

The significance of this constitution stems from its being an application of the principles of our struggle, the pedestal of the Movement. It is also an expression of the Movement's conception of its relationships with other movements and organisations, as it is the disciplinary framework which dictates and organises the relationships among its members in a way that maintains its path and the revolution's future.

This constitution revolves around the following principles:

1. The armed revolution we are waging has been set into orbit by the principle that it is a public revolution, and not one of a distinguished class, and that the public is capable of practising struggle efficiently and conscientiously. The public is also the true protector of the revolutionary organisation. This organisation has satisfied the intimate relationship between the revolution and the public via the hierarchical structure of the Movement in which the public constitutes its solid, wide base. With this view of the public's role in mind, the role of the organised base in the Movement is crystallised. The Movement is in close contact with the public, sharing their cares and worries and inspired by their aspirations. The public is, therefore, the sole source of authorities and the sole, honest guardian of the Movement. It is also the only party authorised to take decisive decisions, and to elect the leadership at all levels. This takes place through direct election at varying levels due to maintaining secrecy, and because of the state of geographical dispersion suffered by our Palestinian people.
2. The elected leadership assumes its responsibilities on the basis of the democratic centrality principle which warrants commitment of the lower ranks to the higher ranks' decisions. The leadership is, in turn, held accountable to its conferences and councils. Higher leaderships assume a pivotal responsibility which embodies the utter unity of the organisation in different districts and institutions.
3. The Movement encourages freedom of expression and criticism within the disciplinary frameworks. This is a sacred right for all members, and no authority can deny them it. Any view or criticism within the disciplinary principles should not be taken as an indictment against a member afterwards. Free expression is the only guarantee to prevent the leaderships from committing mistakes or going astray, and it is the only effective method to convey the public opinion via the different bases to the Movement's leaderships.
4. The Movement firmly believes in self-criticism by all members in general and by those in authority in particular. This is important in order to attain the goal of free criticism and expression, to put an end to continual erring, and to spell out readiness to benefit from public and self criticism. By so doing, the Movement's experience will be very much developed and its path will be made much clearer.
5. In its determination on liberation and bringing about historical social changes, the Movement attempts to launch the revolutionary moral values which are on a par with our struggle, and to create the feeling of human dignity. To this effect, the Movement tries to liberate the individual from all social ills, especially the discrimination women face, the thing that hinders their potentials and effective contributions at all disciplinary levels. This entails that the relationships among members be objective and based on the Movement's principles and constitutions. Relationships based on personal interests have no place whatsoever. The Movement, consequently, treats all members on equal footing as far as their essential obligations are concerned, and it offers equal opportunity to all faithful and active members to occupy leading positions. And while it is keen on maintaining its path, it is keen as well to get an utmost benefit from its experiences to enrich its ideology and develop its infrastructure.
6. Through its struggle, the Movement endeavours to mobilise the public in order to gain the necessary support. This task should be handled by its members. It, therefore, spares no effort to make its members set examples for others to attract the public and consolidate their faith in and loyalty to the revolutionary organisation. As a result, the member has to lead a revolutionary and exemplary life which is based on loyalty, discipline, credibility, modesty, self-denial and altruism. At the same time, he must demonstrate the highest degree of pride, rejection of reality and conformity to the Movement's principles.

#### The Essential Principles of the Constitution

1. "FATEH" is a national, revolutionary movement and its membership is top confidential.
2. The Revolution is for all the people who actively participate in it, and the Movement is its leading revolutionary organisation, and hence it is the organisational force and its sole proprietor which has the right to direct its orientation.
3. The Movement constitutes one unified body which has one leadership. The rights, obligations and responsibilities are equally distributed among its members according to the Movement's principles and laws.
4. Collective leadership is the sole method of the Movement. This implies the following:
  - a. Democracy is the basis of discussion, investigation and decision-taking at all organisational levels.
  - b. Democratic centrality is the basis of handling responsibilities, and this involves concerted work, thinking and political participation in the Movement.

- c. Criticism and self-criticism are the basis of rectification, and punishment is not an end in itself but a means for assessment and development.
- d. The minority must conform to the majority's view, and those in lower ranks have to abide by the decisions of those in higher ranks in order to achieve discipline and unified organisation which should have a unified vision, ideology and practice.
- e. The Movement firmly believes in sacred membership and freedom of the individual, and rejects vengeance, as it firmly believes in the right of any citizen to participate in the Revolution and totally rejects nullifying this right unless it can be a hazard that threatens the Movement's process and security.

CHAPTER ONE: Principles... Goals... Methods

THE MOVEMENT'S ESSENTIAL PRINCIPLES

Article (1)

Palestine is part of the Arab World, and the Palestinian people are part of the Arab Nation, and their struggle is part of its struggle.

Article (2)

The Palestinian people have an independent identity. They are the sole authority that decides their own destiny, and they have complete sovereignty on all their lands.

Article (3)

The Palestinian Revolution plays a leading role in liberating Palestine.

Article (4)

The Palestinian struggle is part and parcel of the world-wide struggle against Zionism, colonialism and international imperialism.

Article (5)

Liberating Palestine is a national obligation which necessitates the materialistic and human support of the Arab Nation.

Article (6)

UN projects, accords and resolutions, or those of any individual which undermine the Palestinian people's right in their homeland are illegal and rejected.

Article (7)

The Zionist Movement is racial, colonial and aggressive in ideology, goals, organisation and method.

Article (8)

The Israeli existence in Palestine is a Zionist invasion with a colonial expansive base, and it is a natural ally to colonialism and international imperialism.

Article (9)

Liberating Palestine and protecting its holy places is an Arab, religious and human obligation.

Article (10)

Palestinian National Liberation Movement, "FATEH", is an independent national revolutionary movement representing the revolutionary vanguard of the Palestinian people.

Article (11)

The crowds which participate in the revolution and liberation are the proprietors of the Palestinian land.

GOALS

Article (12)

Complete liberation of Palestine, and eradication of Zionist economic, political, military and cultural existence.

Article (13)

Establishing an independent democratic state with complete sovereignty on all Palestinian lands, and Jerusalem is its capital city, and protecting the citizens' legal and equal rights without any racial or religious discrimination.

## Article (14)

Setting up a progressive society that warrants people's rights and their public freedom.

## Article (15)

Active participation in achieving the Arab Nation's goals in liberation and building an independent, progressive and united Arab society.

## Article (16)

Backing up all oppressed people in their struggle for liberation and self-determination in order to build a just, international peace.

METHOD

## Article (17)

Armed public revolution is the inevitable method to liberating Palestine.

## Article (18)

Entire dependence on the Palestinian people which is the pedestal forefront and on the Arab Nation as a partner in the fight, and realising actual interaction between the Arab Nation and the Palestinian people by involving the Arab people in the fight through a united Arab front.

## Article (19)

Armed struggle is a strategy and not a tactic, and the Palestinian Arab People's armed revolution is a decisive factor in the liberation fight and in uprooting the Zionist existence, and this struggle will not cease unless the Zionist state is demolished and Palestine is completely liberated.

## Article (20)

Achieving mutual understanding with all the national forces participating in the armed struggle to attain the national unity.

## Article (21)

Revealing the revolutionary nature of the Palestinian identity at the international level, and this does not contradict the everlasting unity between the Arab Nation and the Palestinian people.

## Article (22)

Opposing any political solution offered as an alternative to demolishing the Zionist occupation in Palestine, as well as any project intended to liquidate the Palestinian case or impose any international mandate on its people.

## Article (23)

Maintaining relations with Arab countries with the objective of developing the positive aspects in their attitudes with the proviso that the armed struggle is not negatively affected.

## Article (24)

Maintaining relations with all liberal forces supporting our just struggle in order to resist together Zionism and imperialism.

## Article (25)

Convincing concerned countries in the world to prevent Jewish immigration to Palestine as a method of solving the problem.

## Article (26)

Avoiding attempts to exploit the Palestinian case in any Arab or international problems and considering the case above all contentions.

## Article (27)

"FATEH" does not interfere with local Arab affairs and hence, does not tolerate such interference or obstructing its struggle by any party.

CHAPTER TWO: Organisational Rules and PrinciplesCommitment ... Discipline ... Centrality... Democracy... Public and Self-Criticism

In its organisational work, the Movement depends on the following rules and principles:

*First: Commitment. This means:*

Article (28)

- b. Firm belief in the case and the Movement's objectives and utter readiness to sacrifice for its sake till victory.
- c. Complete adherence to the Movement's political line.
- d. Complete conformity to the Movement's political program and to the decisions of its conferences and constitutions.
- e. Complete commitment to the Movement's decisions and defending its attitudes.

*Second: Discipline. This means:*

Article (29)

- a. Abiding by the terms of the essential constitution and its organisational regulations,
- b. Conforming to the organisational decisions of the leading committees,
- c. Carrying out the orders meticulously and enthusiastically, and adherence of lower ranking members to the decisions, orders and guidance of higher ranking members,
- d. Abstaining from negotiating internal issues outside organisational sessions and the Movement frameworks,
- e. Abstaining from making individual decisions or taking temperamental attitudes, and
- f. Adherence to organisational hierarchy.

*Third: Central Democracy: This means*

Article (30)

- a. Central planning, leadership and surveillance, but not central execution, freedom of discussion and the right of participating in making decisions and recommendations within the organisational frameworks.
- b. Realising democratic centrality by adopting the following organisational methods:
  1. Electing leaderships through the conferences outlined in article: 42, items: d and e; article: 52; article: 65, item: e; article: 83, item: d,
  2. Practising collective leadership,
  3. Adherence of the minority to the majority's view,
  4. Adherence of lower ranking members to the higher ranking members' decisions,
  5. Freedom of discussion and right of participation within the organisational frameworks,
  6. Submitting reports to the electors about the leaderships' activities at every session, and
  7. Periodic reporting to higher units about all the activities carried out by lower units.

*Fourth: Public and Self-Criticism:*

Article (31)

This is one of the cornerstones according to which the revolutionary practices are evaluated in order to emphasise their positive results and circumvent their negative effects. This equally warrants the Movement's faultless process and the practice of public and self-criticism by all members and leaderships within the organisational frameworks.

*Fifth: Organisational rules and principles are realised by the following methods:*

Article (32)

1. When convened, the Movement's conferences (General Conference, District Conference, Region Conference) are the highest leading authority, each according to its speciality and jurisdictions outlined in the constitution. And they have the sole authority to elect the leading committees, plan their activities, and observe and question their practices.
2. Practising collective leadership via the committees' work, for each committee from top to bottom has to undertake its tasks on the basis of its being a complementary unit collaborating with other units in assuming its responsibilities, and that all issues must be rationally discussed through the committees and units and that all decisions must be taken in light of the legal majority.
3. The leaderships should conform to the conferences and the lower ranks to the higher ranks.

4. Achieving equality among members by their adherence to the Movement's essential constitution, regulations and decisions, and considering competence, faithfulness and sacrifice as the criteria for judging members and climbing the organisational ladder.

CHAPTER THREE: Membership  
Types... Requirements... Obtaining... Rights... Continuity

Article (33)

- a. The Movement's membership is a right for every Palestinian or Arab who possesses the necessary requirements, firmly believes in liberating Palestine, and demonstrates utter commitment to the Movement's essential constitution, political program, regulations and its political and organisational decisions.
- b. Membership can be granted to a friend who has decided to be committed to the Movement according to a decision by the Central Committee.

Types of Membership

Article (34)

There are three categories of membership:

1. Full member:
  - a. This is the member who has successfully completed the trial period, and is accordingly assigns a supporter. His membership as an active member is confirmed by a decision of the Regional Committee or upon nomination by the leading organisational frameworks in the central authorities and upon consent of the Mobilisation and organisation office.
2. Military member: is one who has a revolutionary record. This is a member of the special organisational wing (Asifa) according to a special regulation offered by the Central Committee and verified by the Revolutionary Council.
  - b. Organiser: is one who obtains membership by a direct decree of the Central Committee, and he does not climb the organisational ladder. Once he is converted into an active member, his membership should not exceed the District Committee.
  - c. Supporter: is one who is nominated to join the Movement and his membership is subject to the following conditions:
    - 2) He should meet the membership requirements outlined in Article (35) except item (g) concerning the oath,
    - 3) He should be recommended by two members who have joined the Movement for at least two years,
    - 4) He should successfully pass a six-month trial and preparatory period during which he has to grasp the theoretical principles of the Movement and should enthusiastically perform his assignments. This equally applies to serving in the "Asifa" forces.

Requirements of Membership

Article (35)

A member in the Movement should meet the following requirements:

- a. He must not be below 17 years of age; cadets, flowers and youth have special membership regulations,
- b. He must have good reputation and national credibility,
- c. He must respect the people and their traditions, serve them and protect their interests and security,
- d. He must be independent, not committed to any other organisation or party,
- e. He must have leading qualifications and demonstrate a reasonable amount of awareness and ability to assume responsibility, and have an amicable personality,
- f. He must have sufficient readiness to sacrifice, self-denial and altruism,
- g. He must take the following oath:

(By Allah, the almighty and by my honour and beliefs I swear to remain faithful to Palestine, and to spare no effort to liberate it; I swear not to disclose any of the Movement's (FATEH) secrets and affairs; this is a free oath, to which God bears witness.)

Obtaining Membership

Article (36)

Members are accepted in the Movement on an individual basis according to their competence and readiness to work and sacrifice.

Rights of Membership

Article (37)

The Movement's member has the following rights:

- a. To enjoy all the rights cited in this constitution,
- b. To have the same and equal rights and obligations as all other members,
- c. To climb the organisational ladder according to the terms of this constitution and on the basis of competence, efficiency and faithfulness,
- d. To have complete freedom of criticism, objection, protest, discussion, negotiation and inquiry only within the organisational sessions,
- e. To criticise and cross-question any leading member within the organisational hierarchy,
- f. If accused or cross-questioned, to defend himself in front of the leading committees and authorities, as well as surveillance and investigation committees,
- g. To get a written reply for his queries in a month's time at the latest,
- h. To enjoy protection, viz. he should not be fired, neglected or frozen unless he is tried and convicted by one of the Movement's courts,
- i. To have the right to meet high leaderships including the Central Committee if the need arises, and
- j. To have an organisational rank unless serving an organisational punishment, and his organisational ranks should appear in his record since his admission into the Movement as an active member.

Obligations of Membership

Article (38)

The Movement's member has to undertake the following obligations:

- a. Constant and unrelenting struggle to achieve the Movement's principles and goals,
- b. Complete commitment to and application of the Movement's political line and program,
- c. Application of the political constitution and carrying out all decisions conscientiously and meticulously,
- d. Maintaining the Movement's organisational and ideological unity, and opposing all factions,
- e. Constant and studious work to theoretically and practically elevate his education and experience,
- f. Attending all meetings and paying subscriptions regularly,
- g. Setting an example in altruism, courage, faithfulness, sacrifice, patience, perseverance and self-denial,
- h. Continual work to maintain strong relationships with the public and to win their respect and confidence, and to constantly disseminate the Movement's principles and to consolidate the public's relationships with them,
- i. Practising public and self-criticism, and playing an active role in the organisational sessions and in the public and organisational work,
- j. Constant alertness concerning the enemy's activities and the Revolution's opposing forces,
- k. Keeping the Movement's secrets at the individual, committee and formation levels, and utilising appropriate confidential methods in his work,
- l. Maintaining a uniform method in work, and renouncing all individual and temperamental ones,
- m. Adhering to the organisational hierarchy, and respecting the decisions of higher committees,
- n. Fighting personal deceit, laziness, and temperamental relaxation as well as all harmful practices,
- o. Serving the public conscientiously and faithfully, and
- p. Being ready to carry out the Movement's orders to fulfil his revolutionary obligations as required.

Continuity, Suspension and Cancellation of Membership

Article (39)

- a. Membership continues as long as the member continues to fulfil his tasks and obligations,
- b. Membership is suspended if the member stops to fulfil his tasks for three consecutive months without reasonable any excuse, or if the member requests that. Membership cannot be resumed without a decision by the District Committee for district members or by the Central Committee for others,

- c. Membership is cancelled if a decision to this effect is taken by the concerned committee as a result of some behavioural, political or organisational violation which entails this and determines the authority entitled to cancel the membership according to the penalty system.

### The General Conference

#### Article (40)

The Movement's general conference is made up of:

- a. Members of the Revolutionary Council,
- b. 11 district representatives elected in the district conferences according to the number of areas meeting the requirements cited in this constitution and endorsed by the Mobilisation and Organisation Office.
- c. 11 representatives of the districts whose conferences cannot be convened for security purposes or failing to have quorum; such conditions are decided by the Central Committee. Those representatives are selected upon recommendation by the Mobilisation and Organisation Office to the Central Committee according to the organisational population.
- d. District commissioners whose membership has lasted for at least ten years, and who have been appointed by a decree from the Central Committee.
- e. Members of the General Military Council in the Palestinian National Liberation Army, especially "Asifa" forces, whose set-up is outlined in the regulation appended to this constitution, and according to the decisions of the third and fourth conferences. In addition, at most 20 distinguished persons from those military forces should be nominated by the General Leadership and endorsed by the Central Committee, with the proviso that they in all should not exceed 514 of the entire population of the conference.
- f. 75 "FATEH" members who are assigned duties in various departments in the independent State of Palestine and Palestine Liberation Organisation and other national and international organisations. Their membership should be through their organisational units and upon nomination by the Mobilisation and Organisation Office and ratified by the Central Committee. Their membership should not be below a district committee member.
- g. 50 Members public organisations recommended by the Movement central offices and confirmed by the Mobilisation Office and by a decree from the Central Committee. Their membership should not be below a district committee member.
- h. 75 members of the leading bodies of central panels according to their regulations attached to this constitution. Their membership should not be below a district committee member.
- i. 30 representatives of the Movement's members with the proviso that their membership is not below a district committee member.

#### Article (41)

*Requirements of the Conference Membership:*

- a. Membership in the General Conference has a representative nature as spelled out in article (40).
- b. A member in the conference should have a five-year active membership in the Movement.
- c. He should have a clean record.

#### Article (42)

*Conference Jurisdictions*

When convened, the conference is the highest authority, and it is entitled to perform the following tasks:

- a. Discussing the reports, decisions and duties of the Central Committee, and the activities of the Movement departments and institutions,
- b. Endorsing the essential constitution and making any necessary modifications upon recommendation by two thirds of the present members,
- c. Confirming the Movement constitutional regulations, and the political and military programs and plans,
- d. Electing the members of the Central Committee by secret voting,
- e. Vote of no confidence for all or some members of the Central Committee upon recommendation by two thirds of the present members,
- f. Electing the Head of the Financial Supervision Committee and the Head of the Movement Supervision Committee, and protecting membership with the proviso they meet the requirements of the Revolutionary Council membership, and
- g. Electing the required number for the Revolutionary Council by secret voting.

Article (43)

*Holding the Conference*

- a. The Central Committee calls for a regular session once every five years, and the meeting can however be put off for exceptional circumstances by a Revolutionary Council decision.
- b. Upon receiving the invitation, the conference holds an unusual session within two weeks at the latest if more than two thirds of the Revolutionary Council members deem it necessary or upon request by the Central Committee. The agenda should include the topics that necessitated the session.
- c. Sessions are deemed legal if two thirds of the members are present, provided that all members have been informed in writing two weeks prior to the meeting. If quorum is not maintained, the meeting will be put off two days, and then convened if more than half of the members are present.

*The General Council*

Article (44)

The General Council is made up of no more than 250 members of the General Conference according to the following:

- a. Members of the Central Committee and the Revolutionary Council,
- b. A number of district commissioners and organisational leaderships,
- c. A number of military leaderships,
- d. A number of the Movement's members,
- e. A number of the Movement's members working in the Organisation department,
- f. A number of public leaderships, and
- g. A number of the Movement's efficient members.

Article (45)

The number of members in the previous article is determined by a Central Committee's decision which has to be endorsed by the Revolutionary Council.

Article (46)

The General Council has the jurisdictions of an exceptional general conference according to a special system suggested by the Revolutionary Council.

Article (47)

The General Council is held upon a decision of the Central Committee and approval of the Revolutionary Council which prepares the agenda.

*The Revolutionary Council*

Article (48)

The Revolutionary Council constitutes the following:

- a. Members of the Central Committee,
- b. Head of the Financial Supervision Committee and Head of the Movement Supervision and Membership Protection Committee,
- c. 50 members elected by the General Conference from its members provided that each member has 30% of the electors' votes,
- d. At most 20 members representing the Military Council of "FATEH" according to the special charter of "Asifa",
- e. At most 15 highly competent persons selected by two thirds of the Central Committee members,
- f. A number of the leaderships in the occupied territories, not part of the quorum, and nominated by the Revolutionary Council,
- g. 5 members from other territories who are part of the quorum when attending the meetings, nominated by two thirds of the Central Committee members, and
- h. At most 15 controllers from the Movement's competent members, nominated by the Central Committee and endorsed by the Revolutionary Council.

Article (49)

A nominee for the Revolutionary Council has to have been a district committee member or a member of other equivalent forces and institutions for at least 10 consecutive years.

## Article (50)

*Jurisdictions:*

When convened between two sessions of the General Conference, the Revolutionary Council is the highest authority in the Movement. Its jurisdictions are:

- a. Following up and executing of the General Conference decisions,
- b. Monitoring the operation of the central departments and the Movement's conditions in different districts,
- c. Monitoring the Movement military affairs which do not run counter to top confidentiality,
- d. Discussing the Central Committee's decisions, operations and reports, and taking appropriate decisions accordingly,
- e. Adequately interpreting the terms and regulations of the essential charter in case a dispute in this respect arises,
- f. Electing members of the Financial Supervision Committee and those of the Movement Supervision Committee via secret voting within six months at the latest, and
- g. Discussing the reports of the committees emanating from the General Conference and taking appropriate decisions in this respect.

## Article (51)

At the beginning of its session, the Revolutionary Council elects from among its members a secretariat consisting of a secretary and two deputies via secret voting. The secretary should be a full-timer and should not be a member of the Central Committee.

## Article (52)

The Revolutionary Council devises its bylaw which is approved by the majority of members.

## Article (53)

In case quorum is not maintained in the Central Committee, the Revolutionary Council is called to meet within two weeks to elect two thirds of its members by secret voting in order to maintain quorum.

## Article (54)

If vacancies in the Central Committee are not occupied within three months, the Revolutionary Council is called to an emergency session during which vacancies are occupied by its members through secret voting, provided that each candidate should be elected by absolute majority.

## Article (55)

Vacancies in the Revolutionary Council are occupied by competent members who meet the requirements of the Revolutionary Council membership.

## Article (56)

The Revolutionary Council is entitled to fire or freeze one or more offending members of the Central Committee, and this is decided by two thirds of the members provided that the number of fired or frozen members does not exceed one third.

## Article (57)

The Revolutionary Council is entitled to fire or freeze one or more of its members if an offence is committed, and this is decided by the majority of two thirds of its members.

## Article (58)

The Revolutionary Council holds regular sessions once every three months upon an invitation by its secretary, and it can hold exceptional sessions upon a decision by the Central Committee or a written request addressed to its secretary by two thirds of its members.

## Article (59)

Quorum is maintained if two thirds of the Revolutionary Council members are present provided that they have been officially notified three days prior to the meeting, and if quorum is not maintained the Council will convene by absolute majority 24 hours after the set date.

## Article (60)

Decisions of the Council are made by the absolute majority of the present members except in cases otherwise stated, and voting is by raising hands unless the Council decides otherwise.

The Financial Supervision Committee and the Movement  
Supervision and Membership Protection Committee

Article (61)

Heads of these committees are elected directly by the Conference upon nominating some of the candidates by the Central Committee.

Article (62)

A special charter for each committee is devised and is endorsed by the Revolutionary Council in its first session after submitting it.

*The Central Committee*

Article (63)

- a. The Central Committee is made up of 21 members as follows:
1. 18 members from the Conference elected by secret voting.
  2. 3 members appointed by the Central Committee provided that they get two thirds of the votes.
  3. An additional number of the occupied territories leaderships, not part of the quorum, nominated determined by the Revolutionary Council.
- b. The Central Committee selects a political office from its members with the proviso that they do not exceed 11 members.
- c. The Central Committee determines the jurisdictions of the political office in its internal charter.
- d. All members of the Central Committee have equal rights, obligations and responsibilities.
- e. The Commander-in-Chief chairs the Central Committee meetings and runs its sessions' in accordance with the regulations of its internal charter.

Article (64)

The Central Committee selects a secretary and two deputies from its members.

Article (65)

A candidate to the Central Committee should have been a member in the Movement for at least 15 consecutive years, and he should have served as a secretary of a district committee or any equivalent job in the departments and forces, and he should obtain 49% of the votes.

Article (66)

The Central Committee convenes at least once a month to discuss the performance of all Movement departments and issue the necessary decisions and recommendations. Each of its members should be responsible for what he has been practising during the period between meetings. Exceptional sessions can be convened when the need arises.

Article (67)

The Central Committee is unanimously in charge of all the Movement's activities.

Article (68)

Quorum is maintained if two thirds of the members are present, and once this is impossible, the meeting holds if half + one of the members attend 24 hours after the assigned date.

Article (69)

Decisions of the Central Committee are taken by absolute majority unless otherwise stated in the essential constitution.

Article (70)

Vacancies in the Central Committee are occupied for death, dismissal, resignation or handicap purposes by members of the Revolutionary Council provided that they obtain two thirds of the votes. The elected member should be performing his duties during the period from the conference to the time of employment.

*Responsibilities of the Central Committee*

Article (71)

The Central Committee assumes its responsibilities as the executive body of the General Conference. These responsibilities are as follows:

- a. Carrying out the decisions and the political, organisational, military and financial plans of the General Conference and the Revolutionary Council as well as executing the political program endorsed by the General Conference,
- b. Discussing the disciplinary violations and misapplication of the essential constitution and taking the appropriate procedures,
- c. Undertaking daily operations and directing the internal, external, political, military and financial policies of the Movement as well as practising leadership responsibilities in all aspects,
- d. Leading the Movement in all public and official Palestinian, Arab and international affairs,
- e. Maintaining solidarity within the Movement and applying the essential constitution,
- f. Calling the General Conference to convene, preparing its agenda and submitting detailed written reports about all its activities,
- g. Supervising issuance of the Movement data, newsletters and studies,
- h. Setting up the Movement security court, devising its internal charter and endorsing and verifying its terms. In case of a death penalty, verification is maintained by two thirds of the votes,
- i. Endorsing appointment of the Military Council members who are nominated by the Commander-in-Chief by two thirds of the votes. Re-voting is handled ones a year,
- j. Endorsing appointment of members of leading bodies of the central and administrative departments and the Movement central offices by two thirds of the votes. Re-voting is carried out once a year,
- k. Appointing qualified members and controllers as cited in the constitution by two thirds of the votes, and
- l. Naming "FATEH" members in the Palestinian National Council.

#### Article (72)

The Central Committee devises a special internal charter to organise its operations within three months at the latest.

#### Article (73)

During its meeting after the General Conference, the Central Committee distributes tasks on its members according to the specific specialisations determined in the internal charter which includes all activities and responsibilities.

### CHAPTER FOUR: Areas

#### Article (93)

The term "area" is given to the base organisation which consists of at least four branches. An area maintains this capacity according to a decision by the Mobilisation and Organisation Office and upon a recommendation of the district committee.

#### First: The Area Conference

##### *Formation:*

#### Article (94)

The area conference is set up as follows:

- a. The area committee members,
- b. Members of the branches committees,
- c. Members of the area committee during the previous conference,
- d. Five active members nominated by the area and endorsed by the district committee if it deems necessary, and
- e. A representative of each of the public organisations in the area.

##### *Jurisdictions:*

#### Article (95)

The area conference assumes the following jurisdictions:

- a. Discussing the decisions and operations of the area committee, and calling its members to account,
- b. Discussing the circumstances of the organisation in the area,
- c. Discussing general issues in the Movement and the district, and submitting the necessary recommendations, and

- d. Electing five of the area conference members by direct secret voting provided that their membership has lasted for at least three years. The district committee is entitled to add two other members when necessary.

Article (96)

The district committee selects the secretary of the area committee from the elected members.

Article (97)

- a. The area conference convenes once biannually, and it should meet before the district conference.
- b. It can hold emergency sessions upon a decision by the area committee and the approval of the district committee.

Article (98)

In areas where elections are impossible for security circumstances or failure to meet the organisational requirements, the district committee nominates a list of the area committee members which will be endorsed by the Mobilisation and Organisation Office.

*Requirements of the Area Conference*

Article (99)

- a. Membership in the area conference is contingent upon the representational quality cited in article (94).
- b. The member should have a clean record.

Second: The Area Committee

Article (100) The area committee holds weekly meetings, chaired by the area secretary. According to circumstances, emergency sessions can be held, and they follow the terms cited in the meetings of the district committee as regards quorum and voting.

*Jurisdictions*

Article (101)

The area committee assumes its jurisdictions in its capacity as the executive leadership in the area. Such jurisdictions are similar to those of the district committee within the area boundary.

Article (102)

After a legal investigation, the district committee is entitled to freeze or revoke the membership of almost two of the area committee members. And if there is a need to freeze or revoke the membership of more than two members, the district conference is called to an emergency meeting to elect a new area committee.

Article (103)

If an organisational necessity arises, the area committee can make any change in the committees of wings, chains and cells.

Article (104)

The area committee appoints secretaries of cells, chains and wings, but secretaries of branches are appointed by the district committee upon nomination by the area committee.

CHAPTER FIVE: The Movement Leading Organisations

Part Two: District Conference... District Committee... Area Conference

*Area Committee*

Article (74)

- a. The term district is given to any branch of the organisation within the boundary of a country. A district includes three organisational areas or more which meet the requirements cited in this constitution.
- b. A district consists of organisational areas which have a hierarchical structure including branches, wings, chains and cells.
- c. The organisational unit which exists in unfavourable conditions does not have to follow this hierarchy after having approval from the Mobilisation and Organisation Office.
- d. The leading committee of any organisational unit has the appropriate leading rank according to the number of its members in the district. It directly follows the Mobilisation and Organisation Office, and it has the responsibilities of a district committee.

- e. An organisational rank can be gradually promoted to a leading committee or any of the base organisations in districts where the sufficient number necessary to constitute an area is not available in order to set up an area with all its branches. This takes place in view of seniority, efficiency and activity and upon a decision by the Mobilisation and Organisation Office.
- f. The cell is the basic organisational unit in the Movement.

Article (75)

New cells are set up upon the approval of the district committee and the nomination of the area committee. In case there is not a district committee, a cell can be formed according to a decision by the concerned leading committee in the respective district.

Article (76)

- a. Militia is the armed organisation within the base framework as outlined in article (91).
- b. Militia forces are formed in the districts which have favourable conditions.
- c. The leadership and formation of militia is subject to the military laws of "Asifa".
- d. The General Leadership of "Asifa" forces devises the charter of militia, and this must be confirmed by the Revolutionary Council.

**District Conference**

***First: Formation:***

Article (77)

A district conference is formed as follows:

- a. Members of district committee,
- b. Members of areas committees,
- c. One member representing a public organisation in the district which has a movement office. This member is chosen by the concerned office,
- d. Former members of the district committee during the previous conference with the proviso that it carries out its assigned tasks,
- e. A number of active members of the Movement selected by the district committee provided that the number does not exceed 10%, and
- f. One member from each central office in the district working through the district committee.

***Second: Responsibilities:***

Article (78)

The district conference assumes the following responsibilities:

- a. Discussing the report, decisions and operations of the district committee, and calling its members to account,
- b. Discussing the area conditions, decisions and operations,
- c. Devising the organisational and political plans of different tasks and the external relations with other political authorities, public organisations, thinkers, politicians and journalists within the strategy endorsed by the General Conference and the Central Committee's decisions, and
- d. Discussing the general issues of the Movement and making the necessary recommendations.
- e. The district committee also elects four thirds of the required number from whom the Central Committee selects the members of the district committee while the rest remains as stand-by. In case of a vacancy, the Central Committee selects the required number from the stand-by members.

***Requirements of District Conference Membership***

Article (79)

- a. Membership in the district conference committee is contingent upon the representational quality cited in article (77).
- b. A member in the district conference should have spent three years at least as a Movement member.
- c. He should maintain a clean record.

Article (80)

- a. A district conference convenes once biannually.
- b. A district conference can be called to hold an exceptional session upon decision by the district committee and approval of the Mobilisation and Organisation Office.

Article (81)

In districts, where elections are impossible to conduct for security purposes or failure to meet the organisational requirements, the Central Committee can appoint a district committee and its secretary.

*Second: District Committee*

*Formation:*

Article (82)

A district committee consists of at least five and no more than eleven members elected from the district conference according to item (1), Article (78). The member should have spent five years as a Movement member.

*Meetings:*

Article (83)

- a. A district committee convenes once every two weeks, and is chaired by the secretary. When the need arises, exceptional sessions can be held.
- b. Quorum is maintained if two thirds of the members are present, and the meeting can be put off for 24 hours if otherwise, and quorum would be maintained if half of the members could attend.
- c. Decisions of the committee are based on approval of the absolute majority of the present members.

*Jurisdictions:*

Article (84)

Being the organisational leadership in the district, a district committee assumes the following jurisdictions:

- a. Executing the decisions of higher leaderships,
- b. Supervising all institutions and departments in the district,
- c. Devising appropriate plans for all activities in the district,
- d. Recommending to the Mobilisation and Organisation Office the freezing or revocation of the membership of at most two of its members provided that the reasons are spelled out,
- e. Leading the district daily affairs,
- f. Taking care of the integrity and solidarity of the Movement and co-ordinating operations among different areas,
- g. Calling the district conference to convene, preparing its agenda, and submitting detailed written reports about all activities in the district to it, and
- h. Preparing the members organisational map, and reporting any emergency developments to the Mobilisation and Organisational Office once every six months.

Article (85)

After legal investigation, the Central Committee is entitled to freeze or revoke the membership of one or more of the district committee members provided that the number does not exceed one third. And if there is a need to revoke the membership of more than one third, the district conference should be called to an emergency session.

Article (86)

The district committee should report to the Mobilisation and Organisational Office about a member's moving to another district after agreeing with him on the means of communication. The report should include some information about the member and his organisational rank.

Article (87)

Offices of the central departments undertake their activities in the district through the district committee and in virtue of their being part of its jurisdictions. Direct expansion of the central departments offices in the district is banned.

Article (88)

Tasks are distributed over the district committee members in a way that warrants controlling the operations in the district.

*The District Commissioner*

## Article (89)

- a. The Central Committee nominates a commissioner in the districts as it deems necessary. The nominee's rank should not be lower than a district committee member with a seniority period of three years.
- b. The commissioner assumes the tasks assigned to him by the Central Committee, and his relationship with the district committee by an internal regulation issued by the Mobilisation and Organisational Office.

*The District Secretary*

## Article (90)

The Central Committee nominates the secretary from the list elected by the district conference. And he assumes the following jurisdictions:

- a. Calling the district committee to convene and chairing its sessions,
- b. Submitting monthly or instant reports to the Mobilisation and Organisational Office,
- c. Following up and executing the decisions, recommendations and responsibilities of the district committee,
- d. Unless it runs counter to the constitution regulations, calling district conferences to convene,
- e. Signing the letters, decisions and orders issued by the district committee, and
- f. Signing paying orders according to the financial regulations.

*The District Budget*

## Article (91)

The district budget consists of the following:

- a. Subscriptions,
- b. Unconditional donations,
- c. Investments and local resources,
- d. The budget accredited by the Movement financial office.

## Article (92)

- a. The district budget is determined in a project submitted by the district committee.
- b. The Mobilisation and Organisational Office is entitled to verify it as stated or modify it as necessary.

CHAPTER SIX: The Movement Base Organisations

## Article (105)

The Movement base organisations include the following:

- a. The Cell. It consists of three two five members including the secretary.
- b. The Chain. It consists of two five cells.
- c. The Wing. It consists of two to five chains.
- e. The Branch. It consists of two to five wings.
- f. The Area. It consists of at least four branches.

## Article (106)

In districts where security conditions are unfavourable, the district committee or the one assuming this role can overlook this hierarchy and devise an appropriate means of communication with the district committee. Likewise, the number of cell members can be lowered to two as the individual method can be followed provided that the Mobilisation and Organisation Office approves that.

*Obligations of Base Organisations*

## Article (107)

- a. Providing members with a revolutionary education, consolidating their commitment and discipline, developing their awareness and experiences, and enhancing their active participation according to the programs set by the Mobilisation and Organisation Office,
- b. Carrying out their tasks enthusiastically, and sparing no effort to achieve the Movement's objectives and embodying its principles,

- c. Exerting strenuous efforts to enhance interaction with the public and winning their respect and confidence,
- d. Striving continually within public organisations and maintaining commitment to their memberships, and
- e. Trying hard to protect the Movement and develop its efficiency to confront and conquer its enemies

Article (108)

The area committee, the branch committee, the wing committee and the cell committee assume the responsibilities of leadership, each in its organisational capacity in the following matters:

- a. Leading its members according to the Movement's political program and constitution,
- b. Embodying the Movement's attitudes and executing its decisions enthusiastically and fervently,
- c. Upgrading its members' awareness and adherence to the Movement, enhancing their active participation and developing their experiences and potentials,
- d. Developing their military and educational competence,
- e. Enhancing their interaction with the public and their readiness to sacrifice for their sake,
- f. Maintaining strong relationships with the public bases and winning their respect and confidence,
- g. Holding brotherly relationships between bases and higher units and vice versa,
- h. Observing paying subscriptions, and monitoring its members' behavioural and organisational conduct, and ensuring execution of these tasks,
- i. Setting an example in sacrifice, active participation, faithfulness and team work,
- j. Ensuring speed and adequacy in conveying reports, information, leaflets and others,
- k. Paying adequate attention to the members' problems and taking appropriate initiatives to ensure rapid and revolutionary solutions,
- l. Examining the members' work fields and identifying positive and negative aspects and taking the necessary measures,
- m. Calling members to account and criticising them for individualism or lack of seriousness, and
- n. Submitting regular reports about their activities to the higher committee.

CHAPTER SEVEN: Penalties

Article (109)

The organisational penalties aim at:

- a. Upgrading the members' morals, and
- b. Securing the Movement's integrity and getting rid of corruption.

Article (110)

The organisational penalties are:

- a. Drawing attention,
- b. Rebuke,
- c. Warning,
- d. Freezing,
- e. Rank demotion,
- f. Firing,
- g. Firing with slander.

Article (111)

The organisational violations are four types:

*First: Firing or firing with slander and this applies to:*

1. Violation of Unit One of the constitution,
2. Delinquency, and
3. Illegal co-operation with any other non-adversary movement and disclosing the Movement secrets to it.

*Second: Freezing or demoting rank, and this applies to:*

1. Violating commitment, and this is realised by:
  - a. Violating the Movement political line,
  - b. Violating the Movement political program, and
  - c. Reluctance to adhere to the Movement's decisions.

2. Violating the membership protection rule,
3. Violating the members' equality rule,
4. Violating the freedom of expression rule, and
5. Violating discipline, and this is applicable to:
  - a. Violating the constitution,
  - b. Disrespect of leading authorities' decisions,
  - c. Rejection of orders execution,
  - d. Discussing organisational issues outside the units,
  - e. Disrespect of hierarchy, and
  - f. Offending the public.
7. Offending other members.
8. Disclosing secrets.
9. Offending reputation.
10. False rumours.

*Third: Rebuke or warning, and this applies to:*

1. Ceasing to participate in organisational activities without an acceptable excuse for at most two regular meetings and this period extends for one month, and
2. Refusal to practice self-criticism when deemed necessary by the respective unit.

*Fourth: Drawing attention or Rebuke, and this applies to:*

1. Coming late to a meeting without an excuse,
2. Inadequate practice of self-education, and
3. Demonstrating signs of deceit and laziness.

#### Article (112)

Repetition of violations is a reason for imposing a stricter penalty. And if the same violations are repeated, the strictest penalty is imposed. A severer penalty is inflicted if newly violations are repeated.

#### Article (113)

- a. Firing and firing with slander penalties are imposed by the Central Committee.
- b. Rank demotion and freezing penalties are inflicted on area committee members and secretaries of branches by the Central Committee, the Mobilisation and Organisation Office and the District Committee. Such penalties are imposed on branch members or lower ranks by the area committee.
- c. A warning penalty is inflicted by the higher organisational rank.
- d. Drawing attention and Rebuke penalties are imposed by all concerned organisational ranks according to the unit the member belongs to.

#### Article (114)

When considering violations, all concerned organisational ranks constitute investigation committees prior to passing a judgement except in case of drawing attention and rebuke penalties.

#### Article (115)

Each penalty can be revised by the rank immediately higher than the one which has signed it in front of the Central Committee and it cannot be overruled without a decision by the Revolutionary Council.

#### Article (116)

It is possible that each penalty is passed separately or together with other penalties issued by the Movement Court.

#### Article (117)

A sentence for two organisational penalties due to one violation is impossible.

#### Article (118)

No sentence can be passed without calling the concerned member to a hearing where he has the right to defend himself and prove innocent.

#### Article (119)

If the member abstains from showing up in front of the official committee which investigates the violation, he is called a second time in a week's time, after that the session takes place whether or not he attends provided that if he has been informed.

Article (120)

Penalised crimes are the concern of the Movement Revolutionary Judicial Authority, and examined by the Revolutionary Courts formed by the Central Committee according to article (71) of the constitution.

CHAPTER EIGHT

General Stipulations

Article (121)

The appended regulations, and those endorsed by the Revolutionary Council and transferred to it by the General Conference have the same power as the essential constitution with the proviso that they not contradict it.

Article (122)

Membership in the Movement is a sacred right which can be acquired only by whoever belongs to one of the Movement leading or base units.

Article (123)

Working in the Movement departments is an added task to the member, which does not entail membership, nor is it a replacement of an organisational job in any of the organisational ranks. Similarly, deputising a member to do any task outside the Movement departments is not a substitute for the Movement organisational framework.

Article (124)

During an organisational meeting, any member has the right to debate before a decision is made. Debate may be allowed after issuing the decision, and a member has the right to object to the decision after execution.

Article (125)

Each member has to do some minimal military training and to be completely qualified to undertake his tasks.

Article (126)

A member has to be informed in accordance with requirements of his membership, organisational rank and the job undertaken.

Article (127)

A member who is sacked or is subjected to some arbitrary act without a decision by a Movement court has the right to appeal to the Member Protection Committee.

Article (128)

Equality among organisational ranks in committees, offices or executive departments must be taken into account so that they enjoy equal responsibilities, rights and obligations.

Article (129)

Communication with a district committee member is entrusted to the district committee secretary or one of its members. A district committee member has to handle any task assigned by the district committee, and this equally applies to an area committee member in the respective area boundary.

Article (130)

A member of the Central Committee who has failed in the General Conference elections has the right to maintain his membership in the Conference and perform any tasks assigned to him by the Central Committee, and this equally applies to the member of the Revolutionary Council.



**ASIFA FORCES (PALESTINIAN GUERRILLA), COMMUNIQUÉ NO. 1 FROM THE  
HEADQUARTERS, 6 JANUARY 1965**

From among our steadfast people, waiting at the borders, our revolutionary vanguard has issued forth, in the belief that armed revolution is our only path to Palestine and freedom. Let the imperialists and Zionist know that the people of Palestine are still in the field of battle and shall never be swept away.

Our enemies have forgotten our strength and our history of revolutions. We are determined to resort to armed conflict whatever the obstacles, until all conspiracies are foiled. The Zionists have planned to stay long in our country by executing diversion and reconstruction projects aimed at increasing their potential for aggression and forcing the Arab world to accept the *fait accompli*.

Because of all these threats and since time is running out, our revolutionary vanguard had to move fast in order to paralyze the enemy's plans and projects. In this task, we rely upon our own strength and on the capabilities of the people of Palestine.

We hereby declare to the whole world that we are bound indissolubly to the soil of our homeland. Our moving force is our own faith that this is the only means which can reactivate our problem which has been dormant for so long. But we must also inform the world that we are bound, by our destiny and struggle, to the Arab nation which will help us, both materially and morally.

We appeal to the Arabs of Palestine, to our single Arab nation and to lovers of freedom everywhere to aid the fighting men of the Asifa in their heroic struggle. We pledge ourselves to fight until Palestine its liberated and resumes its place in the very heart of the Arab world. Long live the Arab nation. Long live our Arab Palestine.



**ABSENTEES' PROPERTY (AMENDMENT NO. 3) (RELEASE AND USE OF ENDOWMENT  
PROPERTY) LAW, 5725-1965, PASSED BY THE KNESSET, 2 FEBRUARY 1965**

*[See document dated 14 March 1950 above for the original version of the Law and for previous amendments documents dated 6 March 1951, 14 Feb. 1956]*

1.
  - (a) In section 4 of the Absentees' Property Law, 5710-1950(1) (hereinafter referred to as "the principal Law"), the following subsection shall be inserted after subsection (a):

Amendment  
of  
section 4.

"(1A)

- (1) Where any property is an endowment under any law, the ownership thereof shall vest in the Custodian free from any restriction, qualification or other similar limitation prescribed, whether before or after the vesting, by or under any law or document relating to the endowment if the owner of the property, or the person having possession or the right of management of the property, or the beneficiary of the endowment, is an absentee. The vesting shall be as from the 10th Kislev, 5709 (12th December, 1948) or from the day on which one of the aforementioned becomes an absentee, whichever is the later date.
- (2) The provisions of this subsection shall not void any restriction, qualification or other similar limitation prescribed by or under this Law or imposed by the Custodian and shall not void any transactions effected by him."

- (b) This section shall have effect retroactively as from the date of the coming into force of the principal Law.

Amendment of section 9.

2. Subsection (d) of section 9 of the principal Law shall be repealed.

3. The following sections shall be inserted after section 29 of the principal Law:

"Release of endowment property.	<p>29A.</p> <ul style="list-style-type: none"> <li>• (a) Where the Custodian releases any endowment property vested in him and which was dedicated for the benefit of the members of the family of the dedicator or of the members of another family, and the beneficiaries are still alive, he may transfer the ownership of the property to them. Where he releases any endowment property vested in him which was not dedicated as aforesaid, he may transfer the ownership thereof to a board of trustees appointed under section 29B or 29H.</li> <li>• (b) Property transferred as aforesaid shall be free from any restriction, qualification or other similar limitation prescribed by or under any law or any document relating to the endowment.</li> <li>• (c) For the purposes of this section and of sections 29B to 29H, "endowment property" means Muslim <i>waqf</i> property being immovable property validly dedicated.</li> </ul>								
Boards of trustees.	<p>29B. The Government shall, by notice in <i>Reshumot</i>, appoint boards of trustees for the area of each of the following local authorities:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td style="padding: 2px 10px;">Tel Aviv - Jaffa</td> <td style="padding: 2px 10px;">Acre</td> </tr> <tr> <td style="padding: 2px 10px;">Ramla</td> <td style="padding: 2px 10px;">Nazareth</td> </tr> <tr> <td style="padding: 2px 10px;">Lod</td> <td style="padding: 2px 10px;">Shafra'am</td> </tr> <tr> <td style="padding: 2px 10px;">Haifa</td> <td></td> </tr> </table>	Tel Aviv - Jaffa	Acre	Ramla	Nazareth	Lod	Shafra'am	Haifa	
Tel Aviv - Jaffa	Acre								
Ramla	Nazareth								
Lod	Shafra'am								
Haifa									
The board of trustees - a body corporate.	<p>29C. A board of trustees shall be a body corporate competent to acquire and transfer any right, enter into any obligation and be a party to any legal proceeding and to any contract. But a board of trustees shall not in any manner transfer immovable property which includes a mosque.</p>								
Budget.	<p>29D. A board of trustees shall prepare an annual budget of income and expenditure in connection with the property under its control. The budget shall require the approval of the Government and upon such approval being given shall bind the board of trustees.</p>								
Management of property by board of trustees.	<p>29E. The board of trustees -</p> <ul style="list-style-type: none"> <li>• (1) shall manage the property under its control and all use the income thereof for the following purposes: relief of the poor, scholarships to pupils at schools, vocational training, health, religious instruction and religious wor-</li> </ul>								

Addition of sections 29A - 29H.

	<p>ship or custom, and any other purpose approved by the Government, all for the requirements of the Muslim inhabitants within the area of operations of the board;</p> <ul style="list-style-type: none"> <li>• (2) shall use the consideration received for property which ceases to be under its control for the establishment of institutions of the following kinds: orphanages, schools, including schools for vocational training, clinics, mosques and any other similar institution approved by the Government, all for the requirements of the Muslim inhabitants; and all notwithstanding any provision contained in or made under any law or any document relating to an endowment, and subject to the directions of the Government or a person appointed by it in that behalf.</li> </ul>
Inspection by State Comptroller.	29F. A board of trustees shall be subject to inspection by the State Comptroller after and in so far as the Finance Committee of the Knesset or the State Comptroller has decided that the inspection shall become operative.
Use of endowment property by Custodian.	29G. Endowment property vested in the Custodian and not released, and the income thereof and consideration received therefor, shall be used by the Custodian for the same purposes for which a board of trustees may use property, and the income thereof and consideration received therefor, under section 29E.
Additional boards of trustees.	29H. The Government shall, as may be necessary, by declaration in <i>Reshumot</i> , designate further localities in the areas of which boards of trustees shall be established."

LEVI ESHKOL  
*Prime Minister*

PINCHAS SAPIR  
*Minister of Finance*

SHNEUR ZALMAN SHAZAR  
*President of the State*



**ISRAELI PRIME MINISTER LEVI ESHKOL, STATEMENT TO THE KNESSET  
- THE ISRAELI PEACE PLAN, JERUSALEM, 17 MAY 1965 [EXCERPTS]**

*[In his speech PM Eshkol explained Israeli views regarding borders, refugees and navigation, and suggested a mutual security pact between Israel and its neighbors.]*

These two elements - the inevitability and the blessings of peace - are the basis of Israel's fundamental conception, one that has found expression in statements, reactions and proposals throughout the years of our renewed existence as a State. Even before that, our movement of renaissance was accompanied, almost from its beginnings, by the conviction that there is room for a common path for us and for the Arab States achieving their liberation, and that any clash between the two is bound, in the long run, to be but a fleeting episode in the annals of the nations.

If we try to sum up our peace plan as it has been articulated in our statements, hopes and actions, we should say, first of all, that the foundation of it is full respect for the independence, sovereignty and territorial integrity of all the States in the region.

From the juridical point of view, the effort for peace in the region is anchored to two international obligations, one general and the other specific. The general obligation is the duty accepted by all member-States of the United Nations to live with each other in peace and good neighbourliness, to

unite their forces for the maintenance of peace and security in the world, and to refrain from the threat or use of force against the independence or territorial integrity of any State. I am quoting from the United Nations Charter, which both we and the Arab States signed.

There is, however, a second obligation in the armistice agreements of 1949. These lay down that they constitute a transition stage towards permanent peace. We propose, therefore, that direct negotiations be conducted between Israel and the States that signed the agreements with us, to replace them by pacts of peace. The peace settlement will be made on the basis of Israel as it is. Today, the States that signed the agreements have crystallized the patterns of their lives and developmental undertakings behind the existing borders. The Arabic-speaking States extend over an area of eleven and a half million square kilometres, and generally speaking, are thinly populated. The four Arab States which have borders with us alone extend over an area of one million two hundred thousand square kilometres, and Israel has only a sixtieth part of the area in its possession, in other words, slightly more than 1.5 per cent - twenty-one thousand square kilometres. In this situation, there is neither sense nor justice in territorial changes to Israel's disadvantage, and there exists neither power nor possibility, juridical or practical, to carry them out.

### **Historic Rights**

And this without saying a word on the fundamental and natural historic rights of the Jewish people to its Land, to its only Homeland, from which it was expelled by brute force. To this Land it has lifted up its heart and its prayers during the years of exile. In every generation, throughout the tribulations of epochs and regimes, its sons have come forward, braving hardship and suffering, to settle on its soil. Through the Land it has preserved - alone among all contemporary nations - its distinctiveness and its existence. Never has the Jewish people abandoned its Land, never has that Land been devoid of a Jewish population. In recent generations, the Jewish people dedicated itself to the task of safeguarding its rights to its Homeland under the law of nations. Through its toil and sacrifice, and with the support of humanity's finest sons, after the most appalling of history's tragedies, the State of Israel arose in a partitioned Land of Israel.

In this heritage, and within these boundaries, we shall do all we can, and more, to gather in the scattered sons of our people and to unveil anew the light of our genius.

There may, indeed, be minor border adjustments, mutual and agreed, at certain points where there are hindrances to the daily pursuits of the populations.

### **Programme for Peace**

But this is the rule: peace comes to change relations between States, but not to change the States themselves.

First of all, this applies to the express obligation to refrain from all aggression. We give warning against the aggressiveness of certain Arab rulers, and we can point to threats of aggression, and to planning for aggression, on their side. On the other hand, any Arab who proclaims a fear of aggression on our part is simply a victim of propaganda - if he is not one of those who, in the talmudic phrase, 'know the truth and seek to rebel against it'. One way or the other, by all means let there be a mutual undertaking to refrain from aggression, so that our justified apprehensions and vain Arab fears may be dissipated at one and the same time.

Once peace is assured, we shall all be free to enjoy its rewards, and they can be most important in many fields. First of all, let it be pointed out that the State of Israel stands at the crossroads of Asia and Africa. If the entire region becomes an open area, dedicated to co-operation and mutual aid, that will be a blessing to the peoples of both Continents, and, among them, to ourselves and the Arab States as well.

Orderly land transport by road and rail; freedom of transit through airports; radio, telephonic and postal communications; access to our ports on the Mediterranean in the form of free areas in them, under suitable conditions, for the benefit of Jordan, which has no outlet to that sea; facilities for the

sale of oil by reviving the oil pipeline or building larger ones; encouragement of tourism to all the lands of the area; free access to the Holy Places with amenities for religious pilgrimage to centres sacred to all religions - all these are only part of the picture that will take shape as the outcome of the liberation of the Middle East from the oppressive atmosphere that now prevails.

Regular processes of trade will be instituted; patterns of economic co-operation will be worked out on the basis of the experience acquired in other parts of the world. There is room for joint exploitation of raw materials through extraction and marketing, and for joint research on the problem of water desalination which engages certain of the countries in the region. Let us work together to make and areas fertile; let us co-operate in conquering disease, in medical and agricultural research; let us strive side by side to utilize new sources of energy, for mutual cultural and scientific productivity, in the broadest sense of the term.

A climate of negotiation for peace will, of course, enable us to act together in restraint of the arms race and to cut down armaments in the region. The States there cannot but benefit from reliable arrangements for the limitation of armaments under mutual control; all of them will be able to divert tremendous financial and human resources, now used for purposes of war, to the development of their economic and scientific potential and the diminution of the need for external aid.

### *The Refugee Issue*

The vast assets which will be released in that way will also largely facilitate the completion of the resettlement and absorption of the Arab refugees in their natural national environment, namely, in the Arab States, with their extensive territories and wealth of water, but sorely in need of development and, to take part in that development, of people who are their brothers and sisters in nationality, language and customs, in outlook and faith.

Israel is prepared to help financially, to the best of its ability, and with the aid of the Great Powers, in this work of settlement and rehabilitation. Let it be remembered that the flight of the Arabs from Israel was devised by a leadership which had planted in their hearts the hope that they would return after we had been destroyed by the invading armies. Nevertheless, Israel has never ignored the human needs of those who uprooted themselves from their former abodes, whatever their motives might have been. The settlement of the refugees in the Arab States is the only solution consonant with their true interest, as well as ours.

In a similar way, in a natural national environment, Israel has absorbed Jewish refugees from Arab countries to a total not less than the number of Arab refugees who left our territory, and, from the legal point of view, it has thus perhaps already fulfilled its obligation.

This programme for peace is no fantasy. I do not imagine that the co-operation which exists today in Western Europe, for example, seemed less fantastic as little as twenty years ago. We are approaching the end of a score of years since the War of Independence. It can be done here too.

I have not touched on all the questions involved in a peace settlement. I have not enumerated all the boons such a settlement would imply, or, indeed, all the problems that are liable to arise. Our World knows many forms of productive co-operation between independent and distinctive States, in mutual respect for each other's sovereignty and integrity. It is the debate that has come out into the open on the other side, the recognition that a readiness to think about co-existence, about life side by side, is beginning to take shape there, that led me to outline a few basic principles and to voice the hope that my words will find an echo sooner or later - I hope, not too late.

The beginning of wisdom is the courage to free oneself from the self-hypnosis of hate propaganda, to sit down at the conference table without prior conditions and, in full mutual respect, to start spinning the thread from the point where the armistice agreements left off - and the benefits will follow.



**LEAGUE OF ARAB STATES, COUNCIL OF FOREIGN MINISTERS,  
PROTOCOL FOR THE TREATMENT OF PALESTINIANS IN ARAB STATES  
("CASABLANCA PROTOCOL"), 11 SEPTEMBER 1965**

On the basis of the Charter of the League of Arab States and its special annex pertaining to Palestine, and of the LAS Council resolution concerning the Palestinian issue, and, in particular, of the Special Resolution pertaining to safeguarding Palestinian existence,

The Council of Foreign Ministers of Member States agreed, in its meeting in Casablanca on 10 September 1965, upon the following regulations, and called upon member states to take the necessary measures to put them into the sphere of implementation:

- (1) Whilst retaining their Palestinian nationality, Palestinians currently residing in the land of ..... have the right of employment on par with its citizens.
- (2) Palestinians residing at the moment in ..... in accordance with the dictates of their interests, have the right to leave and return to this state.
- (3) Palestinians residing in other Arab states have the right to enter the land of ..... and to depart from it, in accordance with their interests. Their right of entry only gives them the right to stay for the permitted period and for the purpose they entered for, so long as the authorities do not agree to the contrary.
- (4) Palestinians who are at the moment in ....., as well as those who were residing and left to the Diaspora, are given, upon request, valid travel documents. The concerned authorities must, wherever they be, issue these documents or renew them without delay.
- (5) Bearers of these travel documents residing in LAS states receive the same treatment as all other LAS state citizens, regarding visa, and residency applications.



**EGYPTIAN BATTLE ORDER NO. 1,  
ISSUED BY FIELD MARSHAL ABDUL-HAKIM AMER, 14 MAY 1967**

*[Note: Citing its defense pact with Syria, Egypt began to move forces to the Sinai on 14 May 1967. The next day, a general state of emergency was declared in Egypt.]*

In the past few days, reliable reports have disclosed that there are huge Israeli troop concentrations on the Syrian borders. Their intention is to intervene on Syrian territory in order to:

1. Overthrow the Arab liberated regime and establish a hired reactionary regime in Syria;
2. Suppress the movement for the liberation of Palestine.

This was supported by the aggressive declarations, characterized by their impudence, which were made by the Israeli Prime Minister and Chief of Staff of the Israeli army, and which represent an undisguised provocation of the Arab liberated forces, at the head of which is the United Arab Republic...

But, after considering all the possibilities, we decided to take a firm stand against the Israeli military threats and intervene immediately in case of any aggressive action taken by Israel against Syria...

The following orders have been issued:

1. Mobilization of the armed forces;
2. Raising the level of preparedness to full alert for war, beginning 14.30, 14 May 1967;
3. The formations and units indicated by the operation plans will move from their present stations to their appointed grouping areas;
4. The armed forces will be at full alert to carry out their battle assignment on the Israeli front according to developments in the situation...



**ISRAELI PRIME MINISTER LEVI ESHKOL, ADDRESS TO THE KNESSET, 22 MAY 1967**

*[In his address, Eshkol appealed for mutual troop reductions and an end to the crisis after an estimated 85,000 Egyptian troops had crossed into Sinai (approved by the Arab League), Syria had massed troops along its border, and Iraqi forces were placed on war alert].*

Mr. Chairman, Members of the Knesset:

This session of the Knesset opens against the background of grave developments which took place during the past week on Egypt's border with Israel. I shall briefly review the chain of events.

During the night of May 15, 1967, news of the movement of Egyptian military forces into Sinai reached us from various sources. Military forces had been openly and demonstratively transferred, in broad daylight. Cairo explained that this step was taken in response to Israel's alleged preparations to attack Syria, and concentration of military forces on the northern frontier.

Upon learning of the Egyptian troop movements and the pretext offered to explain them, and before Egyptian forces had crossed the Suez Canal, we informed the UN that the allegations of Israeli troop concentrations in northern Israel were baseless. This statement was released for publication in the world press. Indeed, our statement was transmitted by the UN to Middle Eastern capitals, including Cairo. In his report to the Security Council on May 19, 1967, the UN Secretary-General states that UN observers verified the absence of Israeli troop concentrations and Israeli military movements on the northern frontier.

Nevertheless, Egyptian troop movements continued in the direction of Sinai, while mendacious propaganda continued to proceed from Cairo and Damascus concerning Israeli concentrations which had never taken place.

During the first days of Egyptian troop movements towards Sinai, authoritative political circles in the world capitals expressed the view that this was merely a propaganda move, devoid of any particular military significance.

The movement of Egyptian forces into Sinai gathered strength during the second half of last week, and today they are almost fully deployed in Eastern Sinai and various positions throughout the Peninsula. Before May 14, the Egyptian force in Sinai consisted of less than two divisions, based mainly on infantry and some armour. Today, after reinforcements, Egyptian forces there are of a strength of close to four divisions of armoured infantry. Furthermore, numerous artillery units have been brought up, and the Palestinian forces in the Gaza Strip have been strengthened. Moreover, the Egyptian air force in the Sinai Peninsula has also been reinforced.

All in all, the strength of Egyptian forces in Sinai has grown, according to our estimate, from 35,000 to 80,000 men. This is the first time that Egypt has brought forces of such dimensions into Sinai. With the increase of the Egyptian force and its advance into east Sinai, a graver international view is also being taken of Egypt's likely intentions and possible moves.

Members of the House:

While Egyptian forces advanced into east Sinai, the Chief of Staff of Egypt's armed forces informed the Commander of the UN Emergency Force on Tuesday, 16 May, as follows:

*"I have instructed all the armed forces of the United Arab Republic to be ready for action against Israel, as soon as Israel carries out any aggressive action against any Arab State. In the light of these instructions, our forces have already been concentrated in Sinai on our eastern border. In order to ensure the full safety of all UN forces deployed in observation posts along our borders, we request that the removal of these forces be ordered at once."*

The Commander of the UN Emergency Force replied that he would at once report accordingly to the UN Secretary-General since he had no authority to withdraw any parts of the UN Emergency Force or to alter their deployment in any manner, unless instructed to do so by the Secretary-General.

From then on matters were dealt with by the UN Secretary-General. U Thant at once requested clarifications from the Egyptian representative at the UN, but at the same time he saw fit, for some reason, to announce on his own initiative that any request for the temporary removal of the UN Emergency Force from the border would be regarded as a demand for the complete evacuation of the force from the Gaza Strip and Sinai.

The UN Secretary-General's announcement was soon followed, on the very same day, by Egypt's official request for the complete evacuation of the UN Force from Egyptian territory and from the Gaza Strip.

The Secretary-General pointed out, it is true, in his reply on the same day, that the evacuation of the force was liable to be of grave significance for the peace of the region, but, to general surprise, on the other hand, he complied at once with the request for evacuation.

On Friday, May 19, the Commander of the UN Force, General Rikhye, informed the Israeli authorities that, as from 4:00 P.M. of the same day, the force had ceased to carry out its functions and that it would remain in its bases and act only to ensure its own safety. This is the only official communication on this subject which Israel has received from the UN. Here I must point out that Israel was a party to this international arrangement, reached in 1957, but the Secretary-General did not see fit to consult Israel before he adopted his hasty decision.

Members of the House:

The UN Emergency Force was established by virtue of the General Assembly Resolution of November 5, 1956. For more than ten years this force, consisting of soldiers of many countries, was deployed in Sinai - at Kuntilla and Sharm el-Sheikh and in the Gaza Strip.

The function of this force, according to the UN General Assembly Resolution of February 8, 1957, was to contribute to the maintenance of peaceful conditions in the region. In other words, its establishment was based upon the aspiration to prevent hostilities and promote the transition from belligerency to peace. The UN Force was not intended, it is true, nor was it physically able, to prevent a clash between the parties. The very fact of its presence in certain areas - and the tasks which it actually fulfilled - constituted, no doubt, a positive factor.

The UN Force was deployed in its positions in our region for more than ten years. The demand for its evacuation, and the compliance with it, undoubtedly involve a weakening of the UN's position in its functions of keeping the peace.

It is noteworthy that even at the time when UNEF was established, the question of how the UN would act and react in case of an Egyptian demand for its evacuation was raised. In his memorandum of February 26, 1957, the then Secretary-General, Dag Hammarskjöld, reported to the General Assembly on a statement which he had transmitted to the Government of Israel, in which he said that suitable procedure would be for the Secretary-General to inform the Advisory Committee of UNEF (of the demand for evacuation), while the Committee would decide whether to bring the demand to the attention of the General Assembly. As far as we know, the present Secretary-General, U Thant, did not submit the demand for a decision by the Advisory Committee prior to adopting his decision and, of course, the General Assembly was not enabled to consider the request for evacuation.

It is known that several member-States of the Advisory Committee have expressed objections to the step taken by the Secretary-General in this matter. Israel had every reason to believe that any demand for the withdrawal of this force would be considered at length and in good time, so as to clarify all the consequences that the evacuation demand would entail.

Mr. Speaker, Members of the House:

The latest development is a link in a chain of tension, the source of which lies in Damascus. From this rostrum I have already dwelt upon the fact that Syria has been alone in its demands to wage war at once against Israel, and in this connection has initiated the organization of bands of saboteurs and assassins to operate on Israeli territory.

From 1965 up to May 1967, 113 minelaying and sabotage attempts and operations have been perpetrated on Israeli soil for which Syria is responsible - whether they came directly from its territory or through the territory of other countries. In addition, scores of shooting and shelling outrages against Israeli farmers have been initiated from Syrian territory, including the shelling of villages.

Since July 1966, we have complained to the UN of such Syrian operations in thirty-four Notes to the Security Council, as well as maintaining constant contact on the subject with the UN Secretariat and the Chief of the UN observers in the region.

These sabotage operations were accompanied by announcements, threats, and bellicose statements made by Syrian leaders. Hand in hand with this activity, Syria has made the foolish claim that it was Israel, as it were, which was about to attack it. This past week was not the first time that Syrian sources spread lying reports of large-scale Israeli troop concentrations on the northern border for the purpose of attacking Syria.

Four times during the past two years the Chief of the UN observers suggested a check on both sides of the border in connection with the allegations of threatening troop concentrations.

On March 17, 1965, the Chief of UN observers proposed a review on the borders. Next day, Israel replied in the affirmative, while Syria failed to reply at all, and no check took place.

On June 3, 1966, the UN made a similar request. Both sides agreed and the check was carried out.

On October 19, 1966, when the Syrians repeated their allegations, Israel, on its own initiative, proposed that the Chief of UN observers should again carry out a similar check, which, indeed, took place.

On April 15 of this year, when Arab elements and others spread rumors of heavy Israeli troop concentrations, deployed for attack, the Chief of the UN observers suggested to both parties that another check be carried out by him. On April 18, Israel expressed its consent. The check was not carried out owing to the attitude of Syria.

Furthermore, after Syria had prevented the implementation of such a check during the first week of May, it also failed to respond to the suggestion of the Chairman of the Israel-Syria Mixed Armistice Commission to obtain confirmation of the absence of Israeli troop concentrations on Syria's border. Israel replied affirmatively to this request on the very same day.

To sum up: on May 15, the Egyptians explained that they had introduced their forces into Sinai on the strength of Syria's claim of alleged Israeli troop concentrations, deployed for an attack on Syria. In reality, however, Syria did all it possibly could in previous weeks to frustrate every UN endeavor to verify the true state of affairs, lest the spuriousness of its claims be revealed.

Indeed, the Secretary-General in his report to the Security Council on May 19, said:

*"The Government of Israel has confirmed to me a few days ago that no unusual concentrations of Israeli forces or unusual military movements have taken place on the Syrian armistice line."*

The Secretary-General goes on to say:

*"The reports of UN observers have verified the absence of troop concentrations and the absence of noteworthy military movements on both sides of the line."*

Thus it transpires beyond any doubt that the Syrians have spread mendacious rumors which the Egyptians have clutched at and relied upon.

In the face of Syrian aggression we have tried, in vain, to exhaust all political measures of restraint. When acts of aggression continued and increased in gravity, we considered it necessary in certain cases to exercise our right of self-defense.

Nineteen incursions into Israel have taken place during the past six weeks. The UN Secretary-General himself, in his report to the Security Council of May 19, points out that these acts of terrorism and sabotage by El Fatah are a major factor in the deterioration of the situation to an unusual degree of tension and danger. "These acts provoke strong reactions in Israel by Government and people alike," he said.

This appraisal is of great value for the comprehension of the basic causes of the growing tension in our region of late.

The Secretary-General goes on to state that several incidents have of late apparently indicated a new level of organization and training by those perpetrating sabotage and terrorist activities.

Members of the House:

The tension prevailing between Israel and the Arab countries has been influenced throughout the years by the state of inter-Arab relations and the relationship between the Powers - against the background of their global and regional policies. All these factors are inextricably linked with each other.

In view of the mounting tension of late, the Big Powers ought to exercise their full influence in order to remove the danger of a conflagration in the Middle East.

Particular responsibility rests with the Soviet Union, which has friendly relations in Damascus and in Cairo, and which has not yet clearly dissociated itself from the policy of Damascus vis-à-vis Israel. It is only fitting that the declared policy of Soviet Russia - which advocates the settlement of controversies by negotiation, and not by violence - should also find expression in our region, without discrimination. This would further the maintenance of peace.

The concentrations of Egyptian forces in Sinai have reached proportions which increase the tension in our region and arouse world concern. The status quo must be restored on both sides of the border.

In the wake of the statements made by the UN Secretary-General, it is incumbent on UN members, and the Big Powers in particular, to declare in unmistakable terms their strongest opposition to the acts of sabotage carried out against a member state of the UN and to demand the complete cessation of such acts, which are contrary to international law and to the principles of the UN Charter.

International influence should be exerted to its utmost to ensure continuation of the quiet which prevailed on the Egyptian-Israeli border since March 1957, by respecting the vital national and international rights of all states, including Israel.

The Secretary-General of the United Nations is leaving tonight for the Middle East, in order to contribute to the relaxation of tension and the consolidation of peace. We shall follow this visit, and its results, with interest.

I would like to say again to the Arab countries from this rostrum, particularly to Egypt and Syria, that we harbor no aggressive designs. We have no possible interest in violating either their security, their territory, or their legitimate rights. Nor shall we interfere in any way in their internal affairs, their

regimes, or their regional or international relations. We expect of them, according to the principles of reciprocity, the application of the same principles towards us.

Members of the Knesset:

During the early days of the movement of Egyptian forces towards Sinai, the view was expressed in various world capitals that it was a question of a purely demonstrative operation of no military significance. Others, of course, can adopt one interpretation or another, but we, whose frontiers this force has approached, took the view that it was our duty to adopt all necessary steps to meet any possible development.

In view of the Egyptian concentrations on our borders and the evacuation of the UN force, I ordered a limited mobilization of reserves, which has been carried out according to plan.

On the completion of the limited mobilization, I visited the Israel Defense Forces units. The remarkable capacity of our Army, which has been fostered and perfected over the years, has reached a high level today. The Israel Defense Forces are capable today of meeting any test, with the same devotion, skill and capacity that they have demonstrated more than once in the past - and, knowing the facts as I do, I could say even more.

In conclusion, I call upon all the peoples of the Middle East for reciprocal respect for the sovereignty, integrity, and international rights of each of our countries. Israel, with complete confidence in its defensive capacity and its steadfastness of strength and spirit, expresses at this hour its readiness to participate in an effort to reinforce stability and advance peace in our region.

And indeed, what is at stake is a clear and formal international undertaking, on compliance with which the maintenance of international law and order depends. Hence, we are confronted with a fateful hour not only for Israel, but for the whole world. In view of this situation, I call upon the Powers once again to act without delay for the maintenance of the right to free passage to our southernmost port, a right which applies to every state without distinction. The Government of Israel will adhere to the policy which it announced in the UN Assembly on March 1, 1957. Since this statement was made, free passage in the Straits and the Gulf has taken shape during the past ten years as a well-rooted international reality, expressed in the form of hundreds of sailings under dozens of flags and the creation of a variegated and developing network of commerce and communications.

The illegal statement of the Egyptian President is another link in the violation of law that Egypt has been committing for many years by imposing a blockade in the Suez Canal, in violation of its undertakings to permit free passage through the Canal to all ships of all nations.

Members of the Knesset:

In my statement yesterday I called upon the nations of the Middle East for reciprocal respect of the territorial integrity, political sovereignty and rights of all states in the area. I announced Israel's readiness to participate in an effort for the relaxation of tension and the consolidation of peace in our area.

If a criminal attempt is made to impose a blockade on the shipping of a memberstate of the United Nations, that will be a dangerous precedent, with grave consequences for international relations and the freedom of these seas. The latest development clearly demonstrates the dangerous significance of Egypt's moves. I call upon international factors to demonstrate practical and effective responsibility for the preservation of peace.

I shall give further details to the Defense and Foreign Affairs Committee and we shall continue to consider them. The debate in the Knesset has demonstrated the unity of the nation in meeting the future, with unity and a spirit of alertness and confidence in our midst, we shall meet the days to come.



**EGYPTIAN PRESIDENT GAMAL ABDUL NASSER, SPEECH ANNOUNCING THE  
CLOSURE OF THE GULF OF AQABA TO ISRAELI SHIPPING, 23 MAY 1967**

*[Egypt reimposed a naval blockade on the Straits of Tiran and warned it  
would fire upon Israeli shipping if it attempted to break the blockade.]*

The entire country looks up to you today. The entire Arab nation supports you. It is evident that the entire people supports you completely in these circumstances and considers the armed forces as its hope today. It is also certain that the entire Arab nation supports our armed forces in these circumstances through which it is passing.

What I want to say is this: We are now in 1967, not in 1956. A great deal was said after the tripartite aggression while many things were still a dark secret. Israel, her commanders and rulers, boasted a great deal after 1956. I have read every word that was written about 1956, but I also know what happened in 1956.

On the night of 29 October 1956, the Israeli aggression against us began, and fighting began on 30 October. We received the Anglo-French ultimatum which called on us to withdraw several miles to the west of the Suez Canal. On 31 October the Anglo-French attack on us began. The air raids began at sunset. At the same time all our forces were withdrawn completely from Sinai to inside Egypt.

Thus in 1956 we had absolutely no opportunity to fight Israel. We decided to withdraw before the real fighting with Israel began. But in spite of our decision to withdraw, Israel was not able to occupy any of our positions except after we had withdrawn from them. But they made a great uproar after that, talking and boasting, and said a great deal about the "Sinai campaign" and the "Sinai battle." Every one of you knows what was said. It may be that they themselves believed it.

But today, more than ten years later, all the secrets have been disclosed, the most important thing being how they brought Ben-Gurion to France, to employ him as imperialism's dog, to begin the operation. Ben-Gurion refused to do anything unless he was given a written guarantee that they would protect him from Egyptian bombers and the Egyptian air force. All this is no longer a secret today; all the world knows it. It was on this basis that France sent him fighter planes, and it was on this basis that Britain undertook to Ben-Gurion to bomb Egyptian airfields within 24 hours of the beginning of the aggression. This shows how seriously they took the Egyptian air force.

Ben-Gurion himself said that he had to think about the Haifa-Jerusalem-Tel Aviv triangle, which contains one third of Israel's population. He did not dare to attack Egypt for fear of Egypt's air force and bombers. At that time we had Ilyushin bombers, but only a few; we had only a few; we had only just acquired them to arm ourselves. But today we have many; there is a big difference between yesterday and today, between 1956 and 1967. Why do I say all this? I say it because we are in confrontation with Israel. Israel today does not have the support of Britain and France, as she did in 1956. She has the United States supporting her and supplying her with arms, but what happened in 1956, the conspiracy that took place in 1956, the world will not accept that it should be repeated.

Israel has been boasting since 1956. They speak of Israel's efficiency and excellent training. The West and the western press are always on about this, talking about the "Sinai campaign" - which was not a battle at all, because we withdrew at the time to confront Britain and France. Today we have a chance to bring the truth to light. We really have a chance to make the world see things as they really are. We are face to face with Israel, which has recently been threatening aggression and boasting.

On 12 May the first statement was made, a very impertinent one. Anyone who reads this statement must agree that these people are so boastful and arrogant that it is impossible to remain silent. The statement said that the Israeli leaders had announced that they would undertake military operations against Syria to occupy Damascus and bring down the Syrian regime. And on the same day, 12 May, the Prime Minister

of Israel, Eshkol, made a very threatening statement against Syria. At the same time the commentators said that Israel thought that Egypt could not make a move because she was tied up in the Yemen.

Of course they say that we are tied up in the Yemen and have problems there. We are in the Yemen, but it seems that the Israelis have believed all the nonsense and lies they have been telling about our situation in the Yemen for years. We are capable of performing our duty in the Yemen and at the same time performing our national duty here in Egypt, both in defending our frontiers and attacking, if Israel attacks any Arab country.

On 13 May we received definite information to the effect that Israel was concentrating huge armed forces of about 11 to 13 brigades on the Syrian frontier, and that these forces were divided into two fronts, one to the south and one to the north of Lake Tiberias. We also learned that the Israeli decision taken at this time was to carry out an attack on Syria starting on 17 May. On 14 May we took action, and discussed the matter and contacted our Syrian brothers. The Syrians also had this information. In the light of this, General Fawzi went to Syria to coordinate things. We told them that we had decided that if Syria was attacked we should enter the battle immediately. This was the situation on 14 May; forces started to move towards Sinai to take up their natural positions.

News agencies reported yesterday that these movements must have been the result of a previously well thought-out plan. I say that it was the course of events that determined the plan. We had no plan before 13 May, because we did not believe that Israel would dare to make such an impertinent statement, or to take action against any Arab country.

Then on 16 May we requested the withdrawal of the United Nations Emergency Force, in a letter from General Fawzi. We then requested the complete withdrawal of the Emergency Force. This was the signal for the launching of a major world-wide campaign, led by America, Britain and Canada, opposing the withdrawal of the Emergency Force from Egypt. We understood that attempts were being made to turn the United Nations Emergency Force into a force serving neo-imperialism. It is perfectly clear that when these forces entered Egypt it was with our approval, and that therefore they could only stay in Egypt with our continued approval.

Until yesterday there was a great deal of talk about the Emergency Force. There is also a campaign against the Secretary-General of the United Nations because he made an honest and sincere decision and did not submit to the pressure exerted on him by America, Britain and Canada to make the Emergency Force an instrument for the implementation of the plans of imperialism.

Quite naturally, and I say this today quite frankly, if the Emergency Force had been turned aside from its proper task and worked for the aims of imperialism, we should have regarded it as a hostile force and forcibly disarmed it. We are certainly capable of doing that. I say this now not to disparage the Emergency Force, but to let those that have neo-imperialist ideas and who want the United Nations to achieve their imperialist aims know that there is not a single self-respecting country, or one that enjoys full independence, that could possibly accept these methods. At the same time I say that the Emergency Force has performed its duties honourably and faithfully, and that the Secretary-General has refused to submit to pressure, issuing immediate orders for the Emergency Force to withdraw. We therefore praise the Emergency Force, which has stayed for ten years in our country in the service of peace. When it found that the forces of neo-imperialism wanted to divert it from its proper task it refused to do so. We salute it as it leaves our country and bid it an honourable farewell.

Our forces are now in Sinai, and we are fully mobilized both in the Gaza Strip and in Sinai. We notice that there is a great deal of talk about peace these days. Peace, peace, international peace, international security, United Nations intervention, and so on, is appearing daily in the press. But why did no one talk about peace, the United Nations or security when, on 12 May, the Israeli Prime Minister and the Israeli leaders made their statements that they would occupy Damascus, overthrow the Syrian regime, strike vigorously at Syria and occupy part of Syrian territory? It is clear that they approved of what was said by the Israeli Prime Minister and leaders.

There is talk about peace now. What sort of peace? They talk about peace, but of course we say that we too are working for peace. But does peace mean that we should ignore the rights of the people of Palestine because a long time has passed? Does peace mean that we should relinquish our own rights because a long time has passed? Nowadays they talk about a United Nations presence in the area for the sake of peace, but does a United Nations presence in the area for the sake of peace mean that it closes its eyes to everything? The United Nations has adopted many resolutions in favour of the people of Palestine. Israel has not implemented a single one of these resolutions. Of course, that did not give rise to a hue and cry in the United States; in fact, no one ever talked about that.

But today American Senators, members of Congress, the press, and every last man there, are speaking in favour of Israel, of the Jews. But nobody is concerned over what happens to the Arabs. The United Nations resolutions in favour of the Arabs have not been implemented. What does this mean? No one talks at all. Where is the United Nations, that the people of Palestine might turn to it? Just how concerned is it with respect to the rights of the people of Palestine, to the tragedies that have befallen them since 1948? There is always talk of peace when Israel is in danger. But when the rights of the Arabs and of the people of Palestine are lost, no one talks about peace, rights, or anything of the kind.

So it is clear that there is an alliance between the major Western Powers, represented by America and Britain, and Israel, a political alliance which prompts the Western Powers to provide Israel with military equipment.

Yesterday and the day before yesterday the whole world was talking about Sharm el-Sheikh, navigation in the Gulf of Aqaba and the Port of Eilat. This morning I heard the BBC saying that Abd an-Nasir had undertaken to open the Gulf of Aqaba in 1956. Of course, this is not true; it was taken from a newspaper called the Daily Mail; such a thing never happened. Abd an-Nasir could never give away a grain of sand of the soil of our country.

You have now taken a responsibility upon yourselves. Yesterday the armed forces occupied Sharin ash-Shaykh. What does this mean? It is an affirmation of our rights, of our sovereignty over the Gulf of Aqaba, which constitutes Egyptian territorial waters. Under no circumstances can we permit the Israeli flag to pass through the Gulf of Aqaba. The Jews threaten war. We say they are welcome to war, we are ready for war, our armed forces, our people, all of us are ready for war, but under no circumstances shall we abandon any of our rights. These are our waters. Perhaps war will be an opportunity for the Jews, for Israel, for Rabin, to try out their forces against ours, and find out that all they wrote about the battle of 1956 and the occupation of Sinai was a lot of nonsense.

Of course, there is imperialism, Israel and reaction. Reaction in our countries casts doubt on everything, and so does the Islamic alliance. We all know that the Islamic alliance is now mainly represented by three states: Saudi Arabia, Jordan, and Iran. They say that the object of the Islamic alliance is to unite the Muslims against Israel. But I should like the Islamic alliance to serve the cause of Palestine in one way only - by preventing Israel being supplied with oil. The oil that now reaches Israel, that reaches Eilat, comes from one of the Islamic alliance countries. It comes from Iran to Eilat. Who, then, is supplying Israel with oil today? It is the Islamic alliance, one of the members of the Islamic alliance, Iran. This is what the Islamic alliance really is, an imperialist alliance, and it is therefore on the side of Zionism, because Zionism is the main ally of imperialism.

The Arab world, which is now mobilized to the highest degree, knows all this. It knows how to deal with the agents of imperialism, with the allies of Zionism, with the fifth column.

They say they want to coordinate their plans with ours. We can never coordinate our plans with members of the Islamic alliance, because if we did we should be giving our plans to the Jews, to Israel. Today we are engaged in a vitally important battle. When we said that we were ready to enter the battle, we meant that we should really do so if Syria, or any other Arab country, was attacked.

Today the armed forces are everywhere. The army is mobilized; so are all the armed forces and the people. The people are all behind you, praying for you day and night, and feeling that you, their sons, are the pride of their nation, of the Arab nation. This is what the Arab people in Egypt and outside Egypt feel about you. We are confident that you will honour the trust. Every one of us is ready to die rather than allow a grain of his country's soil to be surrendered. This is the greatest honour for us; it is the greatest honour for us to defend our country. So we shall not be frightened by imperialist, Zionist or reactionary campaigns. We have won our independence and tasted freedom. We have built a strong national army and achieved our aims, and we are building our country. There is at present a propaganda campaign against us, a psychological campaign, a campaign to implant doubts, but we can leave all that behind and follow the course of duty, the course of victory. God be with you.



**ISRAELI PRIME MINISTER LEVI ESHKOL, STATEMENT TO THE KNESSET  
REGARDING EGYPT'S BLOCKADE OF THE STRAITS OF TIRAN, 23 MAY 1967**

*[See also previous document]*

At this grave hour, I have no intention of replying in detail to all the things that have been said in the debate. From the speeches and the inter-party consultations I have held today, I have gained the impression that the Knesset is united in its views and its will. The events of the past day make it necessary for me to be content with a brief statement on one single subject.

This morning a statement by the Egyptian President was published declaring his intention to block the international waterway which passes through the Straits of Tiran and joins the Gulf of Eilat with the Red Sea to the passage of Israeli flagships and ships of other flags whose cargoes are of a strategic character.

Members of the Knesset:

Any inference with freedom of passage in the Gulf and the Straits constitutes a gross violation of international law, a blow at the sovereign rights of other nations and an act of aggression against Israel.

As the Knesset is aware, a number of Governments, including the major maritime Powers, have publicly stated, since 1957, their intention of exercising their rights to free passage through the Straits of Tiran and the Gulf of Eilat.

During the past few days, the Government of Israel has been in close touch with the Governments that have proclaimed and exercised the principle of free passage in these waters since 1957. After these exchanges, I can say that international support for these rights is serious and widespread.



**US PRESIDENT LYNDON B. JOHNSON, STATEMENT REGARDING EGYPT'S  
BLOCKADE ON THE STRAITS OF TIRAN, 23 MAY 1967**

In recent days tension has again arisen along the armistice lines between Israel and the Arab States. The situation there is a matter of very grave concern to the whole international community. We earnestly support all efforts, in and outside the United Nations and through its appropriate organs, including the Secretary-General, to reduce tensions and to restore stability. The Secretary-General has gone to the Near East on his mission of peace with the hopes and prayers of men of good will everywhere.

'The Near East links three continents. The birthplace of civilization and of three of the world's great religions, it is the home of some 60 million people and it is the crossroads between the East and the West.

The world community has a vital interest in peace and stability in the Near East, one that has been expressed primarily through continuing United Nations action and assistance over the past 20 years.

The United States, as a member of the United Nations, and as a nation dedicated to a world order based on law and mutual respect, has actively supported efforts to maintain peace in the Near East.

The danger, and it is a very grave danger, lies in some miscalculation arising from a misunderstanding of the intentions and actions of others.

The Government of the United States is deeply concerned, in particular, with three potentially explosive aspects of the present confrontation.

First, we regret that the General Armistice Agreements have failed to prevent warlike acts from the territory of one against another government or against civilians or territory under control of another government.

Second, we are dismayed at the hurried withdrawal of the United Nations Emergency Force from Gaza and Sinai after more than 10 years of steadfast and effective service in keeping the peace, without action by either the General Assembly or the Security Council of the United Nations. We continue to regard the presence of the United Nations in the area as a matter of fundamental importance. We intend to support its continuance with all possible vigor.

Third, we deplore the recent build-up of military forces and believe it a matter of urgent importance to reduce troop concentrations. The status of sensitive areas, as the Secretary-General emphasized in his report to the Security Council, such as the Gaza Strip and the Gulf of Aqaba, is a particularly important aspect of the situation.

In this connection I want to add that the purported closing of the Gulf of Aqaba to Israeli shipping has brought a new and very grave dimension to the crisis. The United States considers the gulf to be an international waterway and feels that a blockade of Israeli shipping is illegal and potentially disastrous to the cause of peace. The right of free and innocent passage of the international waterway is a vital interest of the entire international community.

The Government of the United States is seeking clarification on this point. We have already urged Secretary-General U Thant to recognize the sensitivity of the Aqaba question, and we have asked him to give it his highest priority in his discussions in Cairo.

To the leaders of all the nations of the Near East, I wish to say what three American Presidents have said before me -that the United States is firmly committed to the support of the political independence and territorial integrity of all the nations of that area. The United States strongly opposes aggression by anyone in the area, in any form, overt or clandestine. This has been the policy of the United States led by four Presidents - President Truman, President Eisenhower, President John F. Kennedy, and myself - as well as the policy of both of our political parties. The record of the actions of the United States over the past 20 years, within and outside the United Nations, is abundantly clear on this point.

The United States has consistently sought to have good relations with all the states of the Near East. Regrettably this has not always been possible, but we are convinced that our differences with individual states of the area and their differences with each other must be worked out peacefully and in accordance with accepted international practice.

We have always opposed - and we oppose in other parts of the world at this very moment - the efforts of other nations to resolve their problems with their neighbors by the aggression route. We shall continue to do so. And tonight we appeal to all other peace-loving nations to do likewise.

I call upon all concerned to observe in a spirit of restraint their solemn responsibilities under the Charter of the United Nations and the General Armistice Agreements. These provide an honorable means of preventing hostilities until, through the efforts of the international community, a peace with justice and honor can be achieved.

I have been in close and very frequent contact - and will be in the hours and days ahead - with our able Ambassador, Mr. Goldberg, at the United Nations, where we are now pursuing the matter with great vigor, and we hope that the Security Council can and will act effectively.



**RUSSIAN PREMIER ALEXEY KOSYGIN, NOTE TO ISRAELI PRIME MINISTER LEVI ESHKOL, CALLING ON ISRAEL TO PREVENT MILITARY CONFRONTATION IN THE MIDDLE EAST, 26 MAY 1967**

*[See also Eshkol's reply below, dated 1 June 1967]*

Mr. Prime Minister,

According to the latest information reaching the Government of the USSR, the tension on the borders of Israel, the UAR and Syria is mounting more and more, with the two sides increasing their forces and in Israel the situation is sharpening as though there was no alternative to acts of war. It would be a tremendous error if circles eager for battle, unrestrained by serious political thought, had the upper hand in such a situation, and arms were to begin talking.

Guided by the interests of peace and the desire to prevent bloodshed, the Government of the USSR decided to send you this Note.

We would like to appeal to you to resort to all measures to prevent a military conflict, since such a conflict would have a major effect on the interests of international peace and security. We turn to you so that no new threat of war may be created in the world, which would bring to nations immeasurable suffering.

We are convinced that, however complicated the situation in the area of the borders of Israel, Syria and the UAR may be, it is necessary to find means to resolve the conflict by non-military means, as it is easy to ignite a fire but putting out its flame may not be nearly as simple as those pushing Israel to the brink of war imagine.

We hope that following a serious consideration of the evolving situation and of the responsibility lying on the shoulders of that side which will initiate the aggression, the Government of Israel will do everything in its power to prevent a military conflict in the Middle East.

Sincerely,

A. Kosygin,  
Chairman of the Council of Ministers of the USSR



**EGYPTIAN PRESIDENT GAMAL ABDUL NASSER,  
STATEMENT TO ARAB TRADE UNIONISTS, 26 MAY 1967**

*[The speech came in the absence of any significant international reaction to the reimposition of the blockade on the Gulf of Aqaba.]*

Thank you for this initiative. You have provided me with an opportunity to see you. I have actually heard your speeches and resolutions; there is nothing to add during this meeting to what you have already said. You, the Arab workers' federations, represent the biggest force in the Arab world.

We can achieve much by Arab action, which is a main part of our battle. We must develop and build our countries to face the challenge of our enemies. The Arab world now is very different from what it

was ten days ago. Israel is also different from what it was ten days ago. Despair has never found its way into Arab hearts and never will. The Arabs insist on their rights and are determined to regain the rights of the Palestinian people. The Arabs must accomplish this set intention and this aim. The first elements of this aim appeared in the test of Syria and Egypt in facing the Israeli threat. I believe that this test was a major starting point and basis from which to achieve complete cohesion in the Arab world. What we see today in the masses of the Arab people everywhere is their desire to fight. The Arab people want to regain the rights of the people of Palestine.

For several years, many people have raised doubts about our intentions towards Palestine. But talk is easy and action is difficult, very difficult. We emerged wounded from the 1956 battle. Britain, Israel and France attacked us then. We sustained heavy losses in 1956. Later, union was achieved. The 1961 secession occurred when we had only just got completely together and had barely begun to stand firmly on our feet.

Later the Yemeni revolution broke out. We considered it our duty to rescue our brothers, simply because of the principles and ideals which we advocated and still advocate.

We were waiting for the day when we would be fully prepared and confident of being able to adopt strong measures if we were to enter the battle with Israel. I say nothing aimlessly. One day two years ago, I stood up to say that we had no plan to liberate Palestine and that revolutionary action was our only course to liberate Palestine. I spoke at the summit conferences. The summit conferences were meant to prepare the Arab States to defend themselves.

Recently we felt we are strong enough, that if we were to enter a battle with Israel, with God's help, we could triumph. On this basis, we decided to take actual steps.

A great deal has been said in the past about the UN Emergency Force (UNEF). Many people blamed us for UNEF's presence. We were not strong enough. Should we have listened to them, or rather built and trained our army while UNEF still existed? I said once that we could tell UNEF to leave within half an hour. Once we were fully prepared we could ask UNEF to leave. And this is what actually happened.

The same thing happened with regard to Sharm el-Sheikh. We were attacked on this score by some Arabs. Taking Sharm el-Sheikh meant confrontation with Israel. Taking such action also meant that we were ready to enter a general war with Israel. It was not a separate operation. Therefore, we had to take this fact into consideration when moving to Sharm el-Sheikh. The present operation was mounted on this basis.

Actually I was authorized by the (Arab Socialist Union's) Supreme Executive Committee to implement this plan at the right time. The right time came when Syria was threatened with aggression. We sent reconnaissance aircraft over Israel. Not a single brigade was stationed opposite us on the Israeli side of the border. All Israeli brigades were confronting Syria. All but four brigades have now moved south to confront Egypt. Those four are still on the border with Syria. We are confident that once we have entered the battle we will triumph, God willing.

With regard to military plans, there is complete coordination of military action between us and Syria. We will operate as one army fighting a single battle for the sake of a common objective - the objective of the Arab nation.

The problem today is not just Israel, but also those behind it. If Israel embarks on an aggression against Syria or Egypt, the battle against Israel will be a general one and not confined to one spot on the Syrian or Egyptian borders. The battle will be a general one and our basic objective will be to destroy Israel. I probably could not have said such things five or even three years ago. If I had said such things and had been unable to carry them out my words would have been empty and worthless.

Today, some eleven years after 1956, I say such things because I am confident. I know what we have here in Egypt and what Syria has. I also know that other States Iraq, for instance, has sent its troops to Syria; Algeria will send troops; Kuwait also will send troops. They will send armoured and infantry units. This is Arab power. This is the true resurrection of the Arab nation, which at one time was probably in despair.

Today people must know the reality of the Arab world. What is Israel? Israel today is the United States. The United States is the chief defender of Israel. As for Britain, I consider it America's lackey. Britain does not have an independent policy. Wilson always follows Johnson's steps and says what he wants him to say. All Western countries take Israel's view.

The Gulf of Aqaba was a closed waterway prior to 1956. We used to search British, US, French and all other ships. After the tripartite aggression - and we all know the tripartite plot - we left the area to UNEF which came here under a UN resolution to make possible the withdrawal of Britain, France and Israel. The Israelis say they opened the maritime route. I say they told lies and believed their own lies. We withdrew because the British and the French attacked us. This battle was never between us and Israel alone.

I have recently been with the armed forces. All the armed forces are ready for a battle face to face between the Arabs and Israel. Those behind Israel are also welcome.

We must know and learn a big lesson today. We must actually see that, in its hypocrisy and in its talks with the Arabs, the United States sides with Israel 100 per cent and is partial in favour of Israel. Why is Britain biased towards Israel? The West is on Israel's side. General de Gaulle's personality caused him to remain impartial on this question and not to toe the US or the British line; France therefore did not take sides with Israel.

The Soviet Union's attitude was great and splendid. It supported the Arabs and the Arab nation. It went to the extent of stating that, together with the Arabs and the Arab nation, it would resist any interference or aggression.

Today every Arab knows foes and friends. If we do not learn who our enemies and our friends are, Israel will always be able to benefit from this behaviour. It is clear that the United States is an enemy of the Arabs because it is completely biased in favour of Israel. It is also clear that Britain is an enemy of the Arabs because she, too, is completely biased in favour of Israel. On this basis we must treat our enemies and those who side with our enemies as actual enemies. We can accord them such treatment. In fact we are not States without status. We are States of status occupying an important place in the world. Our States have thousands of years of civilization behind them -7,000 years of civilization. Indeed, we can do much; we can expose the hypocrisy - the hypocrisy of our enemies if they try to persuade us that they wish to serve our interest. The United States seeks to serve only Israel's interests. Britain also seeks to serve only Israel's interests.

The question is not one of international law. Why all this uproar because of the closure of the Gulf of Aqaba? When Eshkol and Rabin threatened Syria, nobody spoke about peace or threats to peace. They actually hate the progressive regime in Syria. The United States, Britain and reaction which is the friend of the United States and Britain - do not favour the national progressive regime in Syria. Israel, of course, shares their feelings. Israel is an ally of the United States and Britain. When Israel threatened Syria, they kept quiet and accepted what it said. But when we exercise one of our legitimate rights, as we always do, they turn the world upside down and speak about threats to peace and about a crisis in the Middle East. They fabricate these matters and threaten us with war.

We shall not relinquish our rights. We shall not concede our right in the Gulf of Aqaba. Today, the people of Egypt, the Syrian army, and the Egyptian army comprise one front. We want the entire front surrounding Israel to become one front. We want this. Naturally there are obstacles at present. Of course, Wasfi al-Tall is a spy for the Americans and the British. We cannot cooperate with these spies in any form, because the battle is one of destiny and the spies have no place in this battle. We want the

front to become one united front around Israel. We will not relinquish the rights of the people of Palestine, as I have said before. I was told at the time that I might have to wait seventy years. During the Crusaders' occupation, the Arabs waited seventy years before a suitable opportunity arose and they drove away the Crusaders. Some people commented that Abdel Nasser said we should shelve the Palestinian question for seventy years, but I say that as a people with an ancient civilization, as an Arab people, we are determined that the Palestine question will not be liquidated or forgotten. The whole question, then, is the proper time to achieve our aims. We are preparing ourselves constantly.

You are the hope of the Arab nation and its vanguard. As workers, you are actually building the Arab nation. The quicker we build, the quicker we will be able to achieve our aim. I thank you for your visit and wish you every success. Please convey my greetings and best wishes to the Arab workers in every Arab country.



**ISRAELI PRIME MINISTER LEVI ESKOL,  
BROADCAST TO THE NATION, 28 MAY 1967**

The Cabinet today held a meeting to discuss the situation. At the end of the deliberations the following decisions were adopted:

- 1) The danger which confronts Israel as a result of the concentration of the Egyptian Army in Sinai, and as a result of the blockade of Israeli shipping in the Red Sea, is in full force. In view of this danger, and for so long as it exists, the necessity remains to continue to maintain our military readiness. The Government received a report on the measures of readiness which were taken, and it states that the Israel Defence Forces are fully prepared to defend the security of Israel. The Government notes with satisfaction the firm spirit of the people and of the Israel Defence Forces, which are an expression and a guarantee of the strength of the State.
- 2) The Government of Israel expresses its view that the blockade of the Straits of Tiran against Israeli shipping is the equivalent to aggression against Israel. We shall oppose it at the proper time, in accordance with the right to self-defence vested in every State.
- 3) The Government heard from the Minister for Foreign Affairs a report on his talks with the President of France, the Prime Minister of Great Britain, and the President of the United States, on contacts with other States, including the Soviet Union, and on the growing readiness in the international arena to bring about, without delay, the speedy removal of the blockade which Egypt has imposed on the Straits of Tiran. There is no doubt that the mobilization of the Israel Defence Forces and their readiness for any test have constituted and continue to constitute a decisive factor in the stimulation of world political activity.

The Government laid down directives for the continuation of political action in the world arena, which is designed to stimulate international forces to take effective measures to ensure free international passage in the Straits of Tiran.

Lines of action were also determined for the moving of military concentrations from Israel's southern border and for action to protect our sovereign rights and the security of our borders and to prevent aggression so that we shall not have to take action for self-defence with our military forces.

The Government states that the Israel Defence Forces are sufficiently strong to defeat any aggressor and to ensure the sovereign rights of Israel.

I shall tomorrow have the opportunity to clarify the position of the Government and the nation in my statement to the Knesset.



**EGYPTIAN PRESIDENT GAMAL ABDUL NASSER, STATEMENT TO  
MEMBERS OF THE EGYPTIAN NATIONAL ASSEMBLY, 29 MAY 1967**

Brothers, when Brother Anwar as-Sadat informed me of your decision to meet me I told him that I myself was prepared to call on you at the National Assembly, but he said you were determined to come. I therefore responded to this and I thank you heartily for your consideration.

I was naturally not surprised by the law which Brother Anwar as-Sadat read because I was notified of it before I came here. However, I wish to thank you very much for your feelings and for the powers given me. I did not ask for such powers because I felt that you and I were as one, that we could cooperate and work for the sublime interest of this country, giving a great example of unselfishness and of work for the welfare of all. Thanks be to God, for four years now the National Assembly has been working and has given great examples. We have given great examples in cooperation and unselfishness and in placing before us the sublime and highest objective - the interest of this nation. I am proud of this resolution and law. I promise you that I will use it only when necessary. I will, however, send all the laws to you. Thank you once again. The great gesture of moral support represented by this law is very valuable to my spirit and heart. I heartily thank you for this feeling and this initiative.

The circumstances through which we are now passing are in fact difficult ones because we are not only confronting Israel but also those who created Israel and who are behind Israel. We are confronting Israel and the West as well -the West, which created Israel and which despised us Arabs and which ignored us before and since 1948. They had no regard whatsoever for our feelings, our hopes in life, or our rights. The West completely ignored us, and the Arab nation was unable to check the West's course.

Then came the events of 1956 - the Suez battle. We all know what happened in 1956. When we rose to demand our rights, Britain, France and Israel opposed us, and we were faced with the tripartite aggression. We resisted, however, and proclaimed that we would fight to the last drop of our blood. God gave us success and God's victory was great.

Subsequently we were able to rise and to build. Now, eleven years after 1956, we are restoring things to what they were in 1956. This is from the material aspect. In my opinion this material aspect is only a small part, whereas the spiritual aspect is the great side of the issue. The spiritual aspect involves the renaissance of the Arab nation, the revival of the Palestine question, and the restoration of confidence to every Arab and to every Palestinian. This is on the basis that if we were able to restore conditions to what they were before 1956, God will surely help and urge us to restore the situation to what it was in 1948.

Brothers, the revolt, upheaval and commotion which we now see taking place in every Arab country are not only because we have returned to the Gulf of Aqaba or rid ourselves of the UNEF, but because we have restored Arab honour and renewed Arab hopes.

Israel used to boast a great deal, and the Western Powers, headed by the United States and Britain, used to ignore and even despise us and consider us of no value. But now that the time has come - and I have already said in the past that we will decide the time and place and not allow them to decide - we must be ready for triumph and not for a recurrence of the 1948 comedies. We shall triumph, God willing.

Preparations have already been made. We are now ready to confront Israel. They have claimed many things about the 1956 Suez war, but no one believed them after the secrets of the 1956 collusion were uncovered - that mean collusion in which Israel took part. Now we are ready for the confrontation. We are now ready to deal with the entire Palestine question.

The issue now at hand is not the Gulf of Aqaba, the Straits of Tiran, or the withdrawal of the UNEF, but the rights of the Palestine people. It is the aggression which took place in Palestine in 1948 with the collaboration of Britain and the United States. It is the expulsion of the Arabs from Palestine, the usurpation of their rights, and the plunder of their property. It is the disavowal of all the UN resolutions in favour of the Palestinian people.

The issue today is far more serious than they say. They want to confine the issue to the Straits of Tiran, the UNEF and the right of passage. We demand the full rights of the Palestinian people. We say this out of our belief that Arab rights cannot be squandered because the Arabs throughout the Arab world are demanding these Arab rights.

We are not afraid of the United States and its threats, of Britain and its threats, or of the entire Western world and its partiality to Israel. The United States and Britain are partial to Israel and give no consideration to the Arabs, to the entire Arab nation. Why? Because we have made them believe that we cannot distinguish between friend and foe. We must make them know that we know who our foes are and who our friends are and treat them accordingly.

If the United States and Britain are partial to Israel, we must say that our enemy is not only Israel but also the United States and Britain and treat them as such. If the Western Powers disavow our rights and ridicule and despise us, we Arabs must teach them to respect us and take us seriously. Otherwise all our talk about Palestine, the Palestine people and Palestinian rights will be null and void and of no consequence. We must treat enemies as enemies and friends as friends.

I said yesterday that the States that champion freedom and peace have supported us. I spoke of the support given us by India, Pakistan, Afghanistan, Yugoslavia, Malaysia, the Chinese People's Republic and the Asian and African States.

After my statements yesterday I met the War Minister Shams Badran and learned from him what took place in Moscow. I wish to tell you today that the Soviet Union is a friendly Power and stands by us as a friend. In all our dealings with the Soviet Union - and I have been dealing with the USSR since 1955 - it has not made a single request of us. The USSR has never interfered with our policy or internal affairs. This is the USSR as we have always known it. In fact, it is we who have made urgent requests of the USSR. Last year we asked for wheat and they sent it to us. When I also asked for all kinds of arms they gave them to us. When I met Shams Badran yesterday he handed me a message from the Soviet Premier Kosygin saying that the USSR supported us in this battle and would not allow any Power to intervene until matters were restored to what they were in 1956.

Brothers, we must distinguish between friend and foe, friend and hypocrite. We must be able to tell who is making requests, who has ulterior motives and who is applying economic pressure. We must also know those who offer their friendship to us for no other reason than a desire for freedom and peace.

In the name of the UAR people, I thank the people of the USSR for their great attitude which is the attitude of a real friend. This is the kind of attitude that we expect. I said yesterday that we had not requested the USSR or any other State to intervene because We really want to avoid any confrontation which might lead to a world war and also because we really work for peace and advocate world peace. When we voiced the policy of non-alignment, our chief aim was world peace.

Brothers, we will work for world peace with all the power at our disposal, but we will also hold tenaciously to our rights with all the power at our disposal. This is our course. On this occasion, I address myself to our brothers in Aden and say: Although occupied with this battle, we have not forgotten you. We are with you. We have not forgotten the struggle of Aden and the occupied South for liberation. Aden and the occupied South must be liberated and colonialism must end. We are with them; present matters have not taken our minds from Aden.

I thank you for taking the trouble to pay this visit. Moreover, your presence is an honour to the Qubah Palace, and I am pleased to have met you. Peace be with you.



**ISRAELI PRIME MINISTER LEVI ESHKOL, REPLY TO RUSSIAN PREMIER ALEXEY KOSYGIN, CALLING ON THE USSR TO WORK FOR PEACE IN THE MIDDLE EAST, 1 JUNE 1967**

*[See also Kosygin's original note to Eshkol above, document dated 26 May 1967]*

Mr. Prime Minister,

I beg to acknowledge receipt of your Note of 26 May 1967, delivered to me by the USSR Ambassador in Israel.

We appreciate the desire of the Government of the USSR to make known to us the Soviet evaluations concerning the present crisis in the region.

We are very glad that, as expected, the USSR is desirous of peace. As is known the present situation has developed since Syria began her overt hostile activities against Israel's territory and citizens. These activities have been denounced by the majority of members of the Security Council in the meetings which it held last October and also in the Report submitted by the Secretary-General of the United Nations to the Security Council on 19 May 1967.

A fortnight ago Egypt, which is associated with Syria in a mutual aid agreement, began concentrating its forces in the Sinai peninsula, near the Israeli border. At the same time Egypt removed the UN Emergency Force. The decisive point is not the removal of that force, but the Egyptian explanation accompanying it, namely that Egypt's intention was to "go to war" against Israel.

These aggressive steps reached their climax when a war-like blockade was imposed on the free passage through the Straits of Tiran. This, of course, is a classical war-like act, and there is no need to emphasize that it also is in absolute contradiction to the rules of international law and the rights of nations. This situation cannot be tolerated.

These activities on the part of Egypt forced the Government of Israel to take security measures, to mobilize its forces and to station them to protect the security of its frontiers. The Egyptian military preparations, accompanied by unrestrained incitement to war by all Egyptian and Syrian propaganda organs, are continuing. Large-scale Egyptian units, composed of infantry divisions and armoured divisions, are stationed along our frontiers. In a speech delivered on 26 May the President of Egypt, Colonel Nasser, declared:

*"The blockade of Sharm el-Sheikh means our waging an all-out war against Israel. This is going to be a total war. Our fundamental aim is the annihilation of Israel."*

I beg you, Mr. Prime Minister, to express to the Governments of Egypt and the world the opinion of the USSR Government regarding such declarations.

When Egypt declares that it is not prepared to co-exist with Israel, and that it means to wage a war of annihilation against it, only a considered and objective approach can contribute to the interests of peace. We much regret that on various occasions, such as for instance the participation of the USSR delegates in the discussions now going on in the Security Council and in publications in the Soviet Press, the USSR has adopted the false claims and accusations of Israel's enemies.

When the organs of Arab propaganda raised the contention that Israel is concentrating forces in order to attack Syria, I invited your Ambassador in Israel to visit the frontier and to find out for himself that there was no truth in this allegation. To my regret, the Ambassador did not respond to our invitation. The Chief of Staff of the UNTSO checked these claims and informed the Secretary-General of the UN and the capitals of the region that there were no Israeli concentrations at the Syrian border. The

Secretary-General even included a statement to this effect in the Report which he submitted on 19 May to the Security Council.

Nevertheless, the representatives and the press of the USSR continued to make the false accusation current. They also voiced the claim that the leaders of Israel, in their speeches, threatened Syria. All those who peruse the declarations made by Israeli statesmen will see that they only constitute a reaction to the threats which the Arab States have poured upon us during the last 19 years, and that even in very grave situations our declarations have always included an appeal to peace and the expression of the hope that it will be established.

L. Eshkol



**COUNCIL OF MINISTERS OF FRANCE, STATEMENT ON THE MIDDLE EAST,  
CABINET SESSION, PARIS, 2 JUNE 1967**

*[A week before the statement was issued, de Gaulle had proposed a conference of the four Great Powers to resolve the Mideast crisis, which was met with little enthusiasm and rejected by the USSR.]*

France is not pledged in any way, or in any respect, to any of the States concerned. On her own initiative, she considers that each of these States has the right to live. But she deems that the worst would be the opening of hostilities. Consequently, the State that would be the first - wherever it might be - to take up arms will not have either her approval and even less her support.

In the event that the present situation of expectancy could be maintained and, as a consequence, a détente in fact would result, the problems caused by navigation in the Gulf of Aqaba, the situation of the Palestinian refugees and the conditions of proximity of the interested States should be regulated in substance by international decisions, such decisions having previously given rise to an entente between the Four Powers which are permanent members of the Security Council. France maintains the proposal she made in this respect.



## 4. June War 1967 – Geneva Peace Conference 1973 (1967-1973)

### **ISRAELI PRIME MINISTER LEVI ESHKOL, NOTE TO RUSSIAN PREMIER ALEXEY KOSYGIN, JERUSALEM, 5 JUNE 1967**

Dear Mr. Chairman:

I turn to you urgently to bring to your attention today's grave developments. Since the early hours of the morning, fighting has broken out between Egyptian armoured and air forces which moved against Israel, and Israeli forces which went into action to contain them.

After weeks in which our peril has grown day by day, we are now engaged in repelling the wicked aggression which Nasser has been building up against us. I discussed this fully in my letter to you of 1 June.

Israel's existence and integrity have been endangered. The provocative troop concentrations in Sinai, now amounting to five infantry and two armoured divisions; the massing of more than 900 tanks against our southern frontier; the massing of 400 tanks opposite Eilat in an attempt to sunder the Southern Negev from Israel, the lawless blockade in the Straits of Tiran; the insolent defiance of the international community; the policy of strangling encirclement including the deployment of Egyptian and Iraqi troops and aircraft in Jordan; Nasser's announcement in his speeches of 26 May and 4 June of "total war against Israel" and of his "basic aim" to annihilate Israel; yesterday's Order of the Day by the Egyptian Commander, General Murtagi, calling on his troops in Sinai to wage a war of destruction against Israel; the acts of sabotage and terrorism from Syria and Gaza; this morning's engagements and the bombardment of the Israel villages of Kisufim, Nahal Oz and Ein Hashlosha in Israel territory - all of this amounts to an extraordinary catalogue of aggression that must be abhorred and condemned by people in all peace-loving countries.

This is a ruthless design to destroy the State of Israel, which embodies the memories, sacrifices and hopes of an ancient people which in this generation lost six million of its people brutally murdered in a tragedy without parallel in history. Surely, Mr. Chairman, no one can deny this, when it is announced and confessed by President Nasser himself.

Throughout the weeks in which Egypt was preparing itself for aggression against Israel, we acted with supreme restraint, hoping that the war machine mounted by President Nasser would not be put into action. Our hopes proved to be in vain. We appeal to you again, Mr. Chairman, to understand the gravity of the situation created by Egyptian's warfare against Israel's existence. We appeal to you in this hour, crucial for peace in the Middle East and the entire world, to join in an effort to secure peace based on the independence and territorial integrity of all nations.

We claim nothing except peaceful life in our territory, and the exercise of our international rights. Surrounded by enemy armies on all sides, we are now engaged in a mortal struggle to defend our existence and forestall Egypt's avowed intention to repeat against the Jewish people in Israel the inhuman crimes committed by Hitler. We cannot but be confident that the Soviet Union's role in history will be vindicated once more by an attitude of comprehension and brotherhood toward the Jewish people in its hour of trial.



**ISRAELI PRIME MINISTER LEVI ESHKOL, STATEMENT TO THE KNESSET,  
JERUSALEM, 5 JUNE 1967**

Mr. Speaker,

Before I submit the expansion of the Government for approval, I must report to the Knesset and the nation on the momentous developments for the State of Israel that have taken place today.

Mr. Speaker, Members of the Knesset,

Heavy battles started this morning between the Egyptian air force and the Israeli air force. In these battles the Egyptian air force was heavily defeated. During the day the Syrian and Jordanian air forces also launched attacks, and they also suffered severe blows from our air force.

Since the morning our land and air forces were compelled to hit back against the enemy in order to rout the forces of the aggressive Egyptian dictator. The battle is still in full swing. Our army has not disappointed expectations - it is standing the test. And it will successfully confront any further tests it may have to face.

The battles are now taking place beyond Israel's borders, on the soil of Sinai. For obvious reasons I cannot now give details - either numbers, names or places - but I can say that our forces are steadily repulsing the enemy.

In my morning broadcast I emphasized that Israel would not attack any country so long as it did not start war against us, but that anyone who attacked us would meet our full capacity to defend ourselves and defeat his forces.

Despite this warning Syrian and Jordanian forces have joined in the hostilities against Israel by air bombardment, and artillery and small arms fire - witness Jerusalem more than any other place. The forces of these countries have opened fire on various sectors, including Jerusalem, our Capital. The Israel Defence Forces have started counter-operations, as required in order to defend the country.

Members of the Knesset,

It is by no means superfluous to survey briefly the background to the latest events. On the establishment of the State of Israel, the Arab armies tried to destroy the State in its infancy. After our forces had successfully resisted superior enemy forces, armistice agreements were signed between Israel and its neighbours. These agreements, as stated in the text, were designed to serve as a transition to permanent peace, but the Arab countries refused to negotiate for peace and started preparations to destroy Israel on the field of battle.

In open violation of the armistice agreements and the UN Charter, the Arab countries imposed boycott and blockade on Israel, declared that they maintained a state of belligerency against Israel and rejected all proposals to negotiate for a settlement. In brief, they tried to make Israel a country discriminated against in comparison with all the other countries in the world, they tried to exclude it from the applicability of international law, to put it beyond the bounds of normal relations between the nations of the world.

After ten years of relative tranquillity on our southern border, the position was fundamentally undermined because of a series of aggressive steps taken by the Egyptian dictator.

This state of belligerency and aggression has continued without a pause for nineteen years. There were periods of relaxation, alternating with the intensification of Arab acts of hostility against us. About three weeks ago there started a threat to Israel, which is perhaps unequalled since the establishment of the State.

The first step was the introduction of a powerful Egyptian force into eastern Sinai; the next - the removal of the UN force; and next - the belligerent step of closing the Straits of Tiran to Israeli and international shipping - these measures being accompanied by feverish preparations for a total war of extermination against Israel.

At first, the Egyptian dictator cunningly announced that he was acting in order to deter Israel from attacking Syria. He disseminated the falsehood that Israeli forces were, as he said, concentrated on the northern frontier. It was no use denying these stories; it was no use the UN Secretariat confirming that these concentrations were a figment of the imagination. Nasser soon showed his cards: from false claims that it was his purpose to defend Syria, he went on to altering the status quo in the Straits of Tiran. Nasser did not conceal his desire to turn back the wheels of history, to the time before 1948; his plan was to strangle the independence of Israel in its own country.

With a view to encircling Israel, he put into operation the defence treaty with Syria, which has been responsible for acts of violence during the past two years, and to complete the attempt at encirclement, he recently concluded treaties with Jordan and Iraq.

In Sinai, opposite our frontier, there were deployed until this morning five divisions of infantry and two armoured divisions, with 900 tanks along the frontier 200 of them opposite Eilat, with the obvious intention of cutting off the southern Negev; Iraqi troops and Egyptian commando units reached Jordan; the Jordanian army was placed under Egyptian command. During the past ten days, Egyptian air sorties have been carried out in Israeli skies.

After Nasser's statement of his intention to conduct a general war against Israel, the Commander of the Egyptian forces in Sinai, General Mortagi, issued an Order of the Day to his soldiers, which was quoted on Cairo Radio on 3 June, in the following terms:

*"The eyes of the whole world are upon you in your glorious war against the aggression of the Israeli imperialists on the soil of your homeland, in the expectation, of seeing the results of your holy war for the conquest of the rights of the Arab people. The results of this unique moment are of historic importance for our Arab nation and for the holy war through which you will restore the rights of the Arabs which have been stolen in Palestine and reconquer the plundered soil of Palestine, by the mercy of God and the power of justice, by the force of arms and the unity of your faith."*

During the past few weeks we have done our best to induce influential international factors in West and East to exercise political influence in order to remove the danger from our borders, open the straits and restore the status quo. Our hopes were not fulfilled.

While we were hoping for deterrent international influence by the intervention of Heads of State, the order of magnitude of the aggressive forces of Egypt and the other Arab countries under Egyptian leadership steadily grew, the belligerent incitement of the Egyptian dictator and his helpers reached unheard-of heights, and Israel was imminently threatened by an attack on several fronts.

In these days, which are liable to be days of brutal and bloodstained struggle, the boundaries between front and rear are blurred. In these days, the entire nation is an army; the entire country is one front. Each and every one of us, everywhere and at all times, must regard himself as responsible for Israel's defence. All of us, headed by our Army, will rout our attackers.

Let us pay tribute to the continually growing manifestations of support from our people in the Diaspora. The identification of the Jewish people with the State of Israel fills us with confidence. The consciousness of the fraternity and unity that inspire every Jew brings us closer together and bridges the distances. The Jewish heart, wherever it may be, now beats with the State of Israel and longs for its victory.

I should also like to express from the rostrum of the Knesset our profound appreciation to the very many non-Jews, statesmen and intellectuals, as well as men in the street, who have been shocked at the threat to Israel and whose feelings have found expression in a wave of sympathy for our country, the like of which we have never known before.

Even during the battles, we do not abandon our aspiration for peace. I want to ask the Arab States, which for almost 20 years have chosen the path of threats and aggression instead of the path of cooperation and peace: what good have these methods done them?

Precious resources have been squandered to finance the cold and hot war against Israel. Since 1952, Egypt alone has spent over 4,000 million dollars to establish its military force. All the Arab countries and Israel have spent in the same period over 10,000 million dollars on military purposes. This sum would have been sufficient to deliver extensive strata of the peoples of the area from poverty and disease and to lay the foundation for dynamic social and economic progress. The time has come for a thorough heart-searching on the part of the Arab peoples, which will perhaps lead them to prefer peace and progress to hatred and bloodshed. At this hour, I would venture to say that peace will surely come to our region, even if it is delayed, for we all need it.

To the leaders of nations, in East and West, I want to say from this rostrum: Competition between Powers and blocs has made no slight contribution to the intensification of the arms race in the Middle East and the constant growth of the tension in our area. For years we have called for international action for the advancement of peace in our area; we have demanded the ending of the arms race, with a view to disarmament under mutual inspection by the countries in the area. To my regret, our demands have not borne the fruits we wished. May the lesson be learned for the future.

Members of the Knesset,

Since the beginning of the present tension views were heard in favour of the expansion of the Government and its parliamentary base. When I felt that the testing time was approaching, I took the initiative for the establishment of a broad emergency Government, and I asked the Gahal and Rafi parties to join the Government. As you are aware, these negotiations have been successful, and I welcome the expansion of the Government.

In view of the emergency conditions, the Ministers-elect have been inducted into their responsibilities even before the Knesset has confirmed them in their membership of the Government.

I am confident that the new Ministers now realize, even more than they did before, how strong is the military force that we have developed and fostered since the establishment of the State, and especially during the past few years. A strong, powerful and highly effective force has been established, which does not lag behind in using the most recent discoveries of science and technology. The Ministers-elect have seen the Israel Defence Forces in a state of mobilization and I am confident that they have been deeply impressed by the excellent planning of the General Staff and the operational skill of the Army. I am confident that this force will lead us to victory, and the expansion of the Government will strengthen us and help us to overcome the difficulties.

Members of the Knesset,

- a) In accordance with Article 11e of the Transition Law 1949, I have the honour to state that the Government has decided to meet my request to release me from my duties as Minister of Defence from the moment the Knesset confirms the appointment of Mr. Moshe Dayan, Member of the Knesset, as Minister of Defence.
- b) In accordance with Article 11d of the Transition Law 1949, I have the honour to announce that the Government has decided on the co-option of three additional members to the Government, namely: Mr. Menahem Begin, as Minister, Mr. Yosef Sapir as Minister, and Mr. Moshe Dayan as Minister of Defence.

- c) In accordance with Article 11a of the Transition Law 1949, I hereby announce that Mr. Zvi Din-stein has ceased to serve as Deputy Minister of Defence.

I request the approval of the Knesset for this announcement.

Members of the Knesset,

Today we face a war which has been forced upon us, united and strong as never before, trusting in the Rock of Israel, confident in the fortitude of our people, relying on the valour of the Israel Defence Forces and their capacity to defeat the enemy and ensure peace.



**ISRAELI FOREIGN MINISTER ABBA EBAN,  
STATEMENT TO THE UN SECURITY COUNCIL, 6 JUNE 1967**

I thank you, Mr. President, for giving me this opportunity to address the Council. I have just come from Jerusalem to tell the Security Council that Israel, by its independent effort and sacrifice, has passed from serious danger to successful resistance.

Two days ago Israel's condition caused much concern across the humane and friendly world. Israel had reached a sombre hour. Let me try to evoke the point at which our fortunes stood.

An army, greater than any force ever assembled in history in Sinai, had massed against Israel's southern frontier. Egypt had dismissed the United Nations forces which symbolized the international interest in the maintenance of peace in our region. Nasser had provocatively brought five infantry divisions and two armoured divisions up to our very gates; 80,000 men and 900 tanks were poised to move.

A special striking force, comprising an armoured division with at least 200 tanks, was concentrated against Eilat at the Negev's southern tip. Here was a clear design to cut the southern Negev off from the main body of our State. For Egypt had openly proclaimed that Eilat did not form part of Israel and had predicted that Israel itself would soon expire. The proclamation was empty; the prediction now lies in ruin. While the main brunt of the hostile threat was focussed on the southern front, an alarming plan of encirclement was under way. With Egypt's initiative and guidance, Israel was already being strangled in its maritime approaches to the whole eastern half of the world. For sixteen years, Israel had been illicitly denied passage in the Suez Canal, despite the Security Council's decision of 1 September 1951 [Resolution 95 (1951)]. And now the creative enterprise of ten patient years which had opened an international route across the Strait of Tiran and the Gulf of Aqaba had been suddenly and arbitrarily choked. Israel was and is breathing only with a single lung.

Jordan had been intimidated, against its better interest, into joining a defence pact. It is not a defence pact at all: it is an aggressive pact, of which I saw the consequences with my own eyes yesterday in the shells falling upon institutions of health and culture in the City of Jerusalem. Every house and street in Jerusalem now came into the range of fire as a result of Jordan's adherence to this pact; so also did the crowded and pathetically narrow coastal strip in which so much of Israel's life and population is concentrated.

Iraqi troops reinforced Jordanian units in areas immediately facing vital and vulnerable Israel communication centres. Expeditionary forces from Algeria and Kuwait had reached Egyptian territory. Nearly all the Egyptian forces which had been attempting the conquest of the Yemen had been transferred to the coming assault upon Israel. Syrian units, including artillery, overlooked the Israel villages in the Jordan Valley. Terrorist troops came regularly into our territory to kill, plunder and set off explosions; the most recent occasion was five days ago.

In short, there was peril for Israel wherever it looked. Its manpower had been hastily mobilized. Its economy and commerce were beating with feeble pulses. Its streets were dark and empty. There was an apocalyptic air of approaching peril. And Israel faced this danger alone.

We were buoyed up by an unforgettable surge of public sympathy across the world. The friendly Governments expressed the rather ominous hope that Israel would manage to live, but the dominant theme of our condition was danger and solitude.

Now there could be no doubt about what was intended for us. With my very ears I heard President Nasser's speech on 26 May. He said:

*"We intend to open a general assault against Israel. This will be total war. Our basic aim will be to destroy Israel."*

On 2 June, the Egyptian Commander in Sinai, General Mortagi, published his Order of the Day, calling on his troops to wage a war of 'destruction against Israel. Here, then, was a systematic, overt, proclaimed design at politicide, the murder of a State.

The policy, the arms, the men had all been brought together, and the State thus threatened with collective assault was itself the last sanctuary of a people which had seen six million of its sons exterminated by a more powerful dictator two decades before.

The question then widely asked in Israel and across the world was whether we had not already gone beyond the utmost point of danger. Was there any precedent in world history, for example, for a nation passively to suffer the blockade of its only southern port, involving nearly all its vital fuel, when such acts of war, legally and internationally, have always invited resistance? This was a most unusual patience. It existed because we had acceded to the suggestion of some of the maritime States that we give them scope to concert their efforts in order to find an international solution which would ensure the maintenance of free passage in the Gulf of Aqaba for ships of all nations and of all flags.

As we pursued this avenue of international solution, we wished the world to have no doubt about our readiness to exhaust every prospect, however fragile, of a diplomatic solution - and some of the prospects that were suggested were very fragile indeed.

But as time went on, there was no doubt that our margin of general security was becoming smaller and smaller. Thus, on the morning of 5 June, when Egyptian forces engaged us by air and land, bombarding the villages of Kissufim, Nahal-Oz and Ein Hasheloshah we knew that our limit of safety had been reached, and perhaps passed. In accordance with its inherent right of self-defence as formulated in Article 51 of the United Nations Charter, Israel responded defensively in full strength. Never in the history of nations has armed force been used in a more righteous or compelling cause.

Even when engaged with Egyptian forces, we still hoped to contain the conflict. Egypt was overtly bent on our destruction, but we still hoped that others would not join the aggression. Prime Minister Eshkol, who for weeks had carried the heavy burden of calculation and decision, published and conveyed a message to other neighbouring States proclaiming:

*"We shall not attack any country unless it opens war on us. Even now, when the mortars speak, we have not given up our quest for peace. We strive to repel all menace of terrorism and any danger of aggression to ensure our security and our legitimate rights."*

In accordance with this same policy of attempting to contain the conflict, yesterday I invited General Bull, the Chief of Staff of the Truce Supervision Organization, to inform the heads of the Jordanian State that Israel had no desire to expand the conflict beyond the unfortunate dimensions that it had already assumed and that if Israel were not attacked on the Jordan side, it would not attack and would act only in self-defence. It reached my ears that this message had been duly and faithfully conveyed and received. Nevertheless, Jordan decided to join the Egyptian posture against Israel and opened artillery attacks across the whole long frontier, including Jerusalem. Those attacks are still in progress.

To the appeal of Prime Minister Eshkol to avoid any further extension of the conflict, Syria answered at 12.25 yesterday morning by bombing Megiddo from the air and bombing Degania at 12.40 with artillery fire and kibbutz Ein Hammifrats and Kurdani with long-range guns. But Jordan embarked on a much more total assault by artillery and aircraft along the entire front, with special emphasis on Jerusalem, to whose dangerous and noble ordeal yesterday I come to bear personal witness.

There has been bombing of houses; there has been a hit on the great new National Museum of Art; there has been a hit on the University and on Shaare Zedek, the first hospital ever to have been established outside the ancient walls. Is this not an act of vandalism that deserves the condemnation of all mankind? And in the Knesset building, whose construction had been movingly celebrated by the entire democratic world ten months ago, the Israel Cabinet and Parliament met under heavy gunfire, whose echoes mingled at the end of our meeting with Hatikvah, the anthem of hope.

Thus throughout the day and night of 5 June, the Jordan which we had expressly invited to abstain from needless slaughter became, to our surprise, and still remains, the most intense of all the belligerents; and death and injury, as so often in history, stalk Jerusalem's streets.

When the approaching Egyptian aircraft appeared on our radar screens, soon to be followed by artillery attacks on our villages near the Gaza Strip, I instructed Mr. Rafael to inform the Security Council, in accordance with the provisions of Article 51 of the Charter. I know that that involved arousing you, Mr. President, at a most uncongenial hour of the night, but we felt that the Security Council should be most urgently seized.

I should, however, be less than frank if I were to conceal the fact that the Government and people of Israel have been disconcerted by some aspects of the United Nations role in this conflict. The sudden withdrawal of the United Nations Emergency Force was not accompanied, as it should have been, by due international consultations on the consequences of that withdrawal. Moreover, Israel interests were affected; they were not adequately explored. No attempt was made, little time given, to help Israel to surmount grave prejudice to its vital interests consequent on that withdrawal. After all, a new confrontation of forces suddenly arose. It suddenly had to be met and at Sharm el-Sheikh at the entrance to the Gulf of Aqaba, the Strait of Tiran, legality walked out and blockade walked in. The peace of the world trembled. And thus the United Nations had somehow been put into a position of leaving Sinai safe for belligerency.

It is not, I think, a question of sovereignty that is here involved. The United Nations has a right to ask that, when it assumes a function, the termination of that function shall not take place in conditions that would lead to anti-Charter situations. I do not raise this point in order to linger upon that which is past, but because of Israel's general attitude to the peace-keeping functions of this Organization. And I confess that my own attitude and those of my colleagues and of my fellow citizens to the peace-keeping functions of the United Nations have been traumatically affected by this experience.

The United Nations Emergency Force rendered distinguished service. Nothing became it less than the manner of its departure. All gratitude and appreciation are owed to the individuals who sustained its action. And if in the course of the recent combats United Nations personnel have fallen dead or wounded - as they have - then I join my voice in an expression of the most sincere regret.

The problem of the future role of a United Nations presence in conflicts such as these is being much debated. But we must ask ourselves a question that has arisen as a result of this experience. People in our country and in many countries ask: What is the use of a United Nations presence if it is in effect an umbrella which is taken away as soon as it begins to rain? Surely, then, future arrangements for peace-keeping must depend more on the agreement and the implementation of the parties themselves than on machinery which is totally at the mercy of the host country, so totally at its mercy as to be the instrument of its policies, whatever those policies may be.

We have lived through three dramatic weeks. Those weeks, I think, have brought into clear view the main elements of tension and also the chief promise of relaxed tension in the future. The first link in the chain was the series of sabotage acts emanating from Syria. In October of 1966, the Security Council was already seized of this problem, and a majority of its member States found it possible and necessary to draw attention to the Syrian Government's responsibility for altering that situation. Scarcely a day passed without a mine, a bomb, a hand-grenade or a mortar exploding on Israel's soil, sometimes with lethal or crippling effects, always with an unsettling psychological influence. In general, fourteen or fifteen such incidents would accumulate before a response was considered necessary, and this ceaseless accumulation of terrorist sabotage incidents in the name of what was called "popular war", together with responses which in the long run sometimes became inevitable, were for a long period the main focus of tension in the Middle East.

But then there came a graver source of tension in mid-May, when abnormal troop concentrations were observed in the Sinai Peninsula. For the ten years of relative stability beginning with March 1957 and ending with May 1967, the Sinai Desert had been free of Egyptian troops. In other words, a natural geographic barrier, a largely uninhabited space, separated the main forces of the two sides. It is true that in terms of sovereignty and law, any State has a right to put its armies in any part of its territory that it chooses. This, however, is not a legal question: it is a political and a security question.

Experience in many parts of the world, not least in our own, demonstrates that massive armies in close proximity to each other, against a background of a doctrine of belligerency and accompanying threats by one army to annihilate the other, constitute an inflammatory situation.

We were puzzled in Israel by the relative lack of preoccupation on the part of friendly Governments and international agencies with this intense concentration which found its reflection in precautionary concentrations on our side. My Government proposed, I think at least two weeks ago, the concept of a parallel and reciprocal reduction of forces on both sides of the frontier. We elicited no response, and certainly no action.

To these grave sources of tension - the sabotage and terrorist movement, emanating mostly from Syria, and the heavy troop concentrations accompanied by dire, apocalyptic threats in Sinai - there was added in the third week of May the most electric shock of all, namely the closure of the international waterway consisting of the Strait of Tiran and the Gulf of Aqaba. It is not difficult, I think, to understand why this incident had a more drastic impact than any other. In 1957 the maritime nations, within the framework of the United Nations General Assembly, correctly enunciated the doctrine of free and innocent passage through the Strait.

Now, when that doctrine was proclaimed - and incidentally, not challenged by the Egyptian representative at that time - it was little more than an abstract principle for the maritime world. For Israel it was a great but still unfulfilled prospect; it was not yet a reality. But during the ten years in which we and the other States of the maritime community have relied upon that doctrine and upon established usage, the principle has become a reality consecrated by hundreds of sailings under dozens of flags and the establishment of a whole complex of commerce and industry and communication. A new dimension has been added to the map of the world's communications, and on that dimension we have, constructed Israel's bridge towards the friendly States of Asia and Africa, a network of relationships which is the chief pride of Israel in the second decade of its independence.

All this, then, had grown up as an effective usage under the United Nations flag. Does Mr. Nasser really think that he can come upon the scene in ten minutes and cancel the established legal usage and interests of ten years?

There was in this wanton act a quality of malice. For surely the closing of the Strait of Tiran gave no benefit whatever to Egypt except the perverse joy of inflicting injury on others. It was an anarchic act, because it showed a total disregard for the law of nations, the application of which in this specific case had not been challenged for ten years. And it was, in the literal sense, an act of arrogance, be-

cause there are other nations in Asia and East Africa, that trade with the Port of Eilat, as they have every right to do, through the Strait of Tiran and across the Gulf of Aqaba. Other sovereign States from Japan to Ethiopia, from Thailand to Uganda, from Cambodia to Madagascar, have a sovereign right to decide for themselves whether they wish or do not wish to trade with Israel. These countries are not colonies of Cairo. They can trade with Israel or not trade with Israel as they wish, and President Nasser is not the policeman of other African and Asian States.

Here then was a wanton intervention in the sovereign rights of other States in the eastern half of the world to decide for themselves whether or not they wish to establish trade relations with either or both of the two ports at the head of the Gulf of Aqaba.

When we examine, then, the implications of this act, we have no cause to wonder that the international shock was great. There was another reason too for that shock. Blockades have traditionally been regarded, in the pre-Charter parlance, as acts of war. To blockade, after all, is to attempt strangulation; and sovereign States are entitled not to have their trade strangled. To understand how the State of Israel felt, one has merely to look around this table and imagine, for example, a foreign Power forcibly closing New York or Montreal, Boston or Marseille, Toulon or Copenhagen, Rio or Tokyo or Bombay harbour. How would your Governments react? What would you do? How long would you wait?

But Israel waited because of its confidence that the other maritime Powers and countries interested in this new trading pattern would concert their influence in order to re-establish a legal situation and to liquidate this blockade. We concerted action with them not because Israel's national interest was here abdicated. There will not be, there cannot be, an Israel without Eilat. We cannot be expected to return to a dwarfed stature, with our face to the Mediterranean alone. In law and in history, peace and blockades have never co-existed. How could it be expected that the blockade of Eilat and a relaxation of tension in the Middle East could ever be brought into harmony?

These then were the three main elements in the tension: the sabotage movement; the blockade of the port; and, perhaps more imminent than anything else, this vast and purposeful encirclement movement, against the background of an authorized presidential statement announcing that the objective of the encirclement was to bring about the destruction and the annihilation of a sovereign State.

These acts taken together - the blockade, the dismissal of the United Nations Emergency Force, and the heavy concentration in Sinai - effectively disrupted the status quo which had ensured a relative stability on the Egyptian-Israel frontier for ten years. I do not use the words "relative stability" lightly, for in fact while those elements in the Egyptian-Israel relationship existed there was not one single incident of violence between Egypt and Israel for ten years. But suddenly this status quo, this pattern of mutually accepted stability, was smashed to smithereens. It is now the task of the Governments concerned to elaborate the new conditions of their co-existence. I think that much of this work should be done directly by these Governments themselves. Surely, after what has happened we must have better assurance than before, for Israel and for the Middle East, of peaceful co-existence. The question is whether there is any reason to believe that such a new era may yet come to pass. If I am a little sanguine on this point, it is because of a conviction that men and nations do behave wisely once they have exhausted all other alternatives. Surely the other alternatives of war and belligerency have now been exhausted. And what has anybody gained from that? But in order that the new system of inter-State relationships may flourish in the Middle East, it is important that certain principles be applied above and beyond the cease-fire to which the Security Council has given its unanimous support.

Let me then say here that Israel welcomes the appeal for the cease-fire as formulated in this Resolution. But I must point out that the implementation depends on the absolute and sincere acceptance and co-operation of the other parties, which, in our view, are responsible for the present situation. And in conveying this Resolution to my colleagues, I must at this moment point out that these other Governments have not used the opportunity yet to clarify their intentions.

I have said that the situation to be constructed after the cease-fire must depend on certain principles. The first of these principles surely must be the acceptance of Israel's statehood and the total elimination of the fiction of its non-existence. It would seem to me that after 3,000 years the time has arrived to accept Israel's nationhood as a fact, for here is the only State in the international community which has the same territory, speaks the same language and upholds the same faith as it did 3,000 years ago.

And if, as everybody knows to be the fact, the universal conscience was in the last week or two most violently shaken at the prospect of danger to Israel, it was not only because there seemed to be a danger to a State, but also, I think, because the State was Israel, with all that this ancient name evokes, teaches, symbolizes and inspires. How grotesque would be an international community which found room for 122 sovereign units and which did not acknowledge the sovereignty of that people which had given nationhood its deepest significance and its most enduring grace.

No wonder, then, that when danger threatened we could hear a roar of indignation sweep across the world, that men in progressive movements and members of the scientific and humanistic cultures joined together in sounding an alarm bell about an issue that vitally affected the human conscience. And no wonder, correspondingly, that a deep and universal sense of satisfaction and relief has accompanied the news of Israel's gallant and successful resistance.

But the central point remains the need to secure an authentic intellectual recognition by our neighbours of Israel's deep roots in the Middle Eastern reality. There is an intellectual tragedy in the failure of Arab leaders to come to grips, however reluctantly, with the depth and authenticity of Israel's roots in the life, the history, the spiritual experience and the culture of the Middle East.

This, then, is the first axiom. A much more conscious and uninhibited acceptance of Israel's statehood is an axiom requiring no demonstration, for there will never be a Middle East without an independent and sovereign State of Israel in its midst.

The second principle must be that of the peaceful settlement of disputes. The Resolution thus adopted falls within the concept of the peaceful settlement of disputes. I have already said that much could be done if the Governments of the area would embark much more on direct contacts. They must find their way to each other. After all, when there is conflict between them they come together face to face. Why should they not come together face to face to solve the conflict? And perhaps on some occasions it would not be a bad idea to have the solution before, and therefore instead of, the conflict.

When the Council discusses what is to happen after the cease-fire, we hear many formulas: back to 1956, back to 1948 - I understand our neighbours would wish to turn the clock back to 1947. The fact is, however, that most clocks move forward and not backward, and this, I think, should be the case with the clock of Middle Eastern peace - not backward to belligerency, but forward to peace.

The point was well made this evening by the representative of Argentina, who said: the cease-fire should be followed immediately by the most intensive efforts to bring about a just and lasting peace in the Middle East. In a similar sense, the representative of Canada warned us against merely reproducing the old positions of conflict, without attempting to settle the underlying issues of Arab-Israel co-existence. After all, many things in recent days have been mixed up with each other. Few things are what they were. And in order to create harmonious combinations of relationships, it is inevitable that the States should come together in negotiation.

Another factor in the harmony that we would like to see in the Middle East relates to external Powers. From these, and especially from the greatest amongst them, the small States of the Middle East - and most of them are small - ask for a rigorous support, not for individual States, but for specific principles; not to be for one State against other States, but to be for peace against war, for free commerce against belligerency, for the pacific settlement of disputes against violent irredentist threats; in other words, to exercise an even-handed support for the integrity and independence of States and for the rights of States under the Charter of the United Nations and other sources of international law.

There are not two categories of States. The United Arab Republic, Iraq, Syria, Jordan, Lebanon - not one of these has a single ounce or milligram of statehood which does not adhere in equal measures to Israel itself.

It is important that States outside our region apply a balanced attitude, that they do not exploit temporary tensions and divergencies in the issues of global conflict, that they do not seek to win gains by inflaming fleeting passions, and that they strive to make a balanced distribution of their friendship amongst the States of the Middle East. Now whether all the speeches of all the Great Powers this evening meet this criterion, everybody, of course, can judge for himself. I do not propose to answer in detail all the observations of the representative of the Soviet Union. I had the advantage of hearing the same things in identical language a few days ago from his colleague, the Soviet Ambassador in Israel. I must confess that I was no more convinced this evening than I was the day before yesterday about the validity of this most vehement and one-sided denunciation. But surely world opinion, before whose tribunal this debate unrolls, can solve this question by posing certain problems to itself. Who was it that attempted to destroy a neighbouring State in 1948, Israel or its neighbours? Who now closes an international waterway to the port of a neighbouring State, Israel or the United Arab Republic? Does Israel refuse to negotiate a peace settlement with the Arab States, or do they refuse to do so with it? Who disrupted the 1957 pattern of stability, Israel or Egypt? Did troops of Egypt, Syria, Jordan, Iraq, Lebanon, Kuwait and Algeria surround Israel in this menacing confrontation, or has any distinguished representative seen some vast Israel colossus surrounding the area between Morocco and Kuwait?

I raise these points of elementary logic. Of course, a Great Power can take refuge in its power from the exigencies of logic. All of us in our youth presumably recounted La Fontaine's fable, "*La raison du plus fort est toujours la meilleure.*" But here, after all, there is nobody who is more or less strong than others; we sit here around the table on the concept of sovereign equality. But I think we have an equal duty to bring substantive proof for any denunciation that we make, each of the other.

I would say in conclusion that these are, of course, still grave times. And yet they may perhaps have a fortunate issue. This could be the case if those who for some reason decided so violently, three weeks ago, to disrupt the status quo would ask themselves what the results and benefits have been. As he looks around him at the arena of battle, at the wreckage of planes and tanks, at the collapse of intoxicated hopes, might not an Egyptian ruler ponder whether anything was achieved by that disruption? What has it brought but strife, conflict with other powerful interests, and the stem criticism of progressive men throughout the world?

I think that Israel has in recent days proved its steadfastness and vigour. It is now willing to demonstrate its instinct for peace. Let us build a new system of relationships from the wreckage of the old. Let us discern across the darkness the vision of a better and a brighter dawn.



#### UN SECURITY COUNCIL, RESOLUTION S/234, NEW YORK, 7 JUNE 1967

*[The UNSC meeting had been asked for by the USSR which proposed a cease-fire resolution that was unanimously adopted. On 7 June, the cease-fire went into effect on the Jordanian front.]*

The Security Council,

*Noting that*, in spite of its appeal to the Governments concerned to take forthwith as a first step all measures for an immediate cease-fire and for a cessation of all military activities in the Near East (Resolution 233 (1967)), military activities in the area are continuing,

*Concerned that* the continuation of military activities may create an even more menacing situation in the area,

1. *Demands* that the Governments concerned should as a first step cease fire and discontinue all military activities at 2000 hours GMT on 7 June 1967;
2. *Requests* the Secretary-General to keep the Council promptly and currently informed on the situation.



**ISRAELI DEFENSE MINISTER MOSHE DAYAN, STATEMENT AT THE WESTERN WALL, OLD CITY, JERUSALEM, 7 JUNE 1967**

This morning, the Israel Defence Forces liberated Jerusalem. We have united Jerusalem, the divided capital of Israel. We have returned to the holiest of our Holy Places, never to part from it again.

To our Arab neighbours we extend, also at this hour - and with added emphasis at this hour - our hand in peace. And to our Christian and Muslim fellow citizens, we solemnly promise full religious freedom and rights. We did not come to Jerusalem for the sake of other peoples' Holy Places, and not to interfere with the adherents of other faiths, but in order to safeguard its entirety, and to live there together with others, in unity.



**UN SECURITY COUNCIL, RESOLUTION S/235 REGARDING CEASEFIRE AT THE SYRIAN FRONT, NEW YORK, 9 JUNE 1967**

*[The ceasefire on the Golan Heights went into effect on 10 June 1967.]*

The Security Council,

*Recalling* its Resolutions 233 (1967) and 234 (1967),

*Noting* that the Governments of Israel and Syria have announced their mutual acceptance of the Council's demand for a cease-fire,

*Noting* the statements made by the representatives of Syria and Israel.

1. *Confirms* its previous resolutions about immediate cease-fire and cessation of military action;
2. *Demands* that hostilities should cease forthwith;
3. *Requests* the Secretary-General to make immediate contacts with the Governments of Israel and Syria to arrange immediate compliance with the above-mentioned resolutions, and to report to the Security Council not later than two hours from now.



**ISRAELI PRIME MINISTER LEVI ESHKOL, STATEMENT TO THE KNESSET, JERUSALEM, 12 JUNE 1967**

*[In his address, Eshkol reviewed the events that led to the Six-Day War and the diplomatic initiatives taken].*

A week ago the momentous struggle opened. The existence of the State of Israel, the hope of the generations and the vision that has been realized in our days, hung in the balance.

Now, only a week after the last session of the Knesset, which took place to the accompaniment of the thunder of the guns, we meet with the tidings of victory ringing in our ears. The aggression of the enemy has been repelled, the greater part of his power has been broken, his military machine destroyed, the bases for aggression cleared. The threat of war has been lifted from our country. The

skies above our heads are safe. The threat to Jerusalem, to the coastal plain, to the villages of the north and the corridor, to the whole of the Negev and Galilee, has been removed.

The Israel Defense Forces dominate the Sinai peninsula as far as the Suez Canal, the West Bank of the Jordan, and the Golan Heights. The passage through the Strait of Tiran to the Gulf of Aqaba is free. Jerusalem has been reunified. For the first time since the establishment of the State, Jews pray at the Western Wall, the relic of our holy Temple and our historic past, and at Rachel's Tomb. For the first time in our generation, Jews can pray at the Cave of Machpela in Hebron, the city of the Patriarchs. The prophecy has been fulfilled: "There is recompense for the work, the sons have returned to their borders."

Now that victory has been won, let us bow our heads in reverent memory of the fallen. Hundreds of soldiers of the Israel Defense Forces and civilians have given their lives for this victory. I know that there can be no consolation for the loss of the individual and the bereavement of a family. Every living soul is an entire universe. Let all the bereaved families know that there can be no cause more just and vital than that for which the dead had fought. Let them know that by their deaths they bequeathed life to all of us. In the name of the entire nation, in the name of the Government and in my own, I assure them that we share in their grievous sorrow.

We shall always remember our dear sons, the soldiers of the Israel Defense Forces and their bold, valorous officers, whose place was always in the van, who have sanctified our people by their lives and their deaths. They join the long chain of heroism and self-sacrifice with those who have offered themselves up entirely on the altar of Israel and its Land - a chain that will never be broken.

To the wounded we wish a speedy recovery and a return to active and useful life. No one who has seen the wounded in our hospitals can fail to be moved at their courage and fortitude. We are grateful from the bottom of our hearts to the doctors, nurses and auxiliary staff, particularly to the volunteer physicians and others who have come from abroad to help in the sacred work of healing the sick.

These have been glorious and awesome days. Our people will remember them for generations to come. They were days when the spirit of Man rose to new heights. The entire nation mobilised its strength to fight for its life and its hopes. Each individual felt that it was his responsibility to do the work, and he did his duty - every man at his post.

In the course of the years - confronting, as we did, the constant threats of our enemies - we were compelled to build up the defensive and deterrent power of the Israel Defense Forces, and devoted extensive resources to their training and equipment.

The Israel Defence Forces constitute a mighty fighting force, as the whole world has learned, because of their high standards, because their officers and men are second to none - above all, because every man and officer is inspired by the mission of our people in its Land. Our forces are a people's army: when they fight, the entire nation fights; when they fight the whole of Jewish history watches them. When our army fights, it fights not only for the life of the people, but for its redemption.

Our people stood the test because it was united, because at the fateful hour it was able to concentrate its efforts and act as one man.

The people stood the test. Hundreds of thousands of young people and new immigrants, in big or little tasks, each according to his age and his abilities, proved that their roots in this country are eternal. It was shown that the spirit of the people flows from the spiritual revival of the State.

We saw clearly that this is no mere ingathering of the exiles, but a new - yet ancient - nation, a united nation, which has been tempered in the furnace into one Israel, forged out of all our tribes and the remnants of scattered communities - they, their sons and their daughters. A nation has come into being which is ready for any effort or sacrifice in order to achieve its goals.

The State of Israel has stood the test because it knew that it carried the hopes of the entire Jewish people. The unity of our people has been forged anew in these days. All the Diaspora communities were keenly conscious of their solidarity with the State of Israel, the heart of the Jewish people. Thousands of our people came forward to help. Hundreds of thousands, millions, are ready to give us all the assistance in their power. Even those who are unable to offer their aid have their hearts with us in our struggle. Just as our own country has attained a higher unity, so has the unity of the Jewish people been reinforced. Jerusalem has been joined together, and in its unity, as our sages said, it has made all Israel brethren.

The last four weeks have been weeks of tension and trial - from Independence Day, the fifth of Iyar (May 15), until that great Sabbath, the second of Sivan 5727 (June 10, 1967).

On Independence Day, powerful Egyptian forces started to cross the Canal and move in the direction of the Israeli frontier. After three days, these forces were deployed on our border.

Once the deployment was completed, Nasser demanded the withdrawal of the UN force from Sharm el-Sheikh, Sinai and the Gaza Strip.

On the morning of Tuesday, May 23, Egypt announced the closing of the Strait of Tiran to Israeli shipping and to international shipping carrying strategic material to Israel's southernmost port, Eilat.

After the Egyptian ruler had annulled the international arrangements that had been in force for the past ten years, he went on to proclaim in public his desire to wipe Israel off the map. As has now transpired, the Commander of the Egyptian air force issued, on May 27, a secret operations order to his pilots to prepare for a surprise attack on Israel.

On May 30, Nasser signed a military agreement with Hussein. On June 4, he signed a similar agreement with Iraq. These agreements, in addition to the Egyptian-Syrian agreement, completed the encirclement of Israel - which was designed to facilitate a surprise attack upon us from all quarters.

On June 3, the then Commander of the Egyptian forces in Sinai issued an Order of the Day to his soldiers to prepare for an attack on Israel, describing the expected results of "this unique moment" as "of historic importance to the Arab people." His prophecy came true in a manner of which he did not dream at the time.

As the Egyptian forces advanced into the Sinai peninsula, I ordered, with the consent of the Government, the beginning of the mobilization of the Israel Defense Forces' reserves. As the threat increased in gravity, mobilization was expanded and our preparedness intensified.

In my statement to the Knesset on May 29, I informed you that our forces were "ready and prepared to frustrate the enemy's designs in all sectors and on all our borders."

On the same occasion, I suggested that the Egyptian ruler might "remember that this is not the first time that he has been borne on the wings of his imagination and seen himself a victor before he has set out to war." I added that "he ought to remember that disillusionment was not long in coming, as we witnessed."

To the Israel Defense Forces I said: "Thanks to your being strong enough to overcome the enemy in any situation, the Government of Israel is able to adopt in confidence and fortitude the grave decisions that confront it, as is dictated by our supreme responsibility for the fate of the country and the Jewish people."

Last Monday, June 5, 1967, 7-8 Egyptian divisions, 2 of them armored, were deployed in front of our border in Sinai; 900 tanks were dispersed along the border 200 of them opposite Eilat, with the aim of cutting off the southern Negev; along Israel's eastern border stood 60,000 Jordanian soldiers and 300 tanks; the Jordanian army had been placed under Egyptian command, and Egyptian commando units, as well as Iraqi forces, had entered its territory.

On our northern border with Syria, 50,000 Syrian soldiers were ready for the assault, and the entire border was sown with guns and mortars, dug in, fortified, and protected by concrete and steel.

Some 600 Egyptian, Jordanian, Syrian and Iraqi planes were ready.

During the days preceding June 5, Egyptian air sorties took place over Israeli skies.

The decisive moment came. Facing the movement of Egyptian forces to the Israeli border, our forces went out to repulse the enemy's aggression, and air and armored battles developed.

In a radio broadcast a few hours later, I declared: "We shall not attack any State so long as it does not wage war against us. But anyone attacking us will meet with our full power of self-defense and our capacity to defeat his forces." Despite this unmistakable warning, the Jordanian forces, which were under Egyptian command, started attacks and bombardments all along the line - especially in Jerusalem, where much blood was spilt.

At the same time, the Syrians started attacking the villages in the north from their fortified positions in the Golan mountains.

By Thursday, June 8, Israel's forces had defeated the enemy in Sinai, the Gaza Strip, the whole of Jerusalem and the whole of the West Bank.

On this occasion, I should like to point out that, despite the bombardment of Jerusalem, by the Jordanian forces, which caused loss of life, injury to many, and much damage to property, we refrained from any bombardment inside the city, out of consideration for the sanctity of Jerusalem and in accordance with our policy of avoiding injury to the civilian population.

Immediately after the liberation of the city, before I went to the Western Wall, I invited the heads of the Christian and Moslem communities and told them: "You may rest assured that no harm of any kind will be permitted to the religious Holy Places. I have asked the Minister of Religious Affairs to contact the religious leaders of Jerusalem in order to ensure orderly contact between them and our forces, and enable them to continue unhindered with their religious activities. From Jerusalem - the age-old symbol of peace, from the Holy City to which its tranquillity has been restored - I want to join with you in issuing a call to peace to all the nations of the area and to the world at large."

Arrangements were immediately made to ensure that the arrangements in places sacred to Christianity should be entrusted to Christian religious dignitaries, and in places sacred to Islam to Moslem religious dignitaries.

In view of the continuation of heavy bombardment by the Syrians on our villages in the north, the constant danger to the lives of men, women and children, and the grievous damage that was being done to the villages, we were compelled to act in order to silence the Syrian posts on the Golan and Bashan mountains.

On Saturday, June 10, the Syrian heights were in our hands and the bases for aggression, which had threatened the villages in the north, hailing down damage and destruction upon them for nineteen years for the purpose of turning them into heaps of rubble, had been liquidated.

During the fighting, our forces destroyed some 450 enemy planes, and hundreds of tanks. The enemies' forces were routed in battle. Many ran for their lives or were taken prisoner. This is the first time since the establishment of the State that the threat to our security has been removed at one and the same time in the Sinai peninsula, the Gaza Strip, Jerusalem, the West Bank and the northern border.

In these battles the soldiers of the Israel Defense Forces fought, in their tens of thousands, with indescribable courage and heroism. They showed infinite devotion and comradesly loyalty, resourcefulness and skill. Officers advanced at the head of their units and threw themselves upon strong fortifi-

cations. Many fell or were wounded leading their soldier comrades. Soldiers risked their lives to extricate their comrades and save them from death and captivity. It was by virtue of this dedication and fraternity of fighters that we won. Happy the people that has such an army.

From this rostrum I wish to congratulate the Members of the Government, the Minister of Defense, the Chief of Staff, the senior officers in the field and at headquarters, the commanders of corps and formations, and all the officers and men of the Israel Defense Forces on land, at sea and in the air. I am confident that the entire nation and all the forces will welcome my special greeting to the air force, and to its present and previous commanders.

Parallel with the developments in the security arena, we were confronted with a struggle on the international political scene. During the first days of the crisis, from Independence Day until Thursday, May 18, the entry of the Egyptian forces into Sinai was described in various capitals as an act of demonstrative show.

Egypt's demand for the withdrawal of the international force was hastily fulfilled by the Secretary-General of the United Nations, without the Advisory Committee on the UN force being asked to approve this step in advance or the matter being submitted for discussion at the UN Security Council.

With the removal of the UN force, the international struggle grew tenser. Nevertheless, no international institution took action to prevent the approaching aggression or to get rid of the concentration of Egyptian forces on Israel's border. It is possible that the impotence of the international organization encouraged Nasser to persevere in his aggressive path and to block the Strait of Tiran. Even after the blocking of the Strait, the Security Council did not call upon Egypt to annul the blockade, although several of its members described this act as illegal and dangerous.

When the Strait was blocked, the United States and Britain started political action for the purpose of safeguarding freedom of passage. Israel ascribed importance to this international action. We regarded it as useful that international opposition to one of the central manifestations of Egyptian aggression should be intensified.

However, it soon transpired that Nasser was not content with closing the Strait of Tiran, and that his aim was the destruction of Israel. Thus, while the Powers were seeking a solution to the problem of the Strait in accordance with international law, the fighting began.

During the three weeks that preceded the fighting, the eyes of the world were opened, perhaps for the first time, to the real nature of the Arab policy of hostility and the true aggressive intentions of the Egyptian ruler, against which we had warned the world for many years.

In my Knesset speech of May 29, I noted that we had been greatly encouraged by the growing support and sympathy that we enjoyed throughout the world. During the days that followed, this support and sympathy became a powerful flood which encompassed states, governments and peoples, and testified how widely the vision of Israel's resurgence had become a part of the pattern of world culture in our generation. In the days that preceded the battles, the world's anxiety for Israel's survival became a mighty manifestation, which strengthened our position and will fortify us in the political struggle that lies ahead.

I have no intention in this place to refute lying propaganda, but, for the sake of historic truth, I want to repeat again, in the most categorical fashion, that when Israel fought for her life, her sons fought alone. In this war of defense we were not assisted by any military force of any country in any form whatsoever.

I must point out that, throughout the period when Egypt and her allies were preparing for war and during the fighting itself, there was one Great Power which not only did not denounce their aggressive policy, but even helped the aggressors by political means. On Saturday, June 10, 1967, the Soviet Union announced the rupture of diplomatic relations with Israel, and she was followed by Czechoslovakia and Bulgaria.

Perhaps there is not much practical advantage to be gained, but it is our international duty to ask the Soviet Union how, as a member of the United Nations, she reconciled her declared policy of settlement of international disputes by peaceful means with the bestowal of massive armaments and military equipment on States that have publicly declared their intention of using these armaments in order to destroy a sovereign State, and how her policy is compatible with open support for the aggressor during the fighting.

Perhaps the leaders of the Soviet Union will now realize that it is their duty to assist in the effort to establish true peace in the Middle East. In the last official contact between us, we expressed the hope that relations would yet be maintained between our countries on the basis of a more profound understanding of Israel's problems on the part of the Soviet Union.

Mr. Speaker, Members of the Knesset:

When the State of Israel was born, nineteen years ago, the Arab armies tried to strangle it at birth. When the State successfully resisted them, armistice agreements were signed. In these agreements it was expressly stated, in the clearest terms, that their purpose was to serve as a transitional stage on the road to peace. And indeed, that was the attitude which Israel adopted towards them.

However, in the course of the years we found that our neighbors regard these agreements as an expedient for gaining time in order to prepare for renewed aggression, with the aim of destroying Israel. The United Nations chose to ignore this attitude on the part of the Arabs. The UN Charter obligates member-states not to use force or the threat of force, and to solve disputes by peaceful means. Yet the United Nations refrained from condemning Arab hostility towards Israel. Thus for nineteen years, this unique situation, unparalleled in international relations, persisted.

All the nations of the world, their leaders and their representatives heard the incitement of the Arab leaders and the rattling of the swords that were entrusted to them, but they were silent.

To the nations of the world I want to say: Be under no illusion that the State of Israel is prepared to return to the situation that reigned up to a week ago. The State of Israel arose and continued to exist as a matter of right, and this nation has been compelled to fight and fight again for that right. Alone we fought for existence and our security; we are entitled to determine what are the true and vital interests of our country, and how they shall be secured. The position that existed up till now shall never again return. The Land of Israel shall no longer be a no man's land, wide open to acts of sabotage and murder.

We have already explained to the nations of the world that we look, not backward, but forward - to peace.

We shall faithfully observe the cease-fire if it is observed by the other side.

Members of the Knesset:

A new situation has been created, which can serve as a starting-point in direct negotiations for a peace settlement with the Arab countries. The historic contribution which the people of the world, headed by the Great Powers, can make towards the establishment of peace in our area is clear and unmistakable. They must address their demands, not to Israel, which has sought peace since she came into being, but to the Arab States, which have turned the Middle East into a focus of tension and a hotbed of ceaseless hatred during the past two decades.,

Justice, logic and morality demand that, after those twenty years of impotence, the Powers should have the courage to tell the Arab States that the United Nations Charter obliges them, just as it obligates every other member-state, to solve disputes by peaceful means.

Today our area is at the crossroads. In one direction lie peace and true cooperation, resting upon the sincere desires of the peoples in the area and their true interests. In the other direction lies the danger of continued hostility and hatred because of the absence of stable peace.

The international community is faced not only with a moral test, but also with a test of its political sagacity. The sooner the arms race in the area is ended, the sooner steps are taken to bring peace nearer in the Middle East, the greater, perhaps, will be the contribution to the relaxation of general international tension.

To the Arab peoples I want to say: We did not take up arms in any joyful spirit. We acted because we had no alternative if we wanted to defend our lives and our rights. Just as you have a right to your countries, so we have a right to ours. The roots of the Jewish people in this country go back to primeval days. Throughout the generations, Israel in dispersion maintained its spiritual and material links with this country, it was never severed from it even when it went into exile.

Similarly, this Land has kept faith with us, it has not given itself to any stranger. This historic and spiritual right of ours has been confirmed by international law and forged on the anvil of reality. Today the entire world realizes that no force can uproot us from this Land.

There is no parallel in the annals of the nations to this unique bond between our people and its Land. Perhaps the fact that we have successfully survived the three wars that have been forced upon us will finally convince those who refuse to recognise this fundamental truth that our ties with this Land are deeper than the sea, because without it our people cannot live.

In these days, when false hopes for the destruction of Israel have been shattered, perhaps the Arab leaders will think again, perhaps they will consider the extensive suffering and losses which they have caused to their peoples - and which we, too, regret.

Perhaps they will realize the valuable resources that have been squandered on weapons of war instead of being utilized for economic and social progress, perhaps they will ponder on the blessings that can flow to all the peoples of the area from sincere cooperation among them. Only through such cooperation will the Middle East take its rightful place in the total picture of world culture and human progress.

Mr. Speaker, Members of the Knesset:

When the emergency reached its climax, the Government was expanded and a Government of National Unity established. I should like to state that the expanded Government, including the Cabinet Committee on Security Affairs, has stood, and continues to stand, the test of national leadership. I am confident that, in national unity, we shall meet the tests that lie in store for us, ready for the political struggle and always seeking peace.

May the coming days deepen still further that wonderful feeling of devotion, unity and spiritual exaltation, the bond between future generations and the unity of the entire House of Israel.

Israel has emerged stronger than before from the test of fire and blood. Faithful to herself and looking with confidence to the future, with the aid of the Rock and Redeemer of Israel, this nation shall yet dwell in safety.



#### **UN SECURITY COUNCIL, RESOLUTION 237, 14 JUNE 1967**

The Security Council,

*Considering* the urgent need to spare the civil populations and the prisoners of the war in the area of conflict in the Middle East additional sufferings,

*Considering* that essential and inalienable human rights should be respected even during the vicissitudes of war,

*Considering* that all the obligations of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949 /5 should be complied with by the parties involved in the conflict,

1. *Calls upon* the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place and to facilitate the return of those inhabitants who have fled the areas since the outbreak of hostilities;
2. *Recommends* to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war contained in the Geneva Conventions of 12 August 1949;
3. *Requests* the Secretary-General to follow the effective implementation of this resolution and to report to the Security Council.



**US PRESIDENT LYNDON B. JOHNSON, ADDRESS AT THE NATIONAL FOREIGN  
POLICY CONFERENCE OF EDUCATORS, WASHINGTON, DC, 19 JUNE 1967 [EXCERPTS]**

*[In his address, Pres. Johnson outlined a five-point program for peace in the Middle East, in which he called on the parties involved to settle their problems themselves.]*

Now, finally, let me turn to the Middle East - and to the tumultuous events of the past months. Those events have proved the wisdom of five great principles of peace in the region.

The first and greatest principle is that every nation in the area has a fundamental right to live and to have this right respected by its neighbors.

For the people of the Middle East the path to hope does not lie in threats to end the life of any nation. Such threats have become a burden to the peace, not only of that region, but a burden to the peace of the entire world.

In the same way, no nation would be true to the United Nations Charter or to its own true interests, if it should permit military success to blind it to the fact that its neighbors have rights and its neighbors have interests of their own. Each nation, therefore, must accept the right of others to live.

This last month, I think, shows us another basic requirement for settlement. It is a human requirement: justice for the refugees.

A new conflict has brought new homelessness. The nations of the Middle East must at last address themselves to the plight of those who have been displaced by wars. In the past, both sides have resisted the best efforts of outside mediators to restore the victims of conflict to their homes or to find them other proper places to live and work. There will be no peace for any party in the Middle East unless this problem is attacked with new energy by all and, certainly, primarily by those who are immediately concerned.

A third lesson from this last month is that maritime rights must be respected. Our nation has long been committed to free maritime passage through international waterways; and we, along with other nations, were taking the necessary steps to implement this principle when hostilities exploded. If a single act of folly was more responsible for this explosion than any other, I think it was the arbitrary and dangerous announced decision that the Strait of Tiran would be closed. The right of innocent maritime passage must be preserved for all nations.

Fourth, this last conflict has demonstrated the danger of the Middle Eastern arms race of the last 12 years. Here the responsibility must rest not only on those in the area but upon the larger states outside the area. We believe that the scarce resources could be used much better for technical and economic development. We have always opposed this arms race, and our military shipments to the area have consequently been severely limited.

Now the waste and futility of the arms race must be apparent to all the peoples of the world. And now there is another moment of choice. The United States of America, for its part, will use every resource of diplomacy and every counsel of reason and prudence to try to find a better course.

As a beginning, I should like to propose that the United Nations immediately call upon all of its members to report all shipments of all military arms into this area and to keep those shipments on file for all the peoples of the world to observe.

Fifth, the crisis underlines the importance of respect for political independence and territorial integrity of all the states of the area. We reaffirmed that principle at the height of this crisis. We reaffirm it again today on behalf of all. This principle can be effective in the Middle East only on the basis of peace between the parties. The nations of the region have had only fragile and violated truce lines for 20 years. What they now need are recognized boundaries and other arrangements that will give them security against terror, destruction, and war. Further, there just must be adequate recognition of the special interest of three great religions in the holy places of Jerusalem.

These five principles are not new, but we do think they are fundamental. Taken together, they point the way from uncertain armistice to durable peace. We believe there must be progress toward all of them if there is to be progress toward any.

There are some who have urged, as a single, simple solution, an immediate return to the situation as it was on June 4. As our distinguished and able Ambassador, Mr. Arthur Goldberg, has already said, this is not a prescription for peace but for renewed hostilities.

Certainly, troops must be withdrawn; but there must also be recognized rights of national life, progress in solving the refugee problem, freedom of innocent maritime passage, limitation of the arms race, and respect for political independence and territorial integrity.

But who will make this peace where all others have failed for 20 years or more?

Clearly the parties to the conflict must be the parties to the peace. Sooner or later, it is they who must make a settlement in the area. It is hard to see how it is possible for nations to live together in peace if they cannot learn to reason together.

But we must still ask, Who can help them? Some say it should be the United Nations; some call for the use of other parties. We have been first in our support of effective peacekeeping in the United Nations, and we also recognise the great values to come from mediation.

We are ready this morning to see any methods tried, and we believe that none should be excluded altogether. Perhaps all of them will be useful and all will be needed.

I issue an appeal to all to adopt no rigid view on these matters. I offer assurance to all that this Government of ours, the Government of the United States, will do its part for peace in every forum, at every level, at every hour.

Yet there is no escape from this fact: the main responsibility for the peace of the region depends upon its own peoples and its own leaders of that region. What will be truly decisive in the Middle East will be what is said and what is done by those who live in the Middle East.



**GOVERNMENT OF ISRAEL, PROTECTION OF THE HOLY PLACES LAW,  
5727-1967, 27 JUNE 1967**

*Protection of Holy Places.*

1. The Holy Places shall be protected from desecration and any other violation and from anything likely to violate the freedom of access of the members of the different religions to the places sacred to them or their feelings with regard to those places.

*Offenses.*

2. (a) Whosoever desecrates or otherwise violates a Holy Place shall be liable to imprisonment for a term of seven years.
- (b) Whosoever does anything likely to violate the freedom of access of the members of the different religions to the places sacred to them or their feelings with regard to those places shall be liable to imprisonment for a term of five years.

*Saving of Laws.*

3. This Law shall add to, and not derogate from any other law.

*Implementation of Law.*

1. The Minister of Religious Affairs is charged with the implementation of this regulations, and he may, after consultation with, or upon the proposal of, representatives of the religions concerned and with the consent of the Minister of Justice make regulations as to any matter relating to such implementation.

*Commencement.*

5. This Law shall come into force on the date of its adoption by the Knesset.

*Levy Eshkol*  
Prime Minister

*Zerach Warhaftig*  
Minister of Religious Affairs

*Shneur Zalman Shazar*  
President of the State



**GOVERNMENT OF ISRAEL, LAWS ON JURISDICTION OVER THE  
OCCUPIED TERRITORIES AND JERUSALEM, 27 JUNE 1967**

LAW AND ADMINISTRATION ORDINANCE (AMENDMENT NO. 11) LAW, 5727-1967

1. In the Law and Administration Ordinance, 5708-1948), the following section shall be inserted after section 11A:
2. "Application 11B. The law, jurisdiction and administration of the State shall extend to any area of law. Eretz Israel designated by the Government by order."

This Law shall come into force on the date of its adoption by the Knesset.

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MUNICIPALITIES ORDINANCE (AMENDMENT NO. 6) LAW 5727-1967

1. In the Municipalities Ordinance), the following section shall be inserted after section 8:

Enlargement of  
area of jurisdiction  
in certain cases

8A. (A) The Minister may, at his discretion and without an inquiry under section 8 being made, enlarge, by proclamation, the area of a particular municipality by the inclusion of an area designated by order under section 11B of the Law and Administration Ordinance, 5708-1948).



**UN GENERAL ASSEMBLY, RESOLUTION 2253 ON JERUSALEM, 4 JULY 1967**

The General Assembly,

*Deeply* concerned at the situation prevailing in Jerusalem as a result of the measures taken by Israel to change the status of the City,

1. Considers that these measures are invalid;
2. *Calls upon* Israel to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem;
3. *Requests* the Secretary-General to report to the General Assembly and the Security Council on the situation and on the implementation of the present resolution not later than one week from its adoption.



**GOVERNMENT OF ISRAEL, ABSENTEES' PROPERTY (AMENDMENT NO. 5)  
(INCREASE OF PAYMENT TO ABSENTEES' DEPENDANTS AND TO ABSENTEES)  
LAW, 5727-1967, PASSED BY THE KNESSET, 8 JULY 1967**

*[See document dated 14 March 1950 above for the original version of the Law]*

Amendment  
of  
section 9.

1. In section 9(a) of the Absentees' Property Law, 5710-1950(1), the words "fifty pounds" shall be replaced by the words "three hundred pounds".

LEVI ESHKOL  
*Prime Minister*

PINCHAS SAPIR  
*Minister of Finance*

SHNEUR ZALMAN SHAZAR  
*President of the State*



**UN GENERAL ASSEMBLY, RESOLUTION 2254 ON JERUSALEM, 14 JULY 1967**

The General Assembly,

*Recalling* its resolution 2253 (ES-V) of 4 July 1967,

*Having received* the report submitted by the Secretary-General,

*Taking note* with the deepest regret and concern of the non-compliance by Israel with resolution 2253 (ES-V),

1. *Deplores* the failure of Israel to implement General Assembly resolution 2253 (ES-V);
2. *Reiterates* its call to Israel in that resolution to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem;
3. *Requests* the Secretary-General to report to the Security Council and the General Assembly on the situation and on the implementation of the present resolution.



**GOVERNMENT OF ISRAEL, ABSENTEES' PROPERTY (AMENDMENT NO. 4)  
(RELEASE AND USE OF PROPERTY OF EVANGELICAL EPISCOPAL CHURCH) LAW,  
5727-1967, PASSED BY THE KNESSET, 8 AUGUST 1967**

*[See document dated 14 March 1950 above for the original version of the Law]*

1. The following sections shall be inserted after section 29H of the Absentees' Property Law, 5710-1950(1):

		<p>29 I.</p> <ul style="list-style-type: none"> <li>• (a) Where the Custodian releases any property vested in him of the evangelical Episcopal Church, he may transfer the ownership thereof to a body of trustees appointed under section 29 J, unless at the time of its vesting that property was dedicated to the members of the dedicator's family or the members of another family and the beneficiaries are still alive at the time of the transfer.</li> <li>• (b) For the purposes of this section and of sections 29 J-P, "property of the Evangelical Episcopal Church" means immovable property validly dedicated to the Evangelical Episcopal Church, and immovable property in respect of which it has been declared, by a judgment of a competent court, that at the time of its vesting in the Custodian it was owned by the Evangelical Episcopal Church or was dedicated to or held for the benefit of all or part of the members of that Church, even though at the time of the vesting some other person may have been registered as the owner of the property.</li> </ul>
<p>Addition of sections 29 I-P.</p>	<p>Body of trustees.</p>	<p>29 J.</p> <ul style="list-style-type: none"> <li>• (a) There shall be established a body of trustees for the management of property of the Evangelical Episcopal Church in Israel which has been released and transferred to such body under this Law.</li> <li>• (b) The body of trustees shall be appointed, with the approval of the Government, by the Anglican Archbishop in Jerusalem and by the most senior priest of the Evangelical Episcopal Church resident in Israel, who shall be designated for that purpose by the Archbishop. Notice of the Government's approval shall be published in <i>Reshumot</i>, and the approval shall be conclusive evidence that the appointment has been validly made.</li> </ul>
	<p>Applicability of sections 29C, 29D and 29F.</p>	<p>29 K. For the purpose of sections 29 C, 29 D and 29 F, a body of trustees shall be treated as a board of trustees.</p>
	<p>Management of property by body of trustees.</p>	<p>29 L. The body of trustees shall manage the property under its control and, notwithstanding anything provided under any law or document relating to an endowment, shall use the income of, or consideration received for, the property for purposes of education, religion and charity, all in accordance with the requirements of the Evangelical Episcopal Church in Israel or of the generality of the members thereof, and subject to the directions of the Government or of a person appointed by it in that behalf.</p>
	<p>Management of property by Custodian.</p>	<p>29 M. Where property of the Evangelical Episcopal Church vested in the Custodian has not been released, the Custodian shall use it, its income and the consideration received for it for the purposes for which the body of trustees might use it under this Law.</p>

Winding-up of released family endowment.	29 N. Where the Custodian has released any vested property which at the time of its vesting was validly dedicated to the members of the dedicator's family, or of another family, who are still alive, and the dedicator, the owner of the property, the person having the possession or management thereof, or the beneficiaries of the endowment, is or are at the time a member or members of the Evangelical Episcopal Church, the Custodian may transfer the ownership of that property to those beneficiaries.
Removal of limitations.	29 O. Property transferred under section 29 I or 29 N shall be free from any restriction, qualification or other similar limitation imposed under any law or document relating to its dedication.
Custodian relieved of responsibility.	29 P. Where the Custodian has released any vested property and has transferred it to a board of trustees or body of trustees instead of to the members of the family of the dedicator or the members of another family because he had reasonable grounds for believing that although the property was indeed dedicated to them, none of them were alive any more, he shall not for that reason alone bear responsibility for the transfer, provided that he has done whatever is necessary and reasonable in the circumstances in order to ascertain the fate of the beneficiaries. The responsibility of which the Custodian is relieved by this section shall be borne by the board of trustees or the body of trustees, as the case may be."

LEVI ESHKOL  
*Prime Minister*

PINCHAS SAPIR  
*Minister of Finance*

SHNEUR ZALMAN SHAZAR  
*President of the State*



**ISRAELI PRIME MINISTER LEVI ESHKOL, PRINCIPLES GUIDING ISRAEL'S POLICY IN THE AFTERMATH OF THE JUNE 1967 WAR, JERUSALEM, 9 AUGUST 1967 [EXCERPTS]**

- (a) The Government of Israel will endeavour to achieve peace with the neighbouring Arab countries. We shall never permit a return to a situation of constant threat to Israel's security, of blockade and of aggression.
- (b) The Government of Israel is prepared for direct negotiations with all the Arab States together, or with any Arab State separately.
- (c) The State of Israel strives for economic cooperation and regional planning with all States in the Middle East.
- (d) Israel will cooperate fully in the solution of the refugees problem... within the framework of an international and regional plan.
- (e) The Government endeavours to maintain fair and equitable relations with the population in the new areas, while maintaining order and security.

After our military victory, we confront a fateful dilemma; immigration or stagnation ... By the end of the century, we must have five million Jews in Israel. We must work hard so that Israel may be able to maintain decent human, cultural, technical and economic standards. This is the test of Israeli's existence as a Jewish State in the Middle East.



**WORLD COUNCIL OF CHURCHES, CENTRAL COMMITTEE,  
STATEMENT ON THE MIDDLE EAST, HERAKLION, CRETE, 15-26 AUGUST 1967**

The Central Committee upon the recommendation of Reference Committee II *adopted* the following statement:

The deep conflict which for over twenty years had divided the Middle East and troubled the whole world and which this year has broken out in new and bitter fighting, must be of profound concern to all Christians. The countries involved in it have been the birthplace of some of the earliest developed human civilisations and of three of the world's greatest religions, Jewish, Christian and Muslim.

The present crisis has developed in part because the rest of the world has been insensitive to the fears of people in the Middle East; the fears of the people of the Arab nations because of the dynamism and possible expansion of Israel, and the fears of the people of Israel who have escaped from persecution on other continents only to be threatened, at least by word, with expulsion from their new home.

We recognise the urgency of seeking creative solutions to this problem lest the acceptance of a cease-fire without a just political settlement result in a *fait accompli* which can only increase antagonism and encourage preparation for the next attempt at a solution by armed force.

Since the beginning of the present crisis the World Council of Churches has called for a peaceful and just solution. After the outbreak of war, it urged a speedy cessation of hostilities and insisted that both the peoples directly involved in the conflict and the great powers were responsible for the establishment of a just and durable peace.

We believe there are strong spiritual and moral forces that exist below the surface and can be released to end the cycle of enmity and suspicion. The situation now emphasises the necessity and presents an opportunity to move towards a brighter future for all people concerned. We do not consider it our task to enter into all the details of a political settlement. We do hold, however, that the following elements are essential to any peace founded upon justice and recognition of the equality of all peoples in the region.

1. No nation should be allowed to keep or annex the territory of another by armed force. This applies to the present situation. National boundaries should rest upon international agreements freely reached between or accepted by the people directly concerned.
2. Effective international guarantees should be given for the political independence and territorial integrity of all nations in the area, including both Israel and the Arab nations.
3. There can be neither reconciliation nor significant development in the area unless, in the general settlement, a proper and permanent solution is found to the problem of Arab refugees, both old and new. We therefore urge:
  - 3.1 That all persons who have been displaced in recent months should be permitted to exercise their right to return to their former places of residence. In the case of those from the West Bank of Jordan this will involve action:
    - 3.1.1 To extend substantially the period for application to return, and
    - 3.1.2 To provide a form of application that carries no political implications
 We are glad to learn that on both these points some progress has been made.
  - 3.2 That the United Nations should be increasingly involved in the short and long-term aspects of the problem of all displaced persons. The expanding services of UNRWA are essential and urgently need the generous support of all governments. The World Council of Churches should continue in its search for a satisfactory solution to the whole refugee problem. The current operations of the churches and the Near East Council of Churches should be reinforced.
4. In the meantime until a just and peaceful settlement is reached, we are particularly concerned about the religious aspect of the situation. In a region where communities of three religions met and lived together for long centuries, full religious freedom must be assured to all persons and communities. The continued presence and witness of these faiths and their respective communi-

- ties must be guaranteed by international agreement including free access to the holy places in a land of unique importance for every one of them.
5. While the needs of national security in each case must be adequately met, a new armament race must be avoided by the agreed limitation of national armaments to the lowest level consistent with a balanced security in the area.
  6. The great powers have played a role in shaping the political and economic structure of the Middle East. For this reason and because peace in this most sensitive and central area affects the peace of the world, these nations must be prepared to cooperate with leadership in the Middle East, in the stabilisation of the region and refrain from selfishly pursuing their own political, economic and commercial interests.
  7. The legitimate hopes of all the people of the Middle East for development should be encouraged based upon the talents and resources of all the nations involved. This assumes international and financial support by all possible sources including the commitment already made by the United Nations and its Specialised Agencies.



**LEAGUE OF ARAB STATES, SUMMIT CONFERENCE RESOLUTION,  
KHARTOUM, 1 SEPTEMBER 1967**

*[Eight Arab heads of state attended an Arab summit conference in Khartoum during 29 Aug.-1 Sept. 1967. The resolution adopted formulated the Arab consensus regarding their politics vis-à-vis the conflict with Israel and called for the continued struggle against Israel: no peace and no negotiations with Israel and no recognition of Israel. Also discussed was the creation of a fund to assist Egypt's and Jordan's economies, the lifting of an Arab oil boycott against the West and the war in Yemen.]*

- (1) The conference has affirmed the unity of Arab ranks, the unity of joint action and the need for coordination and for the elimination of all differences. The Kings, Presidents and representatives of the other Arab Heads of State at the conference have affirmed their countries' stand by and implementation of the Arab Solidarity Charter which was signed at the third Arab summit conference in Casablanca.
- (2) The conference has agreed on the need to consolidate all efforts to eliminate the effects of the aggression on the basis that the occupied lands are Arab lands and that the burden of regaining these lands falls on all the Arab States.
- (3) The Arab Heads of State have agreed to unite their political efforts at the international and diplomatic level to eliminate the effects of the aggression and to ensure the withdrawal of the aggressive Israeli forces from the Arab lands which have been occupied since the aggression of June 5. This will be done within the framework of the main principles by which the Arab States abide, namely, no peace with Israel, no recognition of Israel, no negotiations with it, and insistence on the rights of the Palestinian people in their own country.
- (4) The conference of Arab Ministers of Finance, Economy and Oil recommended that suspension of oil pumping be used as a weapon in the battle. However, after thoroughly studying the matter, the summit conference has come to the conclusion that the oil pumping can itself be used as a positive weapon, since oil is an Arab resource which can be used to strengthen the economy of the Arab States directly affected by the aggression, so that these States will be able to stand firm in the battle. The conference has, therefore, decided to resume the pumping of oil, since oil is a positive Arab resource that can be used in the service of Arab goals. It can contribute to the efforts to enable those Arab States which were exposed to the aggression and thereby lost economic resources to stand firm and eliminate the effects of the aggression. The oil-producing States have, in fact, participated in the efforts to enable the States affected by the aggression to stand firm in the face of any economic pressure.
- (5) The participants in the conference have approved the plan proposed by Kuwait to set up an Arab Economic and Social Development Fund on the basis of the recommendation of the Baghdad conference of Arab Ministers of Finance, Economy and Oil.
- (6) The participants have agreed on the need to adopt the necessary measures to strengthen military preparation to face all eventualities.
- (7) The conference has decided to expedite the elimination of foreign bases in the Arab States.

PM Mahjub then read the following additional resolution: “The Kingdom of Saudi Arabia, the State of Kuwait and the Kingdom of Libya have each agreed to pay the following amounts which are to be paid in advance every three months beginning from mid-October until the effects of the aggression are eliminated: Saudi Arabia, £50 m; Kuwait £ 55 m; Libya £ 30 m. In this way, the Arab nation ensures that it will be able to carry on this battle, without any weakening, till the effects of the aggression are eliminated.”



### UN SECURITY COUNCIL, RESOLUTION 242, 22 NOVEMBER 1967

The Security Council,

*Expressing* its continuing concern with the grave situation in the Middle East;

*Emphasizing* the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security;

*Emphasizing* further that all Member states in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter;

1. *Affirms* that the fulfillment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:
  - (i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;
  - (ii) Termination of all claims or states of belligerency and respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognized boundaries free from threats or acts of force;
2. *Affirms* further the necessity
  - a. for guaranteeing freedom of navigation through international waterways in the area;
  - b. for achieving a just settlement of the refugee problem;
  - c. for guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized zones;
3. *Requests* the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles and in this resolution;
4. *Requests* the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible.



### PALESTINE LIBERATION ORGANIZATION, STATEMENT REJECTING UN SECURITY COUNCIL RESOLUTION 242, CAIRO, 23 NOVEMBER 1967

*Having studied* the British resolution adopted by the Security Council on the Israeli aggression against Arab territories of June 1967, the Palestine Liberation Organization, in behalf of the Palestinian people, hereby defines its attitude to the said resolution as follows:

1. The resolution as a whole is in the nature of a political declaration of general principles, and is more like an expression of international intentions than the resolution of an executive power. Its treatment of the question of the withdrawal of Israeli forces is superficial, rather than being a decisive demand. It leaves Israel many loopholes to justify her continued occupation of Arab territories, and may be interpreted as permitting her to withdraw from such territories as she chooses to withdraw from and to retain such areas as she wishes to retain.
2. The resolution more than once refers to Israel's right to exist and to establish permanent, recognized frontiers. It also refers to Israel's safety and security and to her being freed from all threats, and, in

- general to the termination of the state of belligerency with her. All this imposes on the Arab countries undertakings and a political and actual situation which are fundamentally and gravely inconsistent with the Arab character of Palestine, the essence of the Palestine cause and the right of the Palestinian people to their homeland. This resolution completely undermines the foundations of the principles announced by the Khartoum Summit Conference held after the aggression.
3. The resolution ignores the right of the refugees to return to their homes, dealing with this problem in an obscure manner which leaves the door wide open to efforts to settle them in the Arab countries and to deprive them of the exercise of their right to return, thereby annulling the resolutions adopted by the United Nations over the past twenty years.
  4. The resolution recognizes the right of passage through international waterways, by which it means the Suez Canal and the Gulf of Aqaba. Granted that the Canal is an international waterway, this right cannot be exercised by a state which has engaged in usurpation and aggression, especially inasmuch as its usurpation and aggression were directed against an Arab country. The Gulf of Aqaba constitutes Arab internal waters, and its shores include a coastal area belonging to Palestine occupied by Israel through an act of usurpation and aggression. The principle of freedom of innocent passage is not applicable to the Gulf of Aqaba, especially as regards Israel.
  5. The resolution includes provisions for the sending on a mission of a personal representative of the Secretary-General of the United Nations. This is no more than a repetition of unsuccessful attempts in the past, beginning with the dispatch of Count Bernadotte and ending with the formation of the International Conciliation Commission. All these attempts provided Israel with repeated opportunities to impose the *fait accompli* and to engage in further aggression and expansion.
  6. The resolution as a whole validates Israel's attitude and her demands and disappoints the hopes of the Arab nation and ignores its national aspirations. The conflicting interpretations of the resolutions made by members of the Security Council have weakened it even further, and it is not too much to say that the resolutions is a political setback at the international level following the military setback which has befallen the Arab homeland.
  7. For these reasons, the most important of which is that the Security Council ignores the existence of the Palestinian people and their right of self-determination, the Palestine Liberation Organization hereby declares its rejection of the Security Council resolution as a whole and in detail. In so doing it is not only confirming a theoretical attitude, but also declaring the determination of the Palestinian people to continue their revolutionary struggle to liberate their homeland. The Palestine Liberation Organization is fully confident that to achieve this sacred aim the Arab nation will meet its national responsibilities to mobilize all its resources for this battle of destiny, with the support of all forces of liberation throughout the world.



#### **UN SECURITY COUNCIL, RESOLUTION 248 CONDEMNING ISRAELI ATTACKS ON JORDAN (BATTLE OF KARAMEH), 24 MARCH 1968**

*[The Battle of Karameh took place on 21 March 1968 at Karameh, Jordan, with Jordanian and PLO forces repulsing an Israeli raid on the town, which served as a base for Palestinian (Fateh) guerillas.]*

The Security Council,

*Having heard* the statements of the representatives of Jordan and Israel,

*Having noted* the contents of the letters of the Permanent Representatives of Jordan and Israel in documents S/8470, S/8475, S/8484 and S/8486,

*Having noted* further the supplementary information provided by the Chief of Staff of UNTSO as continued in documents S/7930/Add. 64 and Add. 65,

*Recalling* resolution 236 (1967) by which the Security Council condemned any and all violations of the cease-fire,

*Observing* that the military action by the armed forces of Israel on the territory of Jordan was of a large-scale and carefully planned nature,

*Considering* that all violent incidents and other violations of the cease-fire should be prevented and not overlooking past incidents of this nature,

*Recalling* further resolution 237 (1967) which called upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations have taken place,

1. *Deplores* the loss of life and heavy damage to property;
2. *Condemns* the military action launched by Israel in flagrant violation of the United Nations Charter and the cease-fire resolutions;
3. *Deplores* all violent incidents in violation of the cease-fire and declares that such actions of military reprisal and other grave violations of the cease-fire cannot be tolerated and that the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts;
4. *Calls upon* Israel to desist from acts or activities in contravention of resolution 237 (1967);
5. *Requests* the Secretary-General to keep the situation under review and to report to the Security Council as appropriate.

*[Adopted unanimously at the 1407th meeting.]*



**DEFINITION OF ZIONISM: THE JERUSALEM PROGRAM,  
27<sup>TH</sup> WORLD ZIONIST CONGRESS, JERUSALEM, JUNE 1968**

*[The five-point Jerusalem Program aimed to redefine aims, ideals and principles of Zionism.]*

**A. Eighty Years of Zionist Achievement:**

In eighty years of political and educational activity, Zionism managed to inculcate into the consciousness of our people several basic values:

1. The recognition of the basic solidarity of the Jewish people, with a common destiny, which transcends geographical and cultural barriers. We are One People -Am Echad, with each of its parts responsible for the others.
2. The recognition that the survival of the Jewish people is a supreme and absolute Jewish and universal value, and that this nation is worthy and obligated to exist forever. Hence, the absolute rejection of any form of assimilation.
3. The recognition that the Jewish people must achieve national sovereignty in its historic homeland. Hence, the overriding obligation of every Zionist to strengthen the State of Israel through personal Aliyah to Israel.
4. The recognition of the centrality of the State of Israel in the life of the Jewish people because Israel alone is the living expression of all these values, and because she constitutes the focus for worldwide Jewish identification.

Some of these values pre-date the Zionist Movement, but Zionism gave them a new impetus and national validity, and, through them, led to the establishment of the State of Israel in 1948, and the ingathering of millions of Jews in their ancient homeland.

**B. The Task Ahead:**

Although Zionism has thus succeeded in changing the course of Jewish history to a very large extent, we must recognize that the Zionist goal has not yet been fully achieved. The majority of the Jewish people is still in the Diaspora where their spiritual survival is increasingly threatened, while Israel is in need of mass immigration to assure its continued growth and economic independence.

The mission of the Zionist Movement and the obligation of every Jew who sees himself as a Zionist is to carry on the process which we started eighty years ago.

The 28th Zionist Congress, meeting in Jerusalem 1968, adopted the five points of the "Jerusalem Program" as the aims of Zionism today. They are:

1. The unity of the Jewish People and the centrality of Israel in Jewish life;
2. The ingathering of the Jewish People in its historic homeland, Eretz Israel, through Aliyah from all countries;
3. The strengthening of the State of Israel which is based on the prophetic vision of justice and peace;
4. The preservation of the identity of the Jewish People through the fostering of Jewish and Hebrew education and of Jewish spiritual and cultural values;
5. The protection of Jewish rights everywhere.

#### *1. The Unity of the Jewish People ...*

In Jewish thought, the unity of the Jewish people is placed on the same level as the unity of G-d and the unity of his Holy Name. *Thou art One, and Your Name is One, and who is like unto Your people Israel -one nation in the world" (from the Sabbath noon service).*

We are one people:

This concept dominated the history of our people and the development of modern Zionism. One of the distinctive characteristics of Zionism was its ability to unify all vital forces of the nation, religious or secular, socialist or bourgeois-liberal, as well as the proponents of diverse Zionist political ideologies, in a common political and economic effort to build a national home. Without its pluralistic character, the Zionist Movement would not have been able to unite all Zionists into a single national and social liberation movement of the Jewish people.

The land of Israel belongs to the entire Jewish people, and the State of Israel was founded for the benefit of all Jews, no matter where they now live. At the root of this principle is Israel's "Law of Return" which grants every Jew (except for criminals) the right to settle in Israel. The Law of Return implies that every Jew in the Diaspora has an inalienable right for Israeli citizenship, if and when he wishes to acquire it. The law was passed by Israel's Knesset on July 5, 1950, the anniversary of Herzl's death, and is one of the earliest and most important of Israel's basic laws.

We must act as one people:

Today, while holding on to Aliyah as its "First Commandment" and priority, Zionism recognizes and promulgates the indissoluble partnership between the State of Israel and Diaspora Jewry on the basis of mutual responsibility. The Diaspora cannot maintain its true Jewish identity without the spiritual inspiration, cultural creativity, and educational resources of Israel, and Israel must continue to draw on the human resources and political support of the Diaspora. Indeed, in the course of Israel's three decades of independence, the Jewish State and the Diaspora have become increasingly inter-related, and this trend appears likely to characterize their mutual relations in the years ahead.

...And the Centrality of Israel in Jewish Life

The centrality of the land of Israel in Jewish life can be traced like a golden thread throughout the annals of our people. Twice our people was forcibly severed from its land, but it remained stubbornly devoted to it, and did not cease to dream of it, to aspire to it, and to believe that a day would come when "our eyes will behold Thy return to Zion in mercy," and when "the cities of Judea and the streets of Jerusalem would again reverberate 'with the voices of joy and merriment."

This religious, historic and national attachment between the People and the land of Israel sustained us during centuries of persecution and repeated schemes for our destruction. It fired the imagination of the founders of modern Zionism, and was ultimately recognized by the Balfour Declaration of 1917 - declaring Palestine as the Jewish National Home, and by the United Nations in 1947 -voting for the establishment of the State of Israel.

The emergence of the Jewish State has breathed a new spirit into Jewish life all over the world, and caused a significant transformation in the status and prestige of Jewish leadership in Diaspora. The centrality of Israel has, therefore, become an integral part of Jewish life in the Diaspora, as has their inter-dependence mentioned previously. Israel is indispensable to Jewish existence; without Israel, world Jewry would turn cold and hollow.

### *2. The Ingathering of the Jewish People in Its Historic Homeland, Eretz Israel, through Aliyah from All Countries*

The Ingathering of the Exiles to Eretz Israel has been a traditional Messianic vision of Judaism. The Zionist Movement was created to turn it into a practical course of action. Aliyah is, therefore, the "First Commandment" of Zionism after the establishment of the State, as S.Z. Shragai said: "The return of the Jews to the home land must accompany the return of the homeland to the Jews."

Classical Zionism postulated Aliyah, immigration into Zion, as the primary responsibility of a Zionist. The idealism and courage of hundreds of thousands of Olim made the rebirth of Israel possible. Today, Israel needs more people who are imbued with this idealism to reclaim the land, to develop settlements, to build cities, to contribute their know-how in tackling social problems, to work in science and education, and to make Israel strong and self sufficient.

All Zionist Federations and organizations recognize that the real function of Zionism as a national liberation movement is the ingathering of most, if not all, Jewish people into the land of Israel, and liberate them from daily dependence on the good-will of others. With the ingathering of the exiles, will come the creation of appropriate conditions for the regeneration of the cultural activity, and the continuity of the spiritual heritage of the nation, in which the new immigrant will find his historical identity and self realization -for himself and for his family, and the opportunity to contribute as a Jew and as a Zionist to one of the most dynamic national and social enterprises of the century.

### *3. A State Based on Prophetic Visions:*

The term "Zionism" was coined at the beginning of the century by people who aspired not only to return to Zion, but to a vision whose source is in the words of the prophets: "Zion shall be redeemed through justice, and those who return unto her in righteousness."

- Zionism is striving for the realization of the prophetic ideas of justice and equality among all men.
- Zionism strives for the creation of a new Jewish society in which social ideas as well as distinctively Jewish values are achieved on their highest level.
- While Zionism has aspired to Statehood, it has sought a particular kind of statehood consonant with the ideals of the Jewish people.
- In Zionism, the State and the land are the essential instruments through which the building of a higher moral and national order can be undertaken.

An important part of this vision has been the development of a new Jewish person who is an upright citizen, a soldier when necessary, a cultured man, and a devoted Jew inspired by a sense of idealism and a sense of mission. It is an image created by the founding fathers of modern Israel, and carried out by the Chalutzim of each generation who have come to Israel from all corners of the earth. This faith is central to the Zionist dream and its realization.

### *4. The Preservation of the Identity of the Jewish People through the Fostering of Jewish and Hebrew Education and of Jewish Spiritual and Cultural Values:*

Assimilation is the law of existence in the Diaspora in ancient Jewish history and in the modern history of our people. Never was the Jewish people so geographically dispersed, so culturally and linguistically fragmented, and subject to such powerful pressures making for assimilation, as in our time. The bonds of the traditional protective forces have in some cases been weakened and in others

entirely vanished. We are faced today with the bitter spectacle of shedding limbs of the Jewish body through religious assimilation and cultural abandonment.

Under these conditions, the Jewish people needs a great national ideal and a comprehensive national movement which will unite it in dedication to historic values and traditions.

Among the idea and movements that have appeared on the Jewish horizon in recent generations, there is none but Zionism and the Zionist Movement that are capable of fulfilling this function. The establishment of a Jewish State was a major aim of the Zionist Movement, but the ultimate goal was always the preservation of the identity of the Jewish people, and the regeneration of Jewish vitality and creativity. Today more than ever before, it is clear that every available force must be enlisted to fight the tendency towards cultural obliteration, and the Zionist Movement -as the most representative group of the Jewish people - must assume the leadership of this struggle through an elaborate and extensive system of high quality Jewish education.

Important beginnings in this direction have been made through the sending of teachers from Israel to the Diaspora, through training Diaspora teachers in Israel, and through the dissemination of the Hebrew language allover the world. These, however, are only the first steps in an enterprise which will be of decisive importance in the shaping the Jewish future.

##### *5. The Protection of Jewish Rights Everywhere:*

While Zionism's roots are deeply imbedded in our historic past and in our religious impulses, Zionism also responded to forces which threatened the survival of Jews and Judaism in the Diaspora. Zionism rejected the allurements of "emancipation" and "assimilation" which demanded the dissolution of Judaism in return for the liberation of the Jew, and saw in the establishment of the Jewish State as the only appropriate answer to the "Jewish Problem."

The Holocaust tragically confirmed the worst Zionist fears, and the convulsive reaction of decent people to the annihilation of six million Jews was one of the factors leading to the 1947 U.N. resolution in favor of Jewish Statehood in Palestine. But, twenty five years after the founding of Israel we witnessed the wild and maniacal U.N. resolution, equating Zionism with racism, which was meant to pave the way to the de-legitimization of Israel on the one hand, and for a frontal attack upon the entire Jewish people on the other hand. The World Zionist Organization is the address for countering this attempt to strangle our national liberation movement, to do away with the Jewish State, and leave our people without defense, without legitimacy and without sovereignty.

Herzl could not conceive of a situation in which four-fifths of the Jewish people would on their own volition choose to remain in Galut Diaspora and have that right granted to them by their host countries even after the founding of a Jewish State. Nor could he envision a time when the Arabs would become the most avid purveyors of Anti-Semitism throughout the world.

In recent years, we have also witnessed the revival of anti-Semitism, often cloaked in the terminology of anti-Zionism, on the European continent, in Great Britain and in the United States. Its manifestations vary from the bombing of synagogues in Paris and Vienna, to the throwing of hand grenades on school children in Brussels, and painting of swastikas on Jewish institutions in Brooklyn.

Of particular concern to us is the fate of over two million Jews in the Soviet Union and smaller Jewish communities in Arab countries such as Syria and Iran. Their plight must be kept in front of public opinion in the free world, to alleviate their suffering, and to speed the day for their ultimate freedom to emigrate, if they so desire, or the granting of rights equal to those enjoyed by other ethnic groups in their countries of domicile.

Zionists, who believe in the unity of the Jewish people, must be in the forefront of the campaign for the protection of Jewish rights everywhere.

#### The Jerusalem Program and You

When you subscribe to the Jerusalem Program, you accept the basic philosophy of Zionism and you join one million and two hundred-thousand fellow Zionists in the Diaspora, and the three-and one-half million Jewish citizens of Israel, in furthering the lofty aims.

The underlying goal of Zionism was and remains the revitalization of the Jewish people in the land of Israel. The duty of a Zionist is to settle in Israel and participate in its rebuilding -and, until he carries out this duty,

- to be an active member in a local Zionist Federation/Organization on behalf of Israel and K'lal Yisrael.
- to secure a Jewish education for himself and members of his family
- to study the Hebrew language.
- to develop personal ties with Israel by means of frequent visits to Israel, and sending his children for specific periods of education in Israel.
- to contribute, and obtain contributions from others, to funds consolidating the economic position of Israel, and
- to work for the defense of the rights of Jews in the Diaspora.

All of which make Judaism and Israel central in his daily life.



### **THE PALESTINIAN NATIONAL CHARTER: RESOLUTIONS OF THE PALESTINE NATIONAL COUNCIL (PNC), CAIRO, 17 JULY 1968**

*[The Charter – also referred to as Palestinian National Covenant – was adopted by the PNC, meeting in Cairo from 10-17 July 1968, to represent the official position of the Palestinian organizations on the Arab-Israel conflict (for an earlier version see entry of 28 May 1964). The new version took into consideration the changes created in the aftermath of the War of 1967.]*

- Article 1:* Palestine is the homeland of the Arab Palestinian people; it is an indivisible part of the Arab homeland, and the Palestinian people are an integral part of the Arab nation.
- Article 2:* Palestine, with the boundaries it had during the British Mandate, is an indivisible territorial unit.
- Article 3:* The Palestinian Arab people possess the legal right to their homeland and have the right to determine their destiny after achieving the liberation of their country in accordance with their wishes and entirely of their own accord and will.
- Article 4:* The Palestinian identity is a genuine, essential, and inherent characteristic; it is transmitted from parents to children. The Zionist occupation and the dispersal of the Palestinian Arab people, through the disasters which befell them, do not make them lose their Palestinian identity and their membership in the Palestinian community, nor do they negate them.
- Article 5:* The Palestinians are those Arab nationals who, until 1947, normally resided in Palestine regardless of whether they were evicted from it or have stayed there. Anyone born, after that date, of a Palestinian father - whether inside Palestine or outside it - is also a Palestinian.
- Article 6:* The Jews who had normally resided in Palestine until the beginning of the Zionist invasion will be considered Palestinians.
- Article 7:* That there is a Palestinian community and that it has material, spiritual, and historical connection with Palestine are indisputable facts. It is a national duty to bring up individual Palestinians in an Arab revolutionary manner. All means of information and education must be adopted

in order to acquaint the Palestinian with his country in the most profound manner, both spiritual and material, that is possible. He must be prepared for the armed struggle and ready to sacrifice his wealth and his life in order to win back his homeland and bring about its liberation.

- Article 8:* The phase in their history, through which the Palestinian people are now living, is that of national (*watani*) struggle for the liberation of Palestine. Thus the conflicts among the Palestinian national forces are secondary, and should be ended for the sake of the basic conflict that exists between the forces of Zionism and of imperialism on the one hand, and the Palestinian Arab people on the other. On this basis the Palestinian masses, regardless of whether they are residing in the national homeland or in Diaspora (*mahajir*) constitute - both their organizations and the individuals - one national front working for the retrieval of Palestine and its liberation through armed struggle.
- Article 9:* Armed struggle is the only way to liberate Palestine. This it is the overall strategy, not merely a tactical phase. The Palestinian Arab people assert their absolute determination and firm resolution to continue their armed struggle and to work for an armed popular revolution for the liberation of their country and their return to it. They also assert their right to normal life in Palestine and to exercise their right to self-determination and sovereignty over it.
- Article 10:* Commando action constitutes the nucleus of the Palestinian popular liberation war. This requires its escalation, comprehensiveness, and the mobilization of all the Palestinian popular and educational efforts and their organization and involvement in the armed Palestinian revolution. It also requires the achieving of unity for the national (*watani*) struggle among the different groupings of the Palestinian people, and between the Palestinian people and the Arab masses, so as to secure the continuation of the revolution, its escalation, and victory.
- Article 11:* The Palestinians will have three mottoes: national (*wataniyya*) unity, national (*qawmiyya*) mobilization, and liberation.
- Article 12:* The Palestinian people believe in Arab unity. In order to contribute their share toward the attainment of that objective, however, they must, at the present stage of their struggle, safeguard their Palestinian identity and develop their consciousness of that identity, and oppose any plan that may dissolve or impair it.
- Article 13:* Arab unity and the liberation of Palestine are two complementary objectives, the attainment of either of which facilitates the attainment of the other. Thus, Arab unity leads to the liberation of Palestine, the liberation of Palestine leads to Arab unity; and work toward the realization of one objective proceeds side by side with work toward the realization of the other.
- Article 14:* The destiny of the Arab nation, and indeed Arab existence itself, depend upon the destiny of the Palestine cause. From this interdependence springs the Arab nation's pursuit of, and striving for, the liberation of Palestine. The people of Palestine play the role of the vanguard in the realization of this sacred (*qawmi*) goal.
- Article 15:* The liberation of Palestine, from an Arab viewpoint, is a national (*qawmi*) duty and it attempts to repel the Zionist and imperialist aggression against the Arab homeland, and aims at the elimination of Zionism in Palestine. Absolute responsibility for this falls upon the Arab nation - peoples and governments - with the Arab people of Palestine in the vanguard. Accordingly, the Arab nation must mobilize all its military, human, moral, and spiritual capabilities to participate actively with the Palestinian people in the liberation of Palestine. It must, particularly in the phase of the armed Palestinian revolution, offer and furnish the Palestinian people with all possible help, and material and human support, and make available to them the means and opportunities that will enable them to continue to carry out their leading role in the armed revolution, until they liberate their homeland.
- Article 16:* The liberation of Palestine, from a spiritual point of view, will provide the Holy Land with an atmosphere of safety and tranquility, which in turn will safeguard the country's religious sanctuaries and guarantee freedom of worship and of visit to all, without discrimination of race, color, language, or religion. Accordingly, the people of Palestine look to all spiritual forces in the world for support.

- Article 17:* The liberation of Palestine, from a human point of view, will restore to the Palestinian individual his dignity, pride, and freedom. Accordingly the Palestinian Arab people look forward to the support of all those who believe in the dignity of man and his freedom in the world.
- Article 18:* The liberation of Palestine, from an international point of view, is a defensive action necessitated by the demands of self-defense. Accordingly the Palestinian people, desirous as they are of the friendship of all people, look to freedom-loving, and peace-loving states for support in order to restore their legitimate rights in Palestine, to re-establish peace and security in the country, and to enable its people to exercise national sovereignty and freedom.
- Article 19:* The partition of Palestine in 1947 and the establishment of the state of Israel are entirely illegal, regardless of the passage of time, because they were contrary to the will of the Palestinian people and to their natural right in their homeland, and inconsistent with the principles embodied in the Charter of the United Nations, particularly the right to self-determination.
- Article 20:* The Balfour Declaration, the Mandate for Palestine, and everything that has been based upon them, are deemed null and void. Claims of historical or religious ties of Jews with Palestine are incompatible with the facts of history and the true conception of what constitutes statehood. Judaism, being a religion, is not an independent nationality. Nor do Jews constitute a single nation with an identity of its own; they are citizens of the states to which they belong.
- Article 21:* The Arab Palestinian people, expressing themselves by the armed Palestinian revolution, reject all solutions which are substitutes for the total liberation of Palestine and reject all proposals aiming at the liquidation of the Palestinian problem, or its internationalization.
- Article 22:* Zionism is a political movement organically associated with international imperialism and antagonistic to all action for liberation and to progressive movements in the world. It is racist and fanatic in its nature, aggressive, expansionist, and colonial in its aims, and fascist in its methods. Israel is the instrument of the Zionist movement, and geographical base for world imperialism placed strategically in the midst of the Arab homeland to combat the hopes of the Arab nation for liberation, unity, and progress. Israel is a constant source of threat vis-à-vis peace in the Middle East and the whole world. Since the liberation of Palestine will destroy the Zionist and imperialist presence and will contribute to the establishment of peace in the Middle East, the Palestinian people look for the support of all the progressive and peaceful forces and urge them all, irrespective of their affiliations and beliefs, to offer the Palestinian people all aid and support in their just struggle for the liberation of their homeland.
- Article 23:* The demand of security and peace, as well as the demand of right and justice, require all states to consider Zionism an illegitimate movement, to outlaw its existence, and to ban its operations, in order that friendly relations among peoples may be preserved, and the loyalty of citizens to their respective homelands safeguarded.
- Article 24:* The Palestinian people believe in the principles of justice, freedom, sovereignty, self-determination, human dignity, and in the right of all peoples to exercise them.
- Article 25:* For the realization of the goals of this Charter and its principles, the Palestine Liberation Organization will perform its role in the liberation of Palestine in accordance with the Constitution of this Organization.
- Article 26:* The Palestine Liberation Organization, representative of the Palestinian revolutionary forces, is responsible for the Palestinian Arab people's movement in its struggle - to retrieve its homeland, liberate and return to it and exercise the right to self-determination in it - in all military, political, and financial fields and also for whatever may be required by the Palestine case on the inter-Arab and international levels.
- Article 27:* The Palestine Liberation Organization shall cooperate with all Arab states, each according to its potentialities; and will adopt a neutral policy among them in the light of the requirements of the war of liberation; and on this basis it shall not interfere in the internal affairs of any Arab state.
- Article 28:* The Palestinian Arab people assert the genuineness and independence of their national (*wataniyya*) revolution and reject all forms of intervention, trusteeship, and subordination.
- Article 29:* The Palestinian people possess the fundamental and genuine legal right to liberate and retrieve their homeland. The Palestinian people determine their attitude toward all states and

forces on the basis of the stands they adopt vis-à-vis to the Palestinian revolution to fulfill the aims of the Palestinian people.

*Article 30:* Fighters and carriers of arms in the war of liberation are the nucleus of the popular army which will be the protective force for the gains of the Palestinian Arab people.

*Article 31:* The Organization shall have a flag, an oath of allegiance, and an anthem. All this shall be decided upon in accordance with a special regulation.

*Article 32:* Regulations, which shall be known as the Constitution of the Palestinian Liberation Organization, shall be annexed to this Charter. It will lay down the manner in which the Organization, and its organs and institutions, shall be constituted; the respective competence of each; and the requirements of its obligation under the Charter.

*Article 33:* This Charter shall not be amended save by [vote of] a majority of two-thirds of the total membership of the National Congress of the Palestine Liberation Organization [taken] at a special session convened for that purpose.



**PALESTINE NATIONAL ASSEMBLY, POLITICAL RESOLUTIONS,  
CAIRO, 17 JULY 1968 [EXCERPTS]**

**11. POLITICAL DECISIONS:**

**(A) The Palestinian Cause at Palestinian level:**

Inasmuch as a definition of the objectives of the Palestinian struggle, the methods it adopts and the instruments it employs, is essential for the unification of that struggle under one leadership, the Assembly, having debated the matter, endorses the following definitions:

**First - Objectives:**

1. The liberation of the entire territory of Palestine, over which the Palestinian Arab people shall exercise their sovereignty.
2. That the Palestinian Arab people have the right to establish the form of society they desire in their own land and to decide on their natural place in Arab unity.
3. The affirmation of the Palestinian Arab identity, and rejection of any attempt to establish tutelage over it.

**Second - Methods:**

1. The Palestinian Arab people have chosen the course of armed struggle in the fight to recover their usurped territories and rights. The current phase in their armed struggle started before the defeat of June, 1967 and has endured and escalated ever since. Moreover, despite the fact that this struggle renders a service to the entire Arab nation at the present stage, insofar as it prevents the enemy from laying claim to a status quo based on surrender, and insofar as it keeps the flame of resistance alive and maintains a climate of war, preoccupies the enemy and is an object of concern to the entire word community, that struggle is nevertheless a true and distinct expression of the aspirations of the Palestinian Arab people and is inspired by their objectives. In addition, we feel bound to declare quite frankly that this struggle goes beyond the scope of what it has become customary to call “the elimination of the consequences of the aggression”, and all other such slogans, for the objectives of this struggle are those of the Palestinian Arab people, as set out in the preceding paragraph. The fight will not cease; it will continue, escalate and expand until final victory is won, no matter how long it takes and regardless of the sacrifices involved.
2. The enemy has chosen *Blitzkrieg* as the form of combat most suitable to him, in view of the tactical mobility at his command which enabled him, at the moment of battle, to unleash forces superior to those deployed by the Arabs. The enemy chose this method in the belief that a lightning victory would lead to surrender, according to the pattern of 1948, and not to Arab armed resistance. In dealing with it, we must adopt a method derived from the elements of strength in ourselves and elements of weakness in the enemy.

3. The enemy consists of three interdependent forces:
    - a) Israel.
    - b) World Zionism.
    - c) World imperialism, under the direction of the United States of America.

Moreover, it is incontestable that world imperialism makes use of the forces of reaction linked with colonialism.

If we are to achieve victory and gain our objectives, we shall have to strike at the enemy whenever he may be, and at the nerve centers of his power. This is to be achieved through the use of military, political and economic weapons and information media, as part of a unified and comprehensive plan designed to sap his strength, scatter his forces, destroy the links between them and undermine their common objectives.
  4. A long-drawn out battle has the advantage of allowing us to expose world Zionism, its activities, conspiracies, and its complicity with world imperialism and to point out the damage and complications it causes to the interests and the security of many countries, and the treat it constitutes to world peace. This will eventually unmask it, bringing to light the grotesque facts of its true nature, and will isolate it from the centers of power and establish safeguards against its ever reaching them...
  5. An information campaign must be launched that will throw light on the following facts:
    - a) The true nature of the Palestinian is that of a battle between a small people, which is the Palestinian people, and Israel, which has the backing of world Zionism and world imperialism.
    - b) This war will have its effect on the interests of any country that support Israel or world Zionism.
    - c) The hallmark of the Palestinian Arab people is resistance, struggle and liberation, that of the enemy, aggression, usurpation and the disavowal of all values governing decent human relations.
  6. A comprehensive plan must be drawn up to fuse the Arab struggle and Palestinian struggle into a single battle. This requires concentrated ideological, information and political effort that will make it clear to the Arab nation that it can never enjoy peace or security until the tide of Zionist invasion is stemmed, and that its territory will be occupied piecemeal unless it deploys its resources in the battle, not to mention the extent to which the Zionist presence constitutes a drain on its resources and an impediment to the development of its society.
 

Palestinian action regards the Arab nation as a reserve fund of political, financial and human resources, on which it can draw, and whose support and participation will make it possible to fight the successive stages in the battle.
  7. The peoples and governments of the Arab nation must be made to understand that they are under an obligation to protect the Palestinian struggle so that it may be able to confront the enemy on firm ground and direct all its forces and capabilities to this confrontation, fully assured of its own safety and security. This obligation is not only a national duty; it is a necessity deriving from the fact that the Palestinian struggle is the vanguard in the defense of all Arab countries. Arab territories and Arab aspiration.
  8. Any objective study of the enemy will reveal that his potential for endurance, except where a brief engagement is concerned, is limited. The drain on this potential that can be brought about by a long-drawn out engagement will inevitably provide the opportunity for a decisive confrontation in which the entire Arab nation can take part and emerge victorious.
- It is the duty of Palestinians everywhere to devote themselves to making the Arab nation aware of these facts, and to propagating the will to struggle. It is also their duty to endure, sacrifice and take part in the struggle.

Practical Application in the Field of Armed Struggle:

1. The Palestine Liberation Organization is a grouping of Palestinian forces in one national front for the liberation of the territory of Palestine through armed revolution.
2. This Organization has its Charter which defines its objectives, directs its course and organizes its activities. The Organization also has a National Assembly and an Executive Command chosen by the National Assembly, which Command forms the supreme executive authority of the Organization, as defined by its constitution.

The Executive Committee shall draw up a unified general plan for Palestinian action at all levels and in all fields. This plan is to be implemented through the instruments of the revolution gathered in this Council, each of which must abide by the role assigned to it by this plan and by the decisions of the Command.

Proposals for the Creation of a Spurious Palestinian Entity:

The Zionist movement along with imperialism and its tool, Israel, is seeking to consolidate Zionist aggression against Palestine and the military victories won by Israel in 1948 and 1967, by establishing a Palestinian entity in the territories occupied during the June, 1967 aggression. This entity would owe its existence to the legitimization and perpetuation of the State of Israel, which is absolutely incompatible with the Palestinian Arab people's right to the whole of Palestine, their homeland. Such a spurious entity would in fact be an Israeli colony and would lead to the liquidation of the Palestinian cause once and for all to the benefit of Israel. The creation of such an entity would, moreover, constitute an interim stage during which Zionism could evacuate the territory of Palestine occupied during the June 5 war of its Arab inhabitants, as a preliminary step to incorporating it in the Israeli entity. In addition, this would lead to the creation of a subservient Palestinian Arab administration in the territories occupied during the June 5 war on which Israel could rely in combating the Palestinian revolution. Also to be considered in this context are imperialist and Zionist schemes to place the Palestinian territories occupied since June 5 under international administration and protection. For these reasons, the National Assembly hereby declares its categorical rejection of the idea of establishing a spurious Palestinian entity in the territory of Palestine occupied since June 5, and of any form of international protection. The Assembly hereby declares, moreover, that any individual or party, Palestinian Arab or non-Palestinian, who advocates or supports the creation of such a subservient entity is the enemy of the Palestinian Arab people and the Arab nation.

(c) - Palestinian Struggle in the International Field:

The Security Council Resolution and the Peaceful Solution:

1. The Security Council resolution of November 22, 1967 is hereby rejected for the following reasons:
  - a) The resolution calls for the cessation of the state of hostility between the Arab nations and Israel. This entails the cessation of the state of hostility, free passage for Israeli shipping through Arab waterways, and an Arab commitment to put an end to the boycott of Israel, including the abrogation of all Arab legislation regulating that boycott. The cessation of the state of hostility also entails the relaxation of economic pressure on Israel, so that the door would be opened to an invasion of all Arab markets by Israeli goods, inasmuch as such goods could circulate, be traded in and flood the market regardless of whether or not economic agreements were concluded.
  - b) The resolution calls for the establishment of secure frontiers to be agreed upon with Israel. Apart from the fact that secure and mutually agreed frontiers involves the de facto recognition of Israel, and an encroachment on the unconditional right of the Palestinian Arab people to the whole of Palestine, which is totally unacceptable to the Arab countries, if the Arab countries agreed to secure, after having first suppressed commando action, put an end to the Palestinian revolution and prevented the Palestinian Arab people and the Arab masses from discharging their sacred national duty to liberate and recover Palestine and to terminate the Zionist and imperialist presence there.
  - c) The resolution calls for the establishment of permanent peace between the Arab nations and Israel. This would have the following injurious consequences:
    1. It would provide Israel with security and stability at domestic, Arab and international levels. This would throw the doors wide open to the Zionist movement, allowing it to entice large sections of Jewish communities in Western Europe and America into immigrating and settling in Israel. These communities have held back from doing so for the past twenty years because of misgiving about the security, future and continued existence of Israel.
    2. It would eliminate the reasons, including Arab influence, for which friendly nations have so far not allowed their Jewish citizens to immigrate to Israel, notably in the case of the million of Jews in the Soviet Union.

3. It would eliminate all reasons for which many countries friendly to the Arab have refrained from recognizing Israel or from dealing with Israel at all levels.
4. It would strengthen the human and geographical barrier that separates the Arab homeland into east and west. This would be extremely injurious, as it would prevent the achievement of even partial, not to mention total, Arab unity.
5. It would be a severe blow to the Palestinian armed struggle and to the Arab liberation movement whose objectives are liberation, social progress and unity. The consequence of this would be increased imperialist influence in the Arab homeland, accompanied by increased Zionism influence, in view of the organic political, economic, and other ties linking Zionism to imperialism. Arab policy would, as a result, be forced away from the line of neutrality and non-alignment.
6. The resolution ignores the Palestine problem, which it does not even mention by name, and ignores the rights of the Arabs of Palestine to their territories and their homeland, referring to both as if the problem was merely a problem of refugees. This presages the final liquidation of the issue of Palestine as an issue of a land and of a homeland.
7. It was not only territory that the Arab nation lost in June, 1967. Arab dignity and self-confidence were also involved. A peaceful solution might restore some, or even all of those territories to the Arabs, but it would not restore their dignity and self-confidence.
8. The Arab nation must come to realize that it is under an inescapable obligation to defend its homeland, and not to rely on others for its protection or for the recovery of its territories and its rights. If the Arab countries accept a peaceful solution they will be renouncing the Arab will and agreeing that their destiny should be under the control of the Great Powers.
9. A peaceful solution might lead the Arab countries to imagine themselves to be secure. Israel would certainly exploit this illusion to strike again, after creating a political situation more to her liking, and thus realize her expansionist designs on the territories of the Arab countries.

For these reasons the National Assembly calls on the newly elected Executive Committee to draft a comprehensive plan operative at Arab popular, official and international levels, designed to frustrate any political solution of the Palestine problem.

The Assembly affirms, moreover, that the aggression against the Arab nation, and the territories of that nation, began with the Zionist invasion of Palestine in 1917, and that, as a consequence "the elimination of the consequences of the aggression" must signify the elimination of all such consequences since the beginning of the Zionist invasion and not to merely since the June, 1967 war. The slogan "the elimination of the consequences of the aggression" is therefore rejected in its present form, and must be replaced by the slogan, "the destruction of the instrument of aggression". Thus, and thus alone, will "peace based on justice" be established.



**WORLD COUNCIL OF CHURCHES, STATEMENT ON THE MIDDLE EAST,  
FOURTH ASSEMBLY, UPPSALA, JULY 1968**

1. We are deeply concerned that the menace of the situation in the Middle East shows no present sign of abating. The resolutions of the United Nations have not been implemented, the territorial integrity of the nations involved is not respected, occupation continues, no settlement is in sight and a new armament race is being mounted.  
In these circumstances we reaffirm the statement of the Heraklion Central Committee in August 1967, and make the following points based upon it:
  - 1.1 the independence, territorial integrity and security of all nations in the area must be guaranteed; annexation by force must not be condoned;
  - 1.2 the World Council of Churches must continue to join with all who search for a solution for the refugee and displaced person problems;

- 1.3 full religious freedom and access to holy places must continue to be guaranteed to the communities of all three historic religions preferably by international agreement;
- 1.4 national armaments should be limited to the lowest level consistent with national security;
- 1.5 the great world powers must refrain from pursuing their own exclusive interests in the area.
2. The forthcoming report of the Special Representative of the United Nations Secretary General is urgently awaited, and the Assembly earnestly hopes that it may open the way to a settlement.
3. It is the special responsibility of the World Council of Churches and its member churches to discern the ways in which religious factors affect the conflict.



**ISRAELI FOREIGN MINISTER ABBA EBAN, NINE-POINT PEACE PLAN,  
STATEMENT TO THE UN GENERAL ASSEMBLY, 8 OCTOBER 1968 [EXCERPTS]**

*[Eban outlined nine principles which Israel considered essential for peace in the Middle East.]*

Mr. President, my Government has decided to give the members of the United Nations a detailed account of its views on the establishment of a just and lasting peace in the Middle East. Amidst the tumult of a rancorous public debate, the deeper motives of our policy have not always been clearly perceived. A structure of peace cannot, of course, be built by speeches at this rostrum. It may, however, be useful for the parties to clarify their intentions and to draw a picture of their policies beyond the routine vocabulary in which this discussion has been held down for sixteen months.

In the interest of peace, I shall refrain from detailed comment on the polemical observations made here by Foreign Ministers of Arab States. The total and unblemished self-satisfaction with which these Ministers have spoken, the complete absence in their worlds of any self-criticism or innovation, the lack of detailed and organized comment on concrete issues - all these illustrate the inhibition which still prevents Arab Governments from thinking lucid and constructive thoughts about their relations with Israel. Indeed, the Foreign Minister of Sudan actually recommended that Israel be dismantled and its people dispersed. Here we have the oldest and most tenacious link in all human history between a people and a land. And an Arab leader speaks of Israel as though it were a temporary international exhibition to be folded up and taken away! Such intellectual frivolity and self-delusion are not heard on any other international issue.

Israel cannot easily forget the immense loss and burden which it has borne through the implacable hostility directed against it for twenty years, culminating in the unforgettable summer of 1967. For there has not been a Six-Day War. There has been a twenty-year war conducted by the Arab States in varying degrees of intensity with the candid hope of Israel's ruin and destruction. The issue is whether this war is now going to be ended by a final peace or merely interrupted in order to be resumed in conditions more propitious for Arab success.

Our danger in 1967 was the climax and not the whole story of our predicament. No other people has had to live all its days with a mark of interrogation hanging over its collective and individual survival. And behind Israel's quest for secure life, there is a particular and hideous legacy of wholesale death in the European slaughterhouse. In May 1967, we found ourselves beset by deadly peril which we faced in utter solitude of action and responsibility. Maritime blockade, murderous incursions, military encirclement, declarations of overt war, a frenzied torrent of violent threats and a formal announcement by President Nasser that the battle was joined for Israel's extinction, all came together in cumulative assault on Israel's life and security.

All the acts which fall under the widely supported definitions of aggression were simultaneously concerted against us. The universal conscience was deeply stirred. Millions across the world trembled for Israel's fate. The memory of those dark days broods over Israel's life. Our nation still lives intimately

with the dangers which then confronted us. We still recall how the imminent extinction of Israel's statehood and the massacre of its population were seriously discussed across the world: in wild intoxication of spirit in Arab capitals, and with deep, but impotent, sorrow in other lands. To prevent the renewal of those dangers is the first law of our policy. The gravest danger is lest, through a lassitude of spirit, or imprecision of diplomatic craftsmanship, or collapse of patience, we again revert to fragile, false and ambiguous solutions which carry within them the seed of future wars. Those of us who bear responsibility for our nation's survival and our children's lives cannot have anything to do with vague solutions which fall short of authentic and lasting peace. June 1967 must be the last of the Middle Eastern wars.

This resolve has moved our policy at every stage of the political discussion from the outbreak of hostilities to this very day.

In June and July 1967, the General Assembly rejected all proposals which sought to condemn Israel's resistance or to reconstruct the conditions which had led to the outbreak of war. A new milestone was reached when the Security Council adopted its unanimous Resolution on 22 November 1967. That Resolution was presented to us for our acquiescence, not as a substitute for specific agreement, but as a list of principles on which the parties could base their agreement. It was drafted, as Ambassador George Ball said on 11 September, as 'a skeleton of principles on which peace could be erected'. It was not meant to be self-executing. As Lord Caradon said on 22 November, it was not 'a call for a temporary truce or a superficial accommodation'; it reflected, as he said, a refusal 'to be associated with any so-called settlement which was only a continuation of a false truce'. Its author stated that any 'action to be taken must be within the framework of a permanent peace, and withdrawal must be to secure boundaries'. The term 'secure and recognized boundaries' had first appeared in a United States draft, the author of which pointed out that this meant something different from the old armistice demarcation lines. Secure and recognized boundaries, he said, had never existed in the Middle East. They must, therefore, be fixed by the parties in the course of the peacemaking process.

Now these were the understandings on which Israel's cooperation with Ambassador Jarring's mission was sought and obtained. Whatever our views might be on these formulations by other Governments, it has been evident at every stage that the two central issues are the establishment of a permanent peace and an agreement for the first time on the delineation of secure and recognized boundaries. These are the conditions prerequisite for any movement. It is here that the peacemaking process must begin. If these problems are solved, all the other issues mentioned in the Resolution fall into place. To seek a change in the cease-fire dispositions, without the framework of a just and lasting peace and the determination of agreed boundaries, is an irrational course for which there is no international authority or precedent. This would be a short and certain route to renewed war in conditions hostile to Israel's security and existence.

Our contacts with the Special Representative of the Secretary-General began in December 1967. At the end of that month, on 27 December, I conveyed a document to the Egyptian Foreign Minister, through Ambassador Jarring, proposing an agenda for a discussion on the establishment of a just and lasting peace. In this letter, I expressed a willingness to hear the UAR's views, and suggested that representatives of our two Governments be brought together informally in order to explore each other's intentions and to derive assurance and confidence for future contacts. In our letter, we made it clear that the establishment of the boundary was fully open for negotiation and agreement.

The UAR made no reply, offered no comment, presented no counter-proposals. Indeed, from that day to this, the UAR has not sent us a single document referring to or commenting on any Israeli letters.

On 7 January, I conveyed to the Jordan Government, through Ambassador Jarring, a letter in which I sought to open a constructive dialogue. This letter reads in part:

"History and geography create an objective affinity of interest between the two countries. More than any other relationship between Middle Eastern States, this one involves human interests in a close degree of interdependence. A close and confident association would seem to be as necessary for Jordanian as for Israeli welfare.

"The major problems at issue between Jordan and Israel are closely inter-connected. Territorial security, economic and humanitarian problems impinge directly on each other. Moreover, the political and juridical basis of this relationship is of overriding importance. If there is a prior agreement to establish relations of permanent peace, the specific problems at issue between the two countries can be effectively and honourably solved."

I went on to list the five major subjects on which we shall seek agreement. These included the establishment of the boundary and security arrangements. No reply was made to this approach.

On 12 February, I requested Ambassador Jarring to convey the following to the Governments of Egypt and Jordan:

"Israel has cooperated and will cooperate with you in your mission. We accept the Security Council's call, in its Resolution of 22 November 1967, for the promotion of agreement on the establishment of peace with secure and recognized boundaries. "Once agreement is reached on a peace settlement, it will be faithfully implemented by Israel.

"As I indicated to you on 1 February 1968, Israel is prepared to negotiate on all matters included in the Security Council Resolution which either side wishes to raise. Our views on the problems of peace and our interpretation of the Resolution were stated by me in the Security Council on 2 November 1967.

"The next step should be to bring the parties together. I refer to the agreement which I expressed to you on 1 February for the Special Representative of the Secretary-General to convene the two Governments."

This message elicited no response. On February 19, I communicated another message to Ambassador Jarring for transmission to Cairo. This message assured the Secretary General's Representative of Israel's full cooperation in his efforts to promote agreement and to achieve an accepted settlement for the establishment of a just and lasting peace in accordance with his mandate under the Security Council Resolution of 22 November 1967.

It further pointed out that the UAR is aware of Israel's willingness to negotiate on all matters included in the Security Council Resolution. It drew attention to the fact that the Resolution is a framework for agreement, and that it cannot be fulfilled without a direct exchange of views and proposals leading to bilateral contractual commitments. It accepted the sponsor's view that the principles recommended for inclusion in the peace settlement are integrally linked and interdependent, and it proposed to move forward to a more substantive stage and to embark on a meaningful negotiation for achieving a just and lasting peace called for by the Security Council.

Early in March 1968, Ambassador Jarring sought our reaction on a proposal to convene Israel, the UAR and Jordan in conferences under his auspices to seek an agreed settlement in fulfilment of his mandate under the Security Council's Resolution. We were later informed that the UAR had rejected and that Jordan had not accepted this course. On 1 May, Ambassador Tekoah was empowered to indicate, in the Security Council, Israel's acceptance of the November Resolution for the promotion of agreement on the establishment of a just and lasting peace. The Israeli Representative was authorized to reaffirm that we were willing to seek agreement with each Arab State on all the matters included in the Resolution, and that we accepted the proposal of Dr. Jarring of bringing about meetings between Israel and its neighbours under his auspices in fulfilment of his mandate for the purpose of peaceful and accepted settlement.

On 29 May, after a discussion in our Cabinet, I made a statement in the Knesset proposing a method of implementing the Security Council Resolution through negotiation, agreement and the signature and application of treaty engagements to be worked out between the parties. In this, as in previous documents, it was made clear that we regarded the establishment of the boundary as a matter for negotiation and agreement.

On 14 June, I was informed that this proposal had been conveyed to the UAR's Permanent Representative, who had noted it without any reaction. At the end of August, I submitted to the UAR Foreign Minister, through Ambassador Jarring, a series of ideas and viewpoints on the implications of the term "a just and final peace". This was developed in further communications early in September. To all these detailed proposals, the UAR replied declining any specific comment, and limiting itself to a general reference to the text of the Security Council's Resolution. The UAR would recite the Resolution in a declaration of acceptance without any specification of how it proposed to reach concrete agreement. During this time, Egyptian policy was authoritatively defined by President Nasser in a formal utterance on 23 June. In that statement, the UAR President expressed willingness to attempt, as in March 1957, "a political solution" on condition that certain principles of Egyptian policy be recognized. He said:

"The following principles of Egyptian policy are immutable:

- 1) No negotiation with Israel
- 2) No peace with Israel
- 3) No recognition of Israel
- 4) No transactions will be made at the expense of Palestinian territories or the Palestinian people."

How one can build peace out of such negative and immutable principles defeats the imagination.

Mr. President, I have taken the General assembly into the knowledge of our initiatives and proposals. I leave it to my fellow delegates to judge whether their complete rejection was justified or compatible with a sincere attempt to explore the conditions of a permanent peace and to reach agreement.

In discussing the reasons for the lack of substantive progress, we cannot fail to perceive that the discussion on peace has revolved too much around semantic expressions, too little around the solution of contentious issues. There is no instance in history in which a stubborn and complex conflict has been brought to an end by the mere recitation of texts without precise agreement on the issues of which the conflict is composed. Israel has accepted the Security Council's Resolution for the establishment of a just and lasting peace and declared its readiness to negotiate agreements on all the principles mentioned therein. We hold that the Resolution should be implemented through negotiation, agreement and the joint signature and application of appropriate treaty engagements.

When the parties accept a basis for settlement - their least duty is to clarify what they mean by their acceptance.

To make identical and laconic statements with diametrically opposed motives and interpretations would come dangerously close to international deceit. All parties must say what they mean, and mean what they say. And the heart of the problem is not what we say, but what we do. The construction of a peaceful edifice requires sustained action in order to bring the vital interests of the parties into an acceptable harmony. There is no such thing as peace by incantation. Peace cannot be advanced by recitations accompanied by refusal to negotiate viable agreements. The Security Council's Resolution has not been used as an instrument for peace. It has been invoked as an obstacle and alibi to prevent the attainment of peace.

In these conditions, my Government has given intensive consideration to the steps that we should now take. Our conclusion is this. Past disappointment should not lead to present despair. The stakes are too high. While the cease-fire agreements offer important security against large-scale hostilities, they do not represent a final state of peace. They must, of course, be maintained and respected until there is peace. They must be safeguarded against erosion by military assault and murderous incursion. But at the same time, the exploration of a lasting peace should be constant. Unremitting, resilient and, above all, sincere, my Government deems the circumstances and atmosphere afforded by our presence here as congenial for a new attempt. We suggest that a new effort be made in the coming weeks to cooperate with Ambassador Jarring in his task of promoting agreements on the establishment of Peace.

It is important to break out of the declaratory phase in which the differences of formulation are secondary and in any case legitimate, in order to give tangible effect to the principles whereby peace can be achieved in conformity with the central purposes of the United Nations Charter or the Security Council Resolution and with the norms of international law. Instead of a war of words, we need acts of peace.

I come to enumerate the nine principles by which peace can be achieved:

*1) The establishment of peace*

The situation to follow the cease-fire must be a just and lasting peace, duly negotiated and contractually expressed.

Peace is not a mere absence of fighting. It is a positive and clearly defined relationship with far-reaching political, practical and juridical consequences. We propose that the peace settlement be embodied in treaty form. It would lay down the precise conditions of our co-existence, including a map of the secure and agreed boundary. The essence of peace is that it commits both parties to the proposition that their twenty-year-old conflict is at a permanent end. Peace is much more than what is called "non-belligerency". The elimination of belligerency is one of several conditions which compose the establishment of a just and lasting peace. If there had previously been peace between the States of our area and temporary hostilities had erupted, it might have been sufficient to terminate belligerency and to return to the previously existing peace. But the Arab-Israel area has had no peace. There is nothing normal or legitimate or established to which to return. The peace structure must be built from its foundations. The parties must define affirmatively what their relations shall be, not only what they will have ceased to be. The Security Council, too, called for the establishment of peace and not for any intermediate or ambiguous or fragmentary arrangement such as that which had exploded in 1967.

*2) Secure and recognized boundaries*

Within the framework of peace, the cease-fire lines will be replaced by permanent, secure and recognized boundaries between Israel and each of the neighbouring Arab States, and the disposition of forces will be carried out in full accordance with the boundaries under the final peace. We are willing to seek agreement with each Arab State on secure and recognized boundaries within the framework of a permanent peace.

It is possible to work out a boundary settlement compatible with the security of Israel and with the honour of Arab States. After twenty years, it is time that Middle Eastern States ceased to live in temporary "demarcation lines" without the precision and permanence which can come only from the definite agreement of the States concerned. The majority of the United Nations have recognized that the only durable and reasonable solutions are agreed solutions serving the common interests of our peoples. The new peace structure in the Middle east, including the secure and recognized boundaries, must be built by Arab and Israeli hands.

*3) Security Agreements*

In addition to the establishment of agreed territorial boundaries, we should discuss other agreed security arrangements designed to avoid the kind of vulnerable situation which caused a breakdown of the peace in the summer of 1967. The instrument establishing peace should contain a pledge of mutual - non-aggression.

*4) The open frontier*

When agreement is reached on the establishment of peace with permanent boundaries, the freedom of movement now existing in the area, especially in the Israel-Jordan sector, should be maintained and developed. It would be incongruous if our peoples were to intermingle in peaceful contact and commerce only when there is a state of war and cease-fire - and to be separated into ghettos when there is peace. We should emulate the open frontier now developing within communities of States, as in parts of Western Europe. Within this concept, we include free port facilities for Jordan on Israel's Mediterranean coast and mutual access to places of religious and historic associations.

### 5) *Navigation*

Interference with navigation in the international waterways in the area has been the symbol of the state of war and, more than once, an immediate cause of hostilities. The arrangements for guaranteeing freedom of navigation should be unreserved, precise, concrete and founded on absolute equality of rights and obligations between Israel and other littoral States.

### 6) *Refugees*

The problem of displaced populations was caused by war and can be solved by peace, on this problem I propose:

*One:* A conference of Middle Eastern States should be convened, together with the Governments contributing to refugee relief and the specialized agencies of the United Nations, in order to chart a five-year plan for the solution of the refugee problem in the framework of a lasting peace and the integration of refugees into productive life. This conference can be called in advance of peace negotiations.

*Two:* Under the peace settlement, joint refugee integration and rehabilitation commissions should be established by the signatories in order to approve agreed projects for refugee integration in the Middle East, with regional and international aid.

*Three:* As an interim measure, my Government has decided, in view of the forthcoming winter, to intensify and accelerate action to widen the uniting of families scheme, and to process "hardship cases" among refugees who had crossed to the East Bank during the June 1967 fighting. Moreover, permits for return which had been granted and not used can be transferred to other refugees who meet the same requirements and criteria as the original recipients.

### 7) *Jerusalem*

Israel does not seek to exercise unilateral jurisdiction in the Holy Places of Christianity and Islam. We are willing in each case to work out a status to give effect to their universal character. We would like to discuss appropriate agreements with those traditionally concerned. Our policy is that the Christian and Moslem Holy Places should come under the responsibility of those who hold them in reverence.

### 8) *Acknowledgement and recognition of sovereignty, integrity and right to national life*

This principle, inherent in the Charter and expressed in the Security Council Resolution of November 1967, is of basic importance. It should be fulfilled through specific contractual engagements to be made by the Governments of Israel and of the Arab States to each other - by name. It follows logically that Arab Governments will withdraw all the reservations which they have expressed on adhering to international conventions, about the non-applicability of their signatures to their relations with Israel.

### 9) *Regional cooperation*

The peace discussion should examine a common approach to some of the resources and means of communication in the region in an effort to lay foundations of a Middle Eastern community of sovereign States.

Mr. President,

The process of exploring peace terms should follow normal precedents. There is no case in history in which conflicts have been liquidated or a transition effected from a state of war to a state of peace on the basis of a stubborn refusal by one State to meet another for negotiation. There would be nothing new in the experience and relationship of Israel and the Arab States for them to meet officially to effect a transition in their relationships. What is new and unprecedented is President Nasser's principle of "no negotiation".

In the meantime, we continue to be ready to exchange ideas and clarifications on certain matters of substance through Ambassador Jarring with any Arab Government willing to establish a just and lasting peace with Israel.

Mr. President,

I have expounded our views on peace in more detail than is usual in General Assembly debates. On each of these nine points we have elaborated detailed views and ideas which we would discuss with neighbouring States in a genuine exchange of views, in which we should, of course, consider comments and proposals from the other side.

No Arab spokesman has yet addressed himself to us in similar detail on the specific and concrete issues involved in peacemaking. Behind our proposals lie much thought and planning which can bear fruit when our minds and hearts interact with those of neighbouring States.

We ask friendly Governments outside the region to appraise the spirit as well as the content of the ideas which I have here outlined. We urge the Arab Governments to ponder them in a deliberate mood, and to explore their detailed implications with us in the normal and appropriate frameworks.

The solutions which I have outlined cover all the matters mentioned in the Security Council's Resolution and would constitute the effective fulfilment of its purposes. We base ourselves on the integral and interdependent character of the points at issue. Nothing is less fruitful than an attempt to give separate identity or precedence to any single principle of international policy, thus destroying its delicate balance.

Moreover, the obligations of Israel and the Arab States to each other are not exhausted by any single text. They are also governed by the Charter, by the traditional precepts of international law, by constructive realism and by the weight of human needs and potentialities.

Lest Arab Governments be tempted out of sheer routine to rush into impulsive rejection, let me suggest that tragedy is not what men suffer but what they miss. Time and again Arab Governments have rejected proposals today - and longed for them tomorrow. The fatal pattern is drawn across the whole period since 1947 - and before. There is nothing unrealistic about a negotiated peace inspired by a sense of innovation and constructed by prudent and flexible statecraft. Indeed, all other courses are unrealistic. The idea of a solution imposed on the parties by a concert of Powers is perhaps the most unrealistic of all. The positions of the Powers have not moved any closer in the last fifteen months than have the positions of the parties themselves. Moreover, the Middle East is not an international protectorate. It is an area of sovereign States which alone have the duty and responsibility of determining the conditions of their co-existence. When the parties have reached agreement, it would be natural for their agreement to receive international support. To the Arab States, we say: "For you and us alone, the Middle East is not a distant concern, or a strategic interest, or a problem of conflict, but the cherished home in which our cultures were born, in which our nationhood was fashioned and in which we and you and all our posterity must henceforth live together in mutuality of interest and respect."

It may seem ambitious to talk of a peaceful Middle Eastern design at this moment, of tension and rancour. But there is such a thing in physics as fusion at high temperatures. In political experience, too, the consciousness of peril often brings a thaw in frozen situations. In the long run, nations can prosper only by recognizing what their common interest demands. The hour is ripe for the creative adventure of peace.



**UN GENERAL ASSEMBLY, RESOLUTION 2443 REGARDING THE ESTABLISHMENT  
OF A COMMITTEE TO INVESTIGATE ISRAELI PRACTICES, 19 DECEMBER 1968**  
*[EXCERPTS]*

The General Assembly,

*Guided* by the purposes and principles of the Charter of the United Nations and by the Universal Declaration of Human Rights,

*Bearing in mind* the provisions of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949,

*Mindful* of the principle embodied in the Universal Declaration of Human Rights regarding the right of everyone to return to his own country, and recalling Security Council resolution 237 (1967) of 14 June 1967, General Assembly resolutions 2252 (ES-V) of 4 July 1967 and 2341 B (XXII) of 19 December 1967, Commission on Human Rights resolution 6 (XXIV) of 27 February 1968 and Economic and Social Council resolution 1336 (XLIV) of 31 May 1968, in which those United Nations organs called upon the Government of Israel, *inter alia*, to facilitate the return of those inhabitants who have fled the area of military operations since the outbreak of hostilities,

*Recalling* the telegram dispatched by the Commission on Human Rights on 8 March 1968, calling upon the Government of Israel to desist forthwith from acts of destroying homes of the Arab civilian population in areas occupied by Israel,

*Recalling* also Security Council resolution 259 (1968) of 27 September 1968, in which the Council expressed its concern for the safety, welfare and security of the inhabitants of the Arab territories under military occupation by Israel, and deplored the delay in the implementation of Council resolution 237 (1967),

*Noting* resolution I on respect for and implementation of human rights in occupied territories, adopted by the International Conference on Human Rights on 7 May 1968, in which the Conference, *inter alia*:

- (a) *Expressed* its grave concern at the violation of human rights in Arab territories occupied by Israel,
  - (b) *Drew* the attention of the Government of Israel to the grave consequences resulting from the disregard of fundamental freedoms and human rights in occupied territories,
  - (c) *Called upon* the Government of Israel to desist forthwith from acts of destroying homes of the Arab civilian population inhabiting areas occupied by Israel and to respect and implement the Universal Declaration of Human Rights and the Geneva Conventions of 12 August 1949 in occupied territories,
  - (d) *Affirmed* the inalienable rights of all inhabitants who have left their homes as a result of the outbreak of hostilities in the Middle East to return home, resume their normal life, recover their property and homes, and rejoin their families according to the provisions of the Universal Declaration of Human Rights,
1. *Decides* to establish a Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories, composed of three Member States;
  2. *Requests* the President of the General Assembly to appoint the members of the Special Committee;
  3. *Requests* the Government of Israel to receive the Special Committee, co-operate with it and facilitate its work;
  4. *Requests* the Special Committee to report to the Secretary-General as soon as possible and whenever the need arises thereafter;
  5. *Requests* the Secretary-General to provide the Special Committee with all the necessary facilities for the performance of its task.



**PALESTINE NATIONAL LIBERATION MOVEMENT (FATEH),  
SEVEN POINTS PASSED BY THE CENTRAL COMMITTEE, JANUARY 1969**

1. *Al Fatah*, the Palestine National Liberation Movement, is the expression of the Palestinian people and of its will to free its land from Zionist colonization in order to recover its national identity.
2. *Al Fatah*, the Palestine National Liberation Movement, is not struggling against the Jews as an ethnic and religious community. It is struggling against Israel as the expression of colonization based on a theocratic, racist and expansionist system and of Zionism and colonialism.
3. *Al Fatah*, the Palestine National Liberation Movement, rejects any solution that does not take account of the existence of the Palestinian people and its right to dispose of itself.

4. *Al Fatah*, the Palestine National Liberation Movement, categorically reject the Security Council Resolution of 22 November 1967 and the Jarring mission to which it gave rise. This resolution ignores the national rights of the Palestinian people - failing to mention its existence. Any solution claiming to be peaceful which ignores this basic factor will thereby be doomed to failure.  
In any event, the acceptance of the resolution of 22 November 1967, or any pseudo-political solution, by whatsoever party, is in no way binding upon the Palestinian people, which is determined to pursue mercilessly its struggle against foreign occupation and Zionist colonization.
5. *Al Fatah*, the Palestine National Liberation Movement, solemnly proclaims that the final objective of its struggle is the restoration of the independent, democratic State of Palestine, all of whose citizens will enjoy equal rights irrespective of their religion.
6. Since Palestine forms part of the Arab fatherland. *Al Fatah*, the Palestine National Liberation Movement, will work for the State of Palestine to contribute actively towards the establishment of a progressive and united Arab society.
7. The struggle of the Palestinian People, like that of the Vietnamese people and other peoples of Asia, Africa and Latin America, is part of the historic process of the liberation of the oppressed peoples from colonialism and imperialism.



**KING HUSSEIN OF JORDAN, SPEECH REGARDING AN ARAB PEACE PLAN, AMMAN,  
10 APRIL 1969 [EXCERPTS]**

My plea in all of this is to be even-handed in your support of the two sides, and to be even-minded in your thinking of the problems that confront us.

In conclusion, may I sum up for you just what it is that we are prepared to offer Israel? And [in] this I am speaking for President Nasser as well as myself.

On our part, we are prepared to offer the following as a basis for a just and lasting peace, in accordance with the Security Council resolution.

1. The end of all belligerency.
2. Respect for and acknowledgement of the sovereignty, territorial integrity and political independence of all state in the area.
3. Recognition of the rights of all to live in peace within secure and recognized boundaries free from threats or acts of war.
4. Guarantees for all [of] the freedom of navigation through the Gulf of Aqaba and the Suez Canal.
5. Guaranteeing the territorial inviolability of all states in the area through whatever measures necessary including the establishment of demilitarized zones.
6. Accepting a just settlement of the refugee problem.

In return for those considerations, our sole demand upon Israel is the withdrawal of its armed forces from all territories occupied in the June, 1967 war, and the implementation of all other provisions of the Security Council resolution.

The challenge that these principles present is that Israel may have either peace or territory - but she can never have both.



**WORLD COUNCIL OF CHURCHES, CENTRAL COMMITTEE, STATEMENT ON THE  
MIDDLE EAST, CANTERBURY, ENGLAND, 19-22 AUGUST 1969**

The Central Committee of the World Council of Churches, reviewing the situation in the Middle East in the light of the resolution of the Uppsala Assembly and after events in the area, notes with deep concern the constant deterioration of the situation and the increasing threat of an explosion which could affect the peace of the world, and adopts as its own the principles which the former Central Committee of the World Council of Churches set forth in its statement on the Middle East at Heraklion in August 1967.

1. Recognizes that no lasting peace is possible without respecting the legitimate rights of the Palestinian and Jewish people presently living in the area without effective international guarantee for the political independence and territorial integrity of all nations in the area, including Israel;
2. Recognizes that the great powers have special responsibility for creating the political climate and the external circumstances in which peace can be restored on the basis of the implementation of the UN Security Council Resolution of 22 November 1967;
3. Believes that in supporting the establishment of the State of Israel without protecting the rights of Palestinians injustice has been done to Palestinian Arabs by the great powers which should be redressed;
4. Re-affirms that the World Council of Churches should continue to fulfil its responsibility to serve the needs of all refugees, and requests it to include in this concern both Arabs and Jews and the basic idea of legitimate free movement;
5. Welcomes the plans to convene in Cyprus in September next a consultation on the Middle East Refugee Programme, and prays that our churches will have a renewed sense of the continuing and increasing tragedy of the Palestinian refugees and other displaced persons, and of the imperative obligations of the churches to minister to their needs and support their basic demand for justice;
6. States again its concern that basic internationally recognized human rights be observed for all people and urges the General Secretary of the United Nations to intensify his actions towards this end.
7. Suggests that the subject of biblical interpretation be studied in order to avoid the misuse of the Bible in support of partisan political views and to clarify the bearing of faith upon critical political questions;
8. Recommends that serious consideration be given by the appropriate department of the World Council of Churches to initiating discussions with Christians, Jews and Moslems as to the guardianship of the Holy Places, the status of Jerusalem and the people of the city.



**DECLARATION AND RESOLUTION OF THE FIRST ISLAMIC SUMMIT CONFERENCE,  
RABAT, MOROCCO, 22-25 SEPTEMBER 1969**

DECLARATION OF THE RABAT ISLAMIC SUMMIT CONFERENCE

The Heads of States and Governments and Representatives of the Kingdom of Afghanistan, Algeria Democratic and Popular Republic, Republic of Chad, Republic of Guinea, Republic of Indonesia, Empire of Iran, Hashemite Kingdom of Jordan, Kingdom of Morocco, Kingdom of Saudi Arabia, State of Kuwait, Republic of Lebanon, Arab Republic of Libya, Malaysia, Republic of Mali, Islamic Republic of Mauritania, Republic of Niger, Republic of Pakistan, Republic of Somalia, Popular Republic of Southern Yemen, Democratic Republic of Sudan, Republic of Tunisia, Republic of Turkey, United Arab Republic, the Yemen Arab Republic, and of the Moslem Community of India, met at the First Islamic Summit Conference held in Rabat from 9 to 12 Ralab 1389 (22 to 25 September 1969), Representatives of the Palestinian Liberation Organisation attended as observers,

*Convinced* that their common creed constitutes a powerful factor bringing their peoples closer together and fostering understanding between them,

*Resolved* to preserve the spiritual, moral and socioeconomic values of Islam which remain one of the essential factors for the achievement of progress by mankind,

*Expressing* their unshakable faith in the precepts of Islam which proclaim the full equality of rights among all men,

*Affirming* their adherence to the Charter of the United Nations and fundamental Human Rights, the purpose and principles of which establish a basis for fruitful cooperation among all peoples.

*Determined* to strengthen the fraternal and spiritual bonds existing between their peoples and to safeguard their freedom and the heritage of their common civilisation founded in particular upon the principles of justice, tolerance and non-discrimination,

*Anxious* to promote everywhere welfare, progress and freedom,

*Resolved* to unite their efforts for the preservation of world peace and security, To these ends

HEREBY DECLARE:

Their Governments shall consult together with a view of promoting between themselves close cooperation and mutual assistance in the economic, scientific, cultural and spiritual fields, inspired by the immortal teachings of Islam.

Their Governments undertake to settle by peaceful means any dispute, which may arise between them in such a manner as to contribute to the strengthening of international peace and security, in accordance with the aims and principles of the Charter of the United Nations.

*Having* considered the act of arson in Holy Al-Aqsa Mosque and the situation in the Middle East, the Heads of State and Government and Representatives,

HEREBY DECLARE:

The grievous event of 21st August 1969, which caused extensive damage by arson to the Sacred Al-Aqsa Mosque, has plunged over six hundred million followers of Islam throughout the world into the deepest anguish.

This sacrilege against one of Humanity's most venerated shrines and the acts of destruction and profanation of the Holy Places which have taken place under the military occupation by Israel of Al-Quds - the Holy City of Jerusalem, sacred to the- followers of Islam, Christianity and Judaism, have exacerbated tensions in the Middle East and aroused indignation among peoples throughout the world.

The Heads of State and Government and Representatives declare that the continued threat to the Sacred Shrines of Islam in Jerusalem is the result of the occupation of this City by the Israeli forces. The preservation of their sacred character and unimpeded access to them require that the Holy City should be resorted its status, previous to June 1967, which was established and sanctified by the history of thirteen hundred years.

They therefore declare that their Governments and peoples are firmly determined to reject any solution of the problem of Palestine, which would deny Jerusalem the status it had before June 1967.

They urge all Governments particularly those of France, the Union of Soviet Socialist Republics. the United Kingdom and the United States of America to take into account the deep attachment of the followers of Islam to Jerusalem and the solemn resolve of their Governments to strive for its liberation.

The continued military occupation of Arab territories by Israel since June, 1967, the refusal by Israel to pay the slightest heed to the calls by the Security Council and the General Assembly of the United Nations to rescind the measures purporting to annex the Holy City of Jerusalem to Israel, have caused their peoples and their Governments the most profound concern.

*Having* considered this grave situation the Heads of State and Government and Representatives urgently and earnestly a plea to all members of the International community, and more particularly to the great powers which have a special responsibility to maintain international peace to intensify their

collective and individual efforts to secure the speedy withdrawal of Israeli military forces from all the territories occupied as a result of the war of June, 1967, in accordance with the established principle of the inadmissibility of acquisition of territory by military conquest.

*Moved* by the tragedy of Palestine, they affirm their full support to the Palestinian people for the restitution of their rights, which were usurped and in their struggle for national liberation.

They reaffirm their adherence to the principle of peace, but peace with honour and justice.

#### RESOLUTION OF THE FIRST ISLAMIC SUMMIT CONFERENCE IN RABAT

The Islamic Summit Conference decided that a meeting of the Foreign Ministers of Member countries should be held in the month of Moharrarn 1390H, March 1970, to:

1. Discuss the results of the common action which participating countries have taken at the international level on the subject of the resolutions stated in the Communiqué of the Rabat Islamic Summit Conference,
2. Discuss the subject of establishing a permanent Secretariat, charged *inter alia* with the responsibility of making contacts with Governments represented at the Conference, and to coordinate their activities.



#### **PLO-LEBANESE (“CAIRO”) AGREEMENT, CAIRO, 3 NOVEMBER 1969**

*[Under the agreement – reached with Egyptian mediation - the PLO had to respect Lebanese sovereignty, but gained, at the same time, official recognition of the legitimacy of a Palestinian armed presence in Lebanon and of political and military action against Israel from Lebanese soil. It was declared “null and void” by a resolution adopted by the Lebanese Chamber of Deputies on 21 May 1987.]*

On Monday, 3rd November 1969, the Lebanese delegation headed by Army Commander General Emile al-Bustani, and the Palestine Liberation Organization delegation, headed by Mr. Yasir 'Arafat, chairman of the organization, met in Cairo in the presence of the United Arab Republic Minister of Foreign Affairs Mahmud Riyad, and the War Minister, General Muhammad Fawzi.

In consonance with the bonds of brotherhood and common destiny, relations between Lebanon and the Palestinian revolution must always be conducted on the bases of confidence, frankness, and positive cooperation for the benefit of Lebanon and the Palestinian revolution and within the framework of Lebanon's sovereignty and security. The two delegations agreed on the following principles and measures:

##### *The Palestinian Presence*

It was agreed to reorganize the Palestinian presence in Lebanon on the following bases:

1. The right to work, residence, and movement for Palestinians currently residing in Lebanon;
2. The formation of local committees composed of Palestinians in the camps to care for the interests of Palestinians residing in these camps in cooperation with the local Lebanese authorities within the framework of Lebanese sovereignty;
3. The establishment of posts of the Palestinian Armed Struggle [PASC] inside the camps for the purpose of cooperation with the local committees to ensure good relations with the Lebanese authorities. These posts shall undertake the task of regulating and determining the presence of arms in the camps within the framework of Lebanese security and the interests of the Palestinian revolution;
4. Palestinians resident in Lebanon are to be permitted to participate in the Palestinian revolution through the Armed Struggle and in accordance with the principles of the sovereignty and security of Lebanon.

*Commando Activity*

It was agreed to facilitate commando activity by means of:

1. Facilitating the passage of commandos and specifying points of passage and reconnaissance in the border areas;
2. Safeguarding the road to the 'Arqub region;
3. The Armed Struggle shall undertake to control the conduct of all the members of its organizations and [to ensure] their non-interference in Lebanese affairs;
4. Establishing a joint command control of the Armed Struggle and the Lebanese Army;
5. Ending the propaganda campaigns by both sides;
6. Conducting a census of Armed Struggle personnel in Lebanon by their command.
7. Appointing Armed Struggle representatives at Lebanese Army headquarters to participate in the resolution of all emergency matters;
8. Studying the distribution of all suitable points of concentration in border areas which will be agreed with the Lebanese Army command;
9. Regulating the entry, exit, and circulation of Armed Struggle personnel;
10. Removal of the Jiyrun base.
11. The Lebanese Army shall facilitate the operation of medical, evacuation, and supply centers for commando activity;
12. Releasing detained personnel and confiscated arms;
13. It is understood that the Lebanese authorities, both civil and military, shall continue to exercise all their prerogatives and responsibilities in all areas of Lebanon in all circumstances;
14. The two delegations affirm that the Palestinian armed struggle is in the interest of Lebanon as well as in that of the Palestinian revolution and all Arabs;
15. This agreement shall remain Top Secret and for the eyes of the commands only.

(Signed:) Head, Lebanese delegation: Emile Bustani      Head, Palestinian delegation: Yasser Arafat



**US SECRETARY OF STATE WILLIAM ROGERS, ADDRESS TO AN ADULT EDUCATION CONFERENCE (“THE ROGERS PLAN”), WASHINGTON, DC, 9 DECEMBER 1969**

Following the third Arab-Israeli war in twenty years, there was an upsurge of hope that a lasting peace could be achieved. That hope has unfortunately not been realized. There is no area of the world today that is more important, because it could easily again be the source of another serious conflagration.

When this Administration took office, one of our first actions in foreign affairs was to examine carefully the entire situation in the Middle East. It was obvious that a continuation of the unresolved conflict there would be extremely dangerous; that the parties to the conflict alone would not be able to overcome their legacy of suspicion to achieve a political settlement; and that international efforts to help needed support.

The United States decided it had a responsibility to play a direct role in seeking a solution. Thus, we accepted a suggestion put forward both by the French Government and the Secretary-General of the United Nations. We agreed that the major Powers - the United States, the Soviet Union, the United Kingdom, and France - should cooperate to assist the Secretary-General's representative, Ambassador Jarring, in working out a settlement in accordance with the Resolution of the Security Council of the United Nations of November 1967. We also decided to consult directly with the Soviet Union, hoping to achieve as wide an area of agreement as possible between us.

These decisions were made in full recognition of the following important factors. First, we knew that nations not directly involved could not make a durable peace for the peoples and Governments involved. Peace rests with the parties to the conflict. The efforts of major Powers can help; they can

provide a catalyst; they can help define a realistic framework for agreement; but an agreement among other Powers cannot be a substitute for agreement among the parties themselves.

Second, we knew that a durable peace must meet the legitimate concerns of both sides.

Third, we were clear that the only framework for a negotiated settlement was one in accordance with the entire text of the UN Security Council Resolution. That Resolution was agreed upon after long and arduous negotiations; it is carefully balanced; it provides the basis for a just and lasting peace - a final settlement - not merely an interlude between wars.

Fourth, we believed that a protracted period of war, no peace, recurrent violence and spreading chaos would serve the interests of no nation, in or out of the Middle East.

For eight months we have pursued these consultations, in Four Power talks at the United Nations, and in bilateral discussions with the Soviet Union.

In our talks with the Soviets, we have proceeded in the belief that the stakes are so high that we have a responsibility to determine whether we can achieve parallel views which would encourage the parties to work out a stable and equitable solution. We are under no illusions, we are fully conscious of past difficulties and present realities. Our talks with the Soviets have brought a measure of understanding, but very substantial differences remain. We regret that the Soviets have delayed in responding to new formulations submitted to them on 28 October. However, we will continue to discuss these problems with the Soviet Union as long as there is any realistic hope that such discussion might further the cause of peace.

The substance of the talks that we have had with the Soviet Union have been conveyed to the interested parties through diplomatic channels. This process has served to highlight the main roadblocks to the initiation of useful negotiations among the parties.

On the one hand, the Arab leaders fear that Israel is not in fact prepared to withdraw from Arab territory occupied in the 1967 war.

Now on the other hand, Israeli leaders fear that the Arab States are not in fact prepared to live in peace with Israel. Each side can cite from its viewpoint considerable evidence to support its fears. Each side has permitted its attention to be focused solidly and to some extent solely on these fears.

What can the United States do to help overcome these roadblocks? Our policy is and will continue to be a balanced one. We have friendly ties with both Arabs and Israelis. To call for Israeli withdrawal as envisaged in the UN Resolution without achieving an agreement on peace would be partisan towards the Arabs. To call on the Arabs to accept peace without Israeli withdrawal would be partisan towards Israel. Therefore, our policy is to encourage the Arabs to accept a permanent peace based on a binding agreement and to urge the Israelis to withdraw from occupied territory when their territorial integrity is assured as envisaged by the Security Council Resolution.

In an effort to broaden the scope of discussion, we have recently resumed Four Power negotiations at the United Nations.

Let me outline our policy on various elements of the Security Council Resolution. The basic and related issues might be described as peace, security, withdrawal and territory. Peace between the parties: - the Resolution of the Security Council makes clear that the goal is the establishment of a state of peace between the parties instead of the state of belligerency which has characterized relations for over 20 years. We believe that the conditions and obligations of peace must be defined in specific terms. For example, navigation rights in the Suez Canal and in the Straits of Tiran should be spelled out. Respect for sovereignty and obligations of the parties to each other must be made specific.

But peace, of course, involves much more than this. It is also a matter of the attitudes and intentions of the parties. Are they ready to co-exist with one another? Can a live-and-let-live attitude replace suspicion, mistrust and hate? A peace agreement between the parties must be based on clear and stated intentions and a willingness to bring about basic changes in the attitudes and conditions which are characteristic of the Middle East today.

*Security*: - a lasting peace must be sustained by a sense of security on both sides. To this end, as envisaged in the Security Council Resolution, there should be demilitarized zones and related security arrangements more reliable than those which existed in the area in the past. The parties themselves, with Ambassador Jarring's help, are in the best position to work out the nature and the details of such security arrangements. It is, after all, their interests which are at stake and their territory which is involved. They must live with the results.

*Withdrawal and territory*: - the Security Council Resolution endorses the principle of the non-acquisition of territory by war and calls for withdrawal of Israeli armed forces from territories occupied in the 1967 war. We support this part of the Resolution, including withdrawal, just as we do its other elements.

The boundaries from which the 1967 war began were established in the 1949 Armistice Agreements and have defined the areas of national jurisdiction in the Middle East for 20 years. Those boundaries were armistice lines, not final political borders. The rights, claims and positions of the parties in an ultimate peaceful settlement were reserved by the Armistice Agreements.

The Security Council Resolution neither endorses nor precludes these armistice lines as the definitive political boundaries. However, it calls for withdrawal from occupied territories, the non-acquisition of territory by war, and for the establishment of secure and recognized boundaries.

We believe that while recognized political boundaries must be established, and agreed upon by the parties, any change in the pre-existing lines should not reflect the weight of conquest and should be confined to insubstantial alterations required for mutual security. We do not support expansionism. We believe troops must be withdrawn as the Resolution provides. We support Israel's security and the security of the Arab States as well. We are for a lasting peace that requires security for both.

By emphasizing the key issues of peace, security, withdrawal and territory, I do not want to leave the impression that other issues are not equally important. Two in particular deserve special mention - the questions of refugees and of Jerusalem.

There can be no lasting peace without a just settlement of the problem of those Palestinians whom the wars of 1948 and 1967 made homeless. This human dimension of the Arab-Israeli conflict has been of special concern to the United States for over 20 years. During this period, the United States has contributed about 500 million dollars for the support and education of the Palestine refugees. We are prepared to contribute generously, along with others, to solve this problem. We believe its just settlement must take into account the desires and aspirations of the refugees and the legitimate concerns of the Governments in the area.

The problem posed by the refugees will become increasingly serious if their future is not resolved. There is a new consciousness among the young Palestinians who have grown up since 1948, which needs to be channeled away from bitterness and frustration towards hope and justice.

The question of the future status of Jerusalem, because it touches deep emotional, historical and religious well-springs, is particularly complicated. We have made clear repeatedly in the past two and a half years that we cannot accept unilateral actions by any party to decide the final status of the city. We believe its status can be determined only through the agreement of the parties concerned, which in practical terms means primarily the Governments of Israel and Jordan, taking into account the interests

of other countries in the area and the international community. We do, however, support certain principles which we believe would provide an equitable framework for a Jerusalem settlement.

Specifically, we believe Jerusalem should be a unified city within which there would no longer be restrictions on the movement of persons and goods. There should be open access to the unified city for persons of all faiths and nationalities. Arrangements for the administration of the unified city should take into account the interests of all its inhabitants and of the Jewish, Islamic and Christian communities. And there should be roles for both Israel and Jordan in the civic, economic and religious life of the City.

It is our hope that agreement on the key issues of peace, security, withdrawal and territory will create a climate in which these questions of refugees and of Jerusalem, as well as other aspects of the conflict, can be resolved as part of the overall settlement.

During the first weeks of the current United Nations General Assembly, the efforts to move matters towards a settlement entered a particularly intensive phase. Those efforts continue today.

I have already referred to our talks with the Soviet Union. In connection with those talks there have been allegations that we have been seeking to divide the Arab States by urging the UAR to make a separate peace. These allegations are false. It is a fact that we and the Soviets have been concentrating on the questions of a settlement between Israel and the United Arab Republic. We have been doing this in the full understanding on both our parts that, before there can be a settlement of the Arab-Israeli conflict, there must be agreement between the parties on other aspects of the settlement - not only those related to the United Arab Republic but also those related to Jordan and other States which accept the Security Council Resolution of November 1967.

We started with the Israeli-United Arab Republic aspect because of its inherent importance for future stability in the area and because one must start somewhere. We are also ready to pursue the Jordanian aspects of a settlement - in fact the Four Powers in New York have begun such discussions. Let me make it perfectly clear that the US position is that implementation of the overall settlement would begin only after complete agreement had been reached on related aspects of the problem.

In our recent meetings with the Soviets, we have discussed some new formulas in an attempt to find common positions. They consist of three principal elements: First, there should be a binding commitment by Israel and the United Arab Republic to peace with each other, with all the specific obligations of peace spelled out, including the obligation to prevent hostile acts originating from their respective territories.

Second, the detailed provisions of peace relating to security safeguards on the ground should be worked out between the parties, under Ambassador Jarring's auspices, utilizing the procedures followed in negotiating the Armistice Agreements under Ralph Bunche in 1949 at Rhodes. His formula has been previously used with success in negotiations between the parties on Middle Eastern problems. A principal objective of the Four Power talks, we believe, should be to help Ambassador Jarring engage the parties in a negotiating process under the Rhodes formula.

So far as a settlement between Israel and the United Arab Republic goes, these safeguards relate primarily to the area of Sharm el-Sheikh controlling access to the Gulf of Aqaba, the need for demilitarized zones as foreseen in the Security Council Resolution, and final arrangements in the Gaza Strip.

Third, in the context of peace and agreement on specific security safeguards, withdrawal of Israeli forces from Egyptian territory would be required. Such an approach directly addresses the principal national concerns of both Israel and the UAR. It would require the UAR to agree to a binding and specific commitment to peace. It would require withdrawal of Israeli armed forces from UAR territory to the international border between Israel and Egypt which has been in existence for over half a century. It would also require the parties themselves to negotiate the practical security arrangements to safeguard the peace.

We believe that this approach is balanced and fair. We remain interested in good relations with all States in the area. Whenever and wherever Arab States which have broken off diplomatic relations with the United States are prepared to restore them, we shall respond in the same spirit.

Meanwhile, we will not be deterred from continuing to pursue the paths of patient diplomacy in our search for peace in the Middle East. We will not shrink from advocating necessary compromises, even though they may and probably will be unpalatable to both sides. We remain prepared to work with others - in the area and throughout the world - so long as they sincerely seek the end we seek: a just and lasting peace.



**UN GENERAL ASSEMBLY, RESOLUTION 2535 B, NEW YORK, 10 DECEMBER 1969**

The General Assembly

*Recognizing* that the problem of the Palestine Arab refugees has arisen from the denial of their inalienable rights under the Charter of the United Nations and the Universal Declaration of Human Rights.

*Gravely concerned* that the denial of their rights has been aggravated by the reported acts of collective punishment, arbitrary detention, curfews, destruction of homes and property, deportation and other repressive acts against the refugees and other inhabitants of the occupied territories.

*Recalling* Security Council resolution 237 (1967) of 14 June 1967,

*Recalling* also its resolution 2252 (ES-V) of 4 July 1967 and its resolution 2452 A (XXIII) of 19 December 1968 calling upon the Government of Israel to take effective and immediate steps for the return without delay of those inhabitants who had fled the areas since the outbreak of hostilities.

*Desirous* of giving effect to its resolutions for relieving the plight of the displaced persons and the refugees,

1. *Reaffirms* the inalienable rights of the people of Palestine;
2. *Draws the attention* of the Security Council to the grave situation resulting from Israeli policies and practices in the occupied territories and Israel's refusal to implement the above resolutions;
3. *Requests* the Security Council to take effective measures in accordance with the relevant provisions of the Charter of the United Nations to ensure the implementation of these resolutions.



**GOVERNMENT OF ISRAEL, STATEMENT REGARDING THE "ROGERS PLAN",  
TEL AVIV, 11 DECEMBER 1969**

The Israel Government discussed in special session the political situation in the region and the latest speech of the US Secretary of State on the Middle East.

The Government states that the tension in the Middle East referred to by Mr. Rogers derives from the aggressive policy of the Arab governments: the absolute refusal to make peace with Israel and the unqualified support of the Soviet Union for the Arab aggressive stand.

Israel is of the opinion that the only way to terminate the tension and the state of war in the region is by perpetual striving for a durable peace among the nations of the region, based on a peace treaty reached through direct negotiations which will take place without any prior conditions by any party. The agreed, secure and recognized boundaries will be fixed in the peace treaty. This is the permanent and stated peace policy of Israel and is in accordance which accepted international rules and procedures.

The Six Day War, or the situation created in its wake, cannot be spoken of in terms of expansion or conquest. Israel cried out against aggression which threatened its very existence, and used its natural right of national self-defence.

In his speech, Mr. Rogers said that states outside the region cannot fix peace terms; only states in the region are authorized to establish peace by agreement among themselves. The Government states regretfully that his principle does not tally with the detailed reference in the speech to peace terms, including territorial and other basic questions, among them Jerusalem. Jerusalem was divided following the conquest of part of the city by the Jordanian Army in 1948. Only now, after the unification of the city under Israel administration, does there exist freedom of access for members of all faiths to their holy places in they city.

The position of Israel is: the negotiations for peace must be free from prior conditions and external influences and pressures. The prospects for peace will be seriously marred if states outside the region continue to raise territorial proposals and suggestions of other subjects that cannot further peace and security.

When the Four Power talks began, the Government of Israel expressed its view on the harmful consequences involved in this move in its statement of March 27, 1969. The fears expressed then were confirmed.

Peace was not promoted, Arab governments were encouraged by the illusion that an arrangement could be reached by the exertion of external influences and pressures with no negotiations between the parties. In this period Egyptian policy reached the most extreme expressions, especially in President Nasser's speech in which he spoke of rivers flowing with blood and skies lit by fire. In this period, the region has not become tranquil. In an incessant violation of the cease-fire arrangement, fixed by the Security Council and accepted by all sides unconditionally and with no time limit, the Egyptians have intensified their attempts to disturb the cease-fire lines. Conveniently, Arab aggression in other sectors continued and terrorist acts, explicitly encouraged by Arab government, were intensified. Even the Jarring mission to promote an agreement between the parties was paralyzed.

The focus of the problem as stated by Mr. Rogers lies in the basic intentions and positions of the governments of the region to the principle of peaceful coexistence. The lack of intentions of the Arab governments to move towards peace with Israel is expressed daily in proclamations and deeds. The positions and intentions of the parties toward peace cannot be tested unless they agree to conduct negotiations as among states desiring peace. Only when there is a basic change in the Arab position, which denies the principle of negotiations for the signing of peace, will it be possible to replace the state of war by durable peace. This remains the central aim of the policy of Israel.

In his forthcoming talks with the Secretary of State, the Foreign Minister will explain in detail the position of the Government of Israel concerning situation in the region.



**GOVERNMENT OF ISRAEL, BASIC FOREIGN POLICY PRINCIPLES,  
JERUSALEM, 15 DECEMBER 1969**

*[Israeli elections took place on 28 Oct. 1969. The new Cabinet agreed  
on the following basic foreign policy principles.]*

1. Foreign policy will be directed towards ensuring the absolute independence of the State, strengthening its security and furthering peace between it and the neighbouring States. The Government will continue to act according to the decisions taken by Parliament and the Government since the Six-Day War.
2. The vision of peace of the Prophets of Israel - and they shall beat their swords into ploughshares and their spears into pruning hooks: nation shall not lift up sword against nation, neither shall they learn war any more - which has inspired all peaceloving people in the world will continue to guide Israeli policy. The Government of Israel will support any step likely to further peace and bring about general and complete disarmament and the complete abolition of armies under agreed international control.

3. Israel's policy in the international arena will be aimed at the promotion of world peace: the ending of aggression and war; the relaxation of tension between States and blocs; the eradication of racial and religious prejudice; the completion of the liberation of nations from colonial rule; the strengthening of international cooperation; the acceleration of the development of States which have not yet achieved economic and social advancement; and the furthering of arms control and of disarmament, including nuclear weapons, through agreed mutual inspection.
4. The Government will steadfastly strive to attain a lasting peace with Israel's neighbours founded on peace treaties resulting from direct negotiations between the parties. Agreed, secure and recognized borders will be laid down in the peace treaties.  
The peace treaties will assure cooperation and mutual aid, the solution of any problem that might be a stumbling-block in the path of continuing peace, and the avoidance of any aggression, direct or indirect.  
Israel will continue to be willing to negotiate - without prior conditions on either side - with any of the neighbouring States for the conclusion of a peace treaty. Without a peace treaty, Israel will continue to maintain in full the situation as established by the cease-fire and will consolidate its position in accordance with the vital requirements of its security and development.
5. The Government of Israel will be alert for any expression of willingness amongst the Arab nations for peace with Israel, and will welcome and respond to any readiness for peace shown by the Arab States.  
Israel will continue to demonstrate its peaceful intentions and explain the clear advantages to all the peoples of the area of peaceful co-existence, without aggression or subversion, territorial expansion or intervention in the freedom and internal regimes of the States in the area. The Government of Israel will persist in manifesting its desire to attain productive cooperation with every State in the Middle East for the economic and social well-being of all the peoples of the area.
6. Until the nations agree to and implement global disarmament, and peace treaties have been concluded between Israel and its neighbours, Israel will be prepared to propose to them an agreement leading to disarmament, on the condition that mutual and constant inspection of its implementation is assured and that the sovereignty and borders designated in the peace treaties are not infringed in any way.
7. In its activity in the international arena, the Government will persevere in fostering understanding of Israel's need to obtain support from the nations of the world and the United Nations against the hostile policy of the Arab States, and to enlist aid for Israel's security.
8. Israel regards as a primary aim for mankind the speeding up of the progress of the nations of Asia and Africa which still suffer a substantial disadvantage in the level of their development as compared with the developed countries.  
Israel will support to the limit of its capacity any international action to foster the social and economic freedom of the developing nations, while meticulously respecting their independence and progress.
9. The Government will work to strengthen the reciprocal relations between the State of Israel and those countries in which Jewish communities reside. It will support efforts to ensure recognition of the right of every Jewish community in every land and regime to national, cultural and religious life without discrimination, and the maintenance of the right of those Jews who so wish to emigrate to their Homeland. The Government will endeavour to secure active international support for the ingathering of the exiles in the State of Israel.
10. The Government will continue to work for the establishment of friendly ties and mutual relations between Israel and all peace-loving States, irrespective of their internal regime, and without injuring the interests of other nations.
11. Israel recognizes the right of all nations, small as well as large, to a free national life and political independence. Israel rejects colonialism and will support nations in their struggle for freedom from foreign rule and the establishment of their independent national life.
12. Israel will not support any aggressive intention or alliance against any nation and will remain faithful to international cooperation with all nations, in accordance with the principles of the UN Charter.
13. The Government of Israel will be alert to any manifestation of the dangers of anti-Semitism and the revival of Nazism in any country of the world. It will demand that Nazi criminals be brought to trial and punishment: there shall be no statute of limitations for their crimes.

14. Israel will support the strengthening of the United Nations Organization, for maintenance of its mission as a guardian of peace, the rights of all sovereign nations to be represented among the family of nations, the recognition of the rights to self-defence of any nation under attack, the duty to fulfil the obligations of the UN Charter, such as the eradication of racial discrimination, the conduct of international trade without discrimination, the safe-guarding of the right of free navigation in international waterways and airways, and abstinence from all acts of aggression.



**ISRAELI CABINET, STATEMENT EXPLAINING ISRAEL'S REJECTION  
OF THE ROGERS PLAN, 22 DECEMBER 1969**

At the Cabinet's special session, the Foreign Minister reviewed the talks he had with the Secretary of State and other representatives of the US Government. Israel's Ambassador to the US, Yitzhak Rabin, reported on the latest developments in the policy of the US concerning Middle East questions.

The Cabinet discussed the disquieting initiatives of the US Government within the sphere of the Four-Power talks. The Cabinet views with gravity the latest step of the US Government in submitting its proposals regarding the conflict between Israel and Egypt and Jordan.

The Cabinet rejects these American proposals, in that they:

- Prejudice the chances of establishing peace;
- Disregard the essential need to determine secure and agreed borders through the signing of peace treaties by direct negotiation;
- Affect Israel's sovereign rights and security in the drafting of the resolutions concerning refugees and the status of Jerusalem, and contain no actual obligation of the Arab States to put a stop to the hostile activities of the sabotage and terror organizations.



**POPULAR FRONT FOR THE LIBERATION OF PALESTINE (PFLP),  
POLITICAL PROGRAM, AMMAN, 1969**

*[The platform was formulated by one of the co-founders of the PFLP, Na'ef Hawatmeh]*

I

The Arab bourgeoisie has developed armies which are not prepared to sacrifice their own interests or to risk their privileges. Arab militarism has become an apparatus for oppressing revolutionary socialist movements within the Arab states, while at the same time it claims to be staunchly anti-imperialist. Under the guise of the national question, the bourgeoisie has used its armies to strengthen its bureaucratic power over the masses, and to prevent the workers and peasants from acquiring political power. So far it has demanded the help of the workers and peasants without organizing them or without developing a proletarian ideology. The national bourgeoisie usually comes to power through military coups and without any activity on the part of the masses, as soon as it has captured power it reinforces its bureaucratic position. Through widespread application of terror it is able to talk about revolution while at the same time it suppresses all the revolutionary movements and arrests everyone who tries to advocate revolutionary action.

The Arab bourgeoisie has used the question of Palestine to divert the Arab masses from realizing their own interests and their own domestic problems. The bourgeoisie always concentrated hopes on a victory outside the state's boundaries, in Palestine, and in this way they were able to preserve their class interests and their bureaucratic positions.

The war of June 1967 disproved the bourgeois theory of conventional war. The best strategy for Israel is to strike rapidly. The enemy is not able to mobilize its armies for a long period of time because this would intensify its economic crisis. It gets complete support from US imperialism and for these reasons it needs quick wars. Therefore for our poor people the best strategy in the long run is a people's war. Our people must overcome their weaknesses and exploit the weaknesses of the enemy by mobilizing the Palestinian and Arab peoples. The weakening of imperialism and Zionism in the Arab world demands revolutionary war as the means to confront them.

## II

The Palestinian struggle is a part of the whole Arab liberation movement and of the world liberation movement. The Arab bourgeoisie and world imperialism are trying to impose a peaceful solution on this Palestinian problem but this suggestion merely promotes the interests of imperialism and of Zionism, doubt in the efficacy of people's war as a means of liberation and the preservation of the relations of the Arab bourgeoisie with the imperialist world market. The Arab bourgeoisie is afraid of being isolated from this market and of losing its role as a mediator of world capitalism. That is why the Arab oil-producing countries broke off the boycott against the West (instituted during the June War) and for this reason MacNamara, as head of the World Bank, was ready to offer credits to them.

When the Arab bourgeoisie strive for a peaceful solution, they are in fact striving for the profit which they can get from their role as mediator between the imperialist market and the internal market. The Arab bourgeoisie are not yet opposed to the activity of the guerrillas, and sometimes they even help them; but this is because the presence of the guerrillas is a means of pressure for a peaceful solution. As long as the guerrillas don't have a clear class affiliation and a clear political stand they are unable to resist the implication of such a peaceful solution; but the conflict between the guerrillas and those who strive for a peaceful solution is unavoidable. Therefore the guerrillas must take steps to transform their actions into a people's war with clear goals.

## III

The basic weakness of the guerrilla movement is the absence of a revolutionary ideology, which could illuminate the horizons of the Palestinian fighters and would incarnate the stages of a militant political programme. Without a revolutionary ideology the national struggle will remain imprisoned within its immediate practical and material needs. The Arab bourgeoisie is quite prepared for a limited satisfaction of the needs of the national struggle, as long as it respects the limits that the bourgeoisie sets. A clear illustration of this is the material help that Saudi Arabia offers Al Fatah while Al Fatah declares that she will not interfere in the internal affairs of any Arab countries.

Since most of the guerrilla movements have no ideological weapons, the Arab bourgeoisie can decide their fate. Therefore, the struggle of the Palestinian people must be supported by the workers and peasant, who will fight against any form of domination by imperialism, Zionism or the Arab bourgeoisie.

## IV

We must not be satisfied with ignoring the problems of our struggle, saying that our struggle is a national one and not a class struggle. The national struggle reflects the class struggle. The national struggle is a struggle for land and those who struggle for it are the peasants who were driven away from their land. The bourgeoisie is always ready to lead such a movement, hoping to gain control of the internal market. If the bourgeoisie succeeds in bringing the national movement under its control, which strengthens its position, it can lead the movement under the guise of a peaceful solution into compromises with imperialism and Zionism.

Therefore, the fact that the liberation struggle is mainly a class struggle emphasizes the necessity for the workers and peasants to play a leading role in the national liberation movement. If the petty bourgeoisie take the leading role, the national revolution will fall as victim of the class interests of this

leadership. It is a great mistake to start by saying that the Zionist challenge demands national unity, for this shows that one does not understand the real class structure of Zionism.

The struggle against Israel is first of all a class struggle. Therefore the oppressed class is the only class which is able to face a confrontation with Zionism.

## V

The decisive battle must be in Palestine. The armed people's struggle in Palestine can help itself with the simplest weapons in order to ruin the economies and the war machinery of their Zionist enemy. The moving of the people's struggle into Palestine depends upon agitating and organizing the masses, more than depending upon border actions in the Jordan Valley, although these actions are of importance for the struggle in Palestine.

When guerrilla organizations began their actions in the occupied areas, they were faced with a brutal military repression by the armed forces of Zionism. Because these organizations had no revolutionary ideology and so no programme, they gave in to demands of self-preservation and retreated into eastern Jordan. All their activity turned into border actions. This presence of the guerrilla organizations in Jordan enables the Jordanian bourgeoisie and their secret agents to crush these organizations when they are no longer useful as pressure for a peaceful solution.

## VI

We must not neglect the struggle in east Jordan for this land is connected with Palestine more than with the other Arab countries. The problem of the revolution in Palestine is dialectically connected with the problem of the revolution in Jordan. A chain of plots between the Jordanian monarchy, imperialism and Zionism have proved this connexion.

The struggle in east Jordan must take the correct path, that of class struggle. The Palestinian struggle must not be used as a means of propping up the Jordanian monarchy, under the mask of national unity, and the main problem in Jordan is the creation of a Marxist-Leninist party with a clear action programme according to which it can organize the masses and enable them to carry out the national and class struggle. The harmony of the struggle in the two be realized through coordinating organs whose tasks will be guarantee reserves inside Palestine and to mobilize the peasants and soldiers in the border-territories.

This is the only way in which Amman can become an Arab Hanoi: a base for the revolutionaries fighting inside Palestine.



### **STATE OF ISRAEL, THE LAW OF RETURN (1950), AS LAST AMENDED IN 1970, 10 MARCH 1970**

*[See also the two previous versions above – the original of 5 July 1950  
and the first amendment of 23 Aug. 1954]*

#### **LAW OF RETURN - AMENDMENT No. 2**

*Addition of sections 4A and 4B*

1. In the Law of Return, 5710-1950, the following sections shall be inserted after section 4:

*"Rights of members of family*

4A. (a) The rights of a Jew under this Law and the rights of an oleh under the Nationality Law, 5712-1952, as well as the rights of an oleh under any other enactment, are also vested in a child and a grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew and the spouse of a grandchild of a Jew, except for a person who has been a Jew and has voluntarily changed his religion.

- (b) It shall be immaterial whether or not a Jew by whose right a right under subsection (a) is claimed is still alive and whether or not he has immigrated to Israel.
- (c) The restrictions and conditions prescribed in respect of a Jew or an oleh by or under this Law or by the enactments referred to in subsection (a) shall also apply to a person who claims a right under subsection (a).

*Definition.*

4B. For the purposes of this Law, "Jew" means a person who was born of a Jewish mother or has become converted to Judaism and who is not a member of another religion.

*Amendment of section 5*

- 2. In section 5 of the Law of Return, 5710-1950, the following shall be added at the end: "Regulations for the purposes of sections 4A and 4B require the approval of the Constitution, Legislation and Juridical Committee of the Knesset."

*Amendment of the Population*

- 3. In the Population Registry Law, 5725-1965, the Population the following section shall be inserted after section Registry Law, 3:5725-1965.

*"Power of registration and definition.*

- 3A. (a) A person shall not be registered as a Jew by ethnic affiliation or religion if a notification under this Law or another entry in the Registry or a public document indicates that he is not a Jew, so long as the said notification, entry or document has not been controverted to the satisfaction of the Chief Registration Officer or so long as declaratory judgment of a competent court or tribunal has not otherwise determined.
- (b) For the purposes of this Law and of any registration or document thereunder, "Jew" has the same meaning as in section 4B of the Law of Return, 5710-1950.
- (c) This section shall not derogate from a registration effected before its coming into force".

GOLDA MEIR  
Prime Minister, Acting Minister of the Interior

SHNEUR ZALMAN SHAZAR  
President of the State



**ISRAELI MILITARY ORDER NO. 378 - ORDER CONCERNING SECURITY PROVISIONS,  
20 APRIL 1970**

In accordance with the jurisdiction vested in me as Commander of the Area, I hereby order as follows:

**SECTION I: GENERAL REGULATIONS**

- *Definitions and General Instructions*
- 1.
  - (a) In this Order:
    - **MILITARY COURT and COURT:** established by virtue of this order.
    - **INFLAMMABLE or EXPLOSIVE MATERIAL:** any thing or material, including liquids or gasses, intended or liable to cause an explosion or start a fire.
    - **REDUCTION OF PENALTIES:** (including the shortening, substituting or postponing of execution, either totally or partially). This order shall consider a fine to be a lighter penalty than a term of imprisonment whatever its duration, so long as the substitution of a fine for a prison sentence does not exceed 30 Israeli liras for every day of imprisonment.
    - **FIRE ARMS:** any weapon of any type which can inflict injury or death, or possesses a barrel from which a bullet or projectile may be fired. This term includes any part or section of such a weapon fitted or adapted to diminish the noise or flash caused by its firing.

- PUBLIC OFFICIAL: this includes the police, members of the security service, as defined by the Order Concerning Security Personnel in the Area, anyone employed by the Israeli Defence Forces or by local authorities, and any other employee in whom jurisdiction is vested by any legislation or security provision.
- ORDER: this includes every appointment, order, notification, instruction, request and authorization.
- VITAL SERVICES: essential services to insure law and public order in the area, to guarantee the safety of the public and soldiers of the Israeli Defence Forces, or to protect the lives of the public.
- (b) Wherever reference is made in this Order to bombs or hand-grenades or explosives or incendiary material or ammunition, this reference shall be interpreted to include any part or parts of such ordnance as well.
- (c) Any subsequent order issued by virtue of the regulations which follow shall become effective from the date of issue.
- (d) Any order may be issued verbally if the appropriate authority sees fit.
- (e) The authority which creates and issues orders shall announce their implementation as quickly as possible and in whatever manner it sees fit. However, no order will be considered invalid on the grounds that it was not brought to the attention of the person whom it concerned.
- (f) The regulations of this article shall be applicable to every security legislation.
- 2.
  - (a) It is permissible for the Area Commander to appoint a Military Commander to any region or district in the area. This appointment may be made by announcing the appointees name or by referring to the position. If a position is referred to, then the person occupying that position at the given time shall be deemed to be the Military Commander of that region or that district.
  - (b) The Area Commander may grant an individual the jurisdiction of a Military Commander, in total or in part. In circumstances in which an issued order may be contradictory to an order issued by the Area Commander or by the Military Commander, then the order issued by the Area or Military Commander will take precedence.

## SECTION II - THE COURTS AND THE JUDICIARY

### *Establishment of Courts*

- 3. Military courts shall be established in the area; these are military courts as defined in article 4 and military courts presided over by a single judge, as defined in article 50.

### *Convening of Courts*

- 4. Every military court shall be convened by a court president, who is an officer in the Israeli Defence Forces, holding the rank of captain or a more senior grade, and possessing legal qualifications, and two magistrates who are also officers. The court shall be established by the Military Commander, who will also appoint the president and the two magistrates.

### *Substitution of a Judge*

- 5. In circumstances in which it is impossible for a single-judge military court, for whatever reason, to complete the proceedings, whether the court has begun to hear evidence or not, the Military Commander may appoint another judge in his place. The court, in its new form may take up the proceedings from the stage which they had previously reached. It may also, after granting the parties the opportunity to make their submissions, freely make use of the evidence heard before the previous court, or ask to hear the evidence once again, either in whole or in part.

### *Location of Courts*

- 6. The military court shall sit at a time and place specified by the president. The court president shall be responsible for appointing the time and place in which the military court shall hear the trial.

### *Jurisdiction*

- 7. The military court shall be granted the jurisdiction to try a crime specified in any security provision or other legislation without prejudice to the provisions of the security legislation.

*Prosecutor and Defence*

- 8. Every case for the prosecution which is to be tried before a military court shall be conducted by a military prosecutor appointed by the Area Commander. The accused may be defended by an advocate.

*Evidence*

- 9. Military courts shall conduct themselves in accordance with the same laws of evidence which apply in cases in which soldiers are tried. However, military courts may diverge from the laws of evidence in special circumstances which must be recorded, if they deem it to be in the interests of justice to do so.

*General Procedural Provisions*

- 10. A military court may, with regard to procedural matters not laid down by this order, adopt any course which it deems to be best calculated to ensure that justice is done.

*Trials to be Held in Public*

- 11. The military court shall hold cases brought before it in public. However, a military court may order that a case brought before it shall be conducted wholly or in part behind closed doors if it considers it appropriate to do so in the interests of the security of the Israeli Defence Forces, justice, or for public safety.

*Translator for the Accused*

- 12. If the accused does not understand Hebrew the military court shall appoint him an interpreter who will translate for him the statements made during the course of the hearing and the decisions of the court, unless the accused willingly renounces his right to have the proceedings translated wholly or in part. The accused has the right to object to a particular translator and to request that he/she be replaced.

*Swearing-in and Warning of Witnesses and Interpreters*

- 13.
  - (a) A military court shall warn a witness, prior to the giving of testimony, that he is obliged to tell the truth, and that he will be subject to punishment in accordance with security provisions should he fail to do so. The witness shall be required to swear to tell the truth. He is, however, entitled to make it known that, for reasons of conscience or religious belief, he does not want to swear, but would rather affirm, so long as the court is of the opinion that the reasons given by the witness are in good faith.
  - (b) The provisions of sub-clause (A) shall also apply, with the necessary modifications, to the warning and swearing-in of the interpreter.

*Adjournment of the Court*

- 14. A military court may adjourn at any stage during the proceedings and may reconvene at any place or time that the court orders. The court shall provide directives concerning the custody of the accused and order his appearance at the adjourned hearing.

*Recording the Trial*

- 15.
  - (a) The president of the court shall either record the case personally or use the services of a registrar.
  - (b) The record shall comprise a summary of the following matters:
    - 1. The accused's reply to the allegations;
    - 2. The testimony of witnesses;
    - 3. Submissions presented;
    - 4. Findings of law (findings and decisions taken by the court, regardless of whether they are to the accused's advantage or disadvantage);
    - 5. The judgement and sentence.
  - (c) The president of the court shall sign every legal finding and sentence.

*Summoning the Accused and Witnesses*

- 16.
  - (a) A military court may summon, at the request of either party, any person to give evidence in the case if it considers that summoning him will assist in the clarification of any question pertaining to the hearing. The court may, of its own accord, summon a witness itself.

- (b) A military court may at any time issue an attendance order to the accused, if it deems such a measure necessary to compel the accused's attendance at the hearing at the appointed time.
- (c) A military court may, at the request of a party or at the suggestion of a court, order a witness who has been summoned, or any other person, to present to the court at the time fixed by it in the summons or order, any documents, specified in the summons or order, which are in his possession.
- (d) A military court may order any person appearing before it to give evidence or to produce documents at any time which it sets. Such persons shall be subject to the same law which applies to individuals who have been summoned or ordered to produce documents before the court.
- (e) Any person summoned to give evidence who fails to appear, or ordered to produce documents who does not so produce, may have an attendance order brought against him in order to compel his attendance in court.
- (f) Any person against whom an attendance order has been brought, in accordance with sub-clause (B) or (E) above, is to appear as soon as possible before the military court, which shall determine whether to detain him in custody or to free him on conditions which it shall lay down.

*Imprisonment of Witnesses or the Accused for Failure to Obey a Summons. Contempt of Court*

- 17. Any person summoned to appear before a military court who, without reasonable excuse, has failed to attend, or to produce a document or evidence in his possession or control, or who, having attended court, leaves without having obtained the prior consent of the court, or who fails to appear after the adjournment of the court in spite of being ordered to attend, or any person who, in the presence of the court, refuses to obey any directive of the court, or insults the court, or any member thereof, or obstructs or hinders the proceedings of the court, may be immediately sentenced to imprisonment by the court, although the term should not exceed two years. Nothing contained herein shall affect the authority of the military court to try an offence, under this clause, by way of ordinary prosecutory proceedings fixed by this order, provided that no person shall be charged twice for the same offence.

*Examination of Witnesses*

- 18. All witnesses, other than the accused, who have chosen to make a statement rather than take an oath prior to giving evidence before a military court, shall be liable to examination, cross-examination and re-examination.

*Witnesses in Cases in which there are Several Accused*

- 19. In cases in which there are several individuals accused of an offence, the order of the examination of witnesses shall proceed as follows:
  - 1. In cross-examination - witnesses shall be cross-examined by the prosecution or by their counsel in accordance with the order in which their names appear on the list of court proceedings;
  - 2. Primary prosecution - a witness shall be first examined by the prosecution or the counsel who summoned him, and thereafter by the other members of the prosecution or defence in the order set out in sub-clause 1.

*Unanimous Determination of Guilt*

- 20. No person shall be found guilty in a military court other than by the unanimous decision of the president and its members.

*The Charge and Response thereto*

- 21.
  - (a) Prior to the accused's appearance in a military court, the nature of the charges and details thereof shall be recorded in the charge sheet which shall be brought by the prosecutor before the court. A copy of the charge sheet shall be given to the accused before his hearing.
  - (b) At the beginning of the hearing the charge sheet shall be read out in front of the accused.
  - (c) The accused shall be asked if he pleads guilty as charged or admits to the facts or not.
  - (d) The accused may answer such questions in one of the following ways:
    - 1. He may admit the charge;
    - 2. He may refute the charge;

- 3. He may refute the charge, but admit to certain facts, in whole or in part, raised in connection with the action which is the subject matter of the charge.
- (e) If an accused does not answer the question put to him in accordance with sub-clause (D) above, he shall be deemed to have refuted the charge.
- (f) With the consent of the court, the accused may at any stage of the proceedings until judgement is given, withdraw the response which he gave pursuant to sub-clause (D) above.

*Joinder of Charges*

- 22. Separate charge sheets shall be kept for each offence, but any number of charges may be brought at the same time and may be tried together or separately as the court deems fit. The accused shall make a separate and distinct plea to each charge.

*Amendment of the Charge*

- 23. At any stage in the proceedings, the court may at the request of the military prosecutor, or the accused, or of its own volition, amend the charge or cause the accused to be charged with another offence, provided that the accusation brought by the court as stated above shall be based on the evidence brought before it during the hearing. The court, before proceeding with the trial after the charge has been amended as specified above, may, at its own discretion if it deems it to be in the interests of the accused, grant an adjournment of the trial, or permit the prosecutor or the defense to recall and re-examine any witnesses.

*Joinder of the Accused*

- 24. If a number of people stand accused for the same crime or for crimes emanating from the same set of circumstantial facts, they may be charged and tried together or separately at the court's discretion.

*Separate Trials*

- 25. If, at any stage of the proceedings, the court decides that the case against the several accused parties should be tried separately, each individual hearing shall be permitted to take up the case against the accused person or persons whose trials were ordered to be separated, from the point at which the joint proceedings were halted when the court ordered the separation of trials, or in accordance with the decisions taken by the subsequent court hearing the trial.

*Procedure after Admission of Guilt*

- 26.
  - (a) If the accused admits to the facts of any charge, the court may, for reasons which it shall record, decide not to accept the plea and to continue with the trial as if the accused had refuted the charges, but admitted the facts outlined by the court.
  - (b) If the court does decide to accept the accused's admission then the accused shall be deemed guilty and the court shall hold him guilty in accordance with his admission.
  - (c) Before it acts in accordance with sub-clause (B) above, the court must be satisfied that the accused fully understands the nature of the charge brought against him and the implications of his admission of guilt.
  - (d) If there are several individuals accused in the case and only some of them admit the charge, the court may find these individuals guilty on the strength of their confession in accordance with this clause, and sentence the individual immediately, or the court may postpone the finding of guilt until judgement is passed on the other accused parties, provided that no accused person is called as a witness to give evidence in the case, before the court has made its finding of guilt against him, and sentenced him accordingly.
  - (e) The military prosecutor shall summarise before the court the facts which constitute the charge and the offence before the verdict is passed.
  - (f) If the accused takes exception to these facts, either in whole or in part, the court may allow for further evidence to be heard in connection with the facts in dispute.

*Provisions Relating to Offences Punishable by Death*

- 27. Where a person has been accused of a crime which carries the death sentence, the proceedings shall take place in accordance with clauses 21(C),(D),(E),(F) but the court will proceed as though the accused has refuted the charge.

*Proceedings after Admission of Facts*

- 28.
  - (A) In cases in which the accused has refuted the charge but admitted facts, in whole or in part, or where the court has decided in accordance with clause 26 to consider him to have done so, such facts shall be considered as proven with regards to the accused.
  - (B) Despite what has been stated in sub-clause (A) above, the court may require the military prosecutor to prove any facts which the accused has admitted to in his response to the charge, and, if the court so requires such facts shall not be regarded as proven until the military prosecutor has proved them.

*Procedure after Denial of Guilt*

- 29.
  - (A) If the accused does not admit the truth of any charge, or the court refuses to accept a plea of guilt, the court shall proceed to hear the case brought by the military prosecutor and his witnesses and any other evidence which it deems fit.
  - (B) If the accused does not employ an advocate the court shall, at the close of the examination of each witness for the prosecution, ask the accused whether he wishes to put any questions to that witness; the accused's answer is to be recorded.

*Acquittal at End of Case for the Prosecution*

- 30. If it appears to the court at the end of the Prosecutor's summing-up statement that no substantial case against the accused exists, then the court shall acquit the accused of that charge.

*The Defence*

- 31.
  - (A) If, at the close of the case for the prosecution, the court considers that a case has been made for the accused to answer the charge, the court shall explain to the accused that he is not obliged to give evidence, but that should he give evidence on oath, he shall be subject to cross-examination, and the court shall ask him if he wishes to say anything in answer to the charge, or wishes to give evidence, or call any witness in his defence; and, should the accused wish to give evidence, the court shall hear the evidence and that of any witness whom he summons.
  - (B) If the accused declares that he has witnesses to call but that they are not present the court may, at its own discretion, adjourn the trial and, if it sees fit, may order steps to be taken to secure the attendance of such witnesses at the appointed time.

*Summing Up*

- 32. Once the counsel for the defence has put its case before the court, the Prosecutor may sum up his case and then the accused or his counsel may sum up their case.

*Acquittal to be Pronounced Immediately*

- 33. If the court acquits the accused, the finding of acquittal shall be pronounced at once and the accused shall be freed if there are no other reasons to detain him in custody.

*Conviction and Sentence*

- 34.
  - (A) If the court convicts the accused on a charge, it shall pass sentence upon him.
  - (B) Prior to passing sentence on the accused the military court shall give the military prosecutor the opportunity to bring forward any further evidence at his disposal which may influence the nature of the punishment or its extent. Thereafter, the accused shall have the right to make any statement or provide any testimony, reasons or evidence with a view to mitigating the sentence.
  - (C) At the end of the proceedings set out in sub-clause (B) above the prosecutor shall be entitled, and after him the accused or his counsel shall be entitled, to deliver a statement concerning the extent of the punishment; when the Counsel has summed up his statement, the court shall enable the accused to have a final say.

*Presence of the Accused During the Trial*

- 35.
  - (A) Every person tried before a military court shall be entitled to be present during the whole trial so long as he conducts himself properly.

- (B) If the accused does not conduct himself properly the court may, at its own discretion, order his removal from the courtroom and continue the proceedings in his absence, provided that it makes provisions for informing the accused of what has occurred during the trial, and gives the accused the opportunity to defend himself.
- (C) The court may, as it deems fit, permit the accused to be absent from the court during the whole or any part of a trial on such terms as it may set.

*The Accused Being of Unsound Mind*

- 36.
  - (A) In circumstances in which a military court decides that the accused being tried before it cannot be punished on account of suffering from a psychological illness at the time of the crime, the court may decide to detain him in a suitable establishment to be specified by the Area Commander, and to hold him in custody there so long as the Area Commander remains convinced that the accused is suffering from the above-mentioned illness.
  - (B) If, during the proceedings in a military court, it appears to the court that the accused is not capable of being tried because he is suffering from a disease of the mind, the court may order that the individual be detained for a period to be determined by the Area Commander. The Area Commander may, on the evidence of two military doctors that the individual detained in accordance with this sub-clause is now of sound mind, and if he deems it fit, determine that the accused be tried in accordance with the law for the offence for which he has was originally charged.
  - (C) The Area Commander may make provisions from time to time as he sees fit concerning the detention of individuals held in accordance with this clause.

*Medical Examination of the Accused*

- 37.
  - (A) In order to enable the military court to determine if it is appropriate to pass an order in accordance with clause 36, the court may at the request of one of the parties or of its own volition, order that the accused undergo a medical examination and if it is deemed necessary, that he be admitted to hospital.
  - (B) A hospitalisation order, passed in accordance with this clause, shall be executed by a psychiatrist appointed for the purpose by the Area Commander or by a person authorised by him; the court may not use its own judgement to specify to which particular hospital the sick individual is to be admitted, only the psychiatrist so appointed may specify the hospital which shall then admit the individual referred to in the order.

*Length of Detention*

- 38. In circumstances in which a military court has passed a sentence of imprisonment upon an individual who has been tried, the period in which the accused was held in custody for the offence prior to the trial shall be incorporated into the term of imprisonment.

*Confirmation of Sentence*

- 39. As soon as possible after the end of a trial the conviction shall be passed onto the Area Commander for his confirmation.

*Place of Custody and Imprisonment*

- 40.
  - (A) A person detained in accordance with this order shall be held in custody in a place specified by the Military Commander.
  - (B) A sentence of imprisonment shall be carried out in a prison specified by the Area Commander.

*Confirmation of Conviction and Sentence*

- 41. The conviction and sentence passed by the military court shall not be valid until it has been confirmed by the Area Commander. Where a sentence of imprisonment has been given to the convicted person, the court president shall order that the accused be detained until confirmation of the sentence is received, and such a period of detention shall be recorded and incorporated into the term of imprisonment should the sentence be confirmed.

*Powers of the Commander on Passing of a Sentence*

- 42. Upon passing of a sentence the Area Commander may:
  - 1. Confirm the conviction and sentence; or
  - 2. Reverse the finding of the court, acquit the accused and order his release; or
  - 3. Confirm the conviction; or pardon the accused, or mitigate the sentence; or
  - 4. Cancel the findings of the trial and order a retrial before the same or a different military court.

*Petitions to the Area Commander*

- 43. There can be no appeal against a judgment on jurisdictional grounds, however, the convicted person may apply to the Area Commander or the Military Commander, as the case may be, in order to appeal or make a petition in connection with the finding of guilt or the sentence. A military court, when passing sentence on a convicted person, shall bring to his notice his rights in accordance with this clause.

*Review of Sentence*

- 44. The Area Commander may at any time review the sentence of a military court which has been confirmed, and has the power to mitigate or remit the sentence.

*Conditions for Mitigating the Sentence*

- 45.
  - (A) The Area Commander, while acting under the powers conferred on him by clauses 42 and 44, and the Military Commander, while acting under the powers conferred on him by clause 50(C), (5), may impose conditions upon the convicted person before his punishment may be mitigated. Similarly, before the convicted person shall have his sentence mitigated, he may be asked to produce a surety guaranteeing that he will not commit an offence, or offences (hereinafter referred to as "further offences"), for a period which shall be determined by the Area Commander or the Military Commander by an order, but which shall not exceed three years (hereinafter referred to as "the period of surety"), from the date of giving the surety.
  - (B) If any of the conditions set for the mitigation of a term of punishment for the convicted person are subsequently broken, any military court may, upon being so requested by the military prosecutor, make provisions for the execution of the sentence as though no mitigation had been passed, with the exception of any part of the sentence which was served prior to the mitigation.
  - (C) Where the Area Commander or the Military Commander has mitigated a convicted person's sentence through the offices of a surety, the following provisions shall apply:
    - 1. The bail shall be a personal bond undertaken by the convicted person either alone, or through the offices of a surety, or by a cash deposit, or partly by a bond and partly by a cash deposit, as the Area Commander or the Military Commander may direct;
    - 2. The amount of the surety may not exceed the maximum fine which the military court is able to impose for the offence of which the accused has been found guilty;
    - 3. If the accused is found guilty of a further offence committed during the period of surety the court which tries the accused for the subsequent offence shall pass an order which concerns the realisation and forfeiture of the surety in whole or in part;
    - 4. If the accused is found guilty of a further offence committed during the period of surety and the court does not make provisions referred to in sub-clause 3, any military court may, upon being requested to do so by the military prosecutor, make provisions by order concerning the realisation and forfeiture of the surety in whole or in part;
    - 5. Any surety for which an order has been passed in accordance with the terms of sub-clauses 3 and 4, shall be treated as a fine which has not been paid on time;
    - 6. Sub-clause (B) shall not apply to the conditions of mitigation of punishment referred to in this sub-clause.

*Execution of Confirmed Sentence*

- 46.
  - (A) Confirmation by the Area Commander in accordance with clauses 42 or 44 shall be regarded as granting permission to any authorised person to execute the sentence of the court, or the provisions made by the Area Commander as the case may be.

- (B) In circumstances in which an individual, in accordance with a sentence confirmed by the Area Commander, is obliged to pay a fine and does not do so, the Area Commander may order the seizure of the individual's property and its sale in order to secure the payment of the fine.

*Punishment*

- 47.
  - (A)
    - 1. In circumstances in which an individual is convicted before a military court, the court may impose upon him any sentence which does not exceed the maximum sentence fixed for that offence by law or by security provisions as the case may be, or any lighter sentence, including a sentence which combines a term of imprisonment with a fine, provided that the court does not impose a fine in excess of five thousand Israeli liras in cases where only a prison sentence has been specified in existing legislation.
    - 2. A military court may impose a sentence of imprisonment, for as long a term as it sees fit, for non-payment of a fine, provided that such a term does not exceed two years in prison, in addition to any term of imprisonment already imposed by the court.
    - 3. In circumstances in which a military court does not pass a ruling to impose a term of imprisonment upon the convicted person for non-payment of a fine, as stated in sub-clause (2), it is permissible for the military court to issue an imprisonment order at the request of the military prosecutor brought after the fine has not been paid within its due time.
    - 4. A term of imprisonment for non-payment of a fine shall begin to be served after the convicted person has served his other term of imprisonment.
    - 5. In circumstances in which a military court has imposed a sentence of imprisonment for non-payment of a fine, if part of the fine is paid before the convicted person has served his punishment, the period of imprisonment shall be shortened in the same proportion which the sum paid bears to the total fine
    - 6. Notwithstanding the provisions of sub-clause 1, no death penalty shall be passed upon a convicted person by a military court unless at least two of its judges are officers with legal qualifications and the sentence is unanimous.
  - (B) In circumstances in which a person has been sentenced to a term of imprisonment, except for reasons of non-payment of a fine, if, before the end of the punishment, he is sentenced to another term of imprisonment for a different offence, the second period of imprisonment shall begin immediately and run concurrently with the first unless the military court directs otherwise.
  - (C) In circumstances in which a military court in a single judgment sentences the convicted person to two terms of imprisonment for different periods, it may stipulate that the convicted person serve all or part of one term after another. If no such provision is made all terms of imprisonment shall begin on the same day.
  - (D) A court which imposes a sentence of imprisonment, except imprisonment for non-payment of a fine, may stipulate that the convicted person shall serve "hard labour" for either part or the entire period of imprisonment; the Area Commander shall determine from time to time the nature of the labour to be imposed upon the convicted person as stated.
  - (E)
    - 1. A military court which imposes a sentence of imprisonment for a fixed term, except imprisonment for non-payment of a fine, may stipulate that the punishment, in whole or in part, shall be suspended.
    - 2. Any person sentenced to a suspended term of imprisonment shall not serve his punishment unless, during the period fixed by the sentence (hereinafter referred to as "the suspended period") he commits one of the offences specified in the sentence (hereinafter referred to as "further offence").
    - 3. In circumstances in which a suspended sentence has been imposed, and the convicted person is found guilty during the suspended period or thereafter of a further offence, the court shall order that the suspended sentence be put into effect.

- 4. In circumstances in which a person is found guilty as stated and the court does not order the implementation of the suspended punishment, the military prosecutor may, not later than two months after the sentence has been passed, petition the court for the execution of the suspended sentence.
- 5. Any person sentenced to imprisonment for a further offence, and against whom a suspended prison sentence has been enforced, shall serve the two terms, either in whole or in part, consecutively unless the military court directs otherwise for reasons to be recorded.
- 6. An order made under sub-clauses 3-5 shall be deemed for all purposes as a sentence of a military court.

*Pledge by the Accused to Refrain from Committing a Subsequent Crime*

- 48.
  - (A) A military court which makes a finding of guilt against any person may, in addition to the punishment which it imposes or in substitution thereof, order the convicted person to be bound over not to commit an offence for a period which the court shall specify but which shall not exceed three years; the binding over shall be with or without sureties and for a sum which shall not exceed the maximum penalty which the court is permitted to impose for the offence for which the convicted person has been found guilty, as the court shall order.
  - (B) In circumstances in which a military court passes an order, in accordance with sub-clause (A), to bind over a convicted person from committing an offence, the military court may compel the accused's obedience to the binding over order by imposing a sentence of imprisonment upon him for a period which shall not exceed three months.
  - (C) In circumstances in which a person is found guilty of an offence which he had, in accordance with sub-clause (A), pledged not to commit, and if he fails to pay the amount of the surety for the said offence, this amount shall be deemed by the court which imposed the original surety as a fine which has not been paid. The court may exact the amount which the accused owes from the bondsman in the same way as if it were a fine which was not paid in time.

*Enforcement of Compensation*

- 49.
  - (A) A military court which finds an accused person guilty may oblige him, in addition to any punishment, to pay damages for the offence which he committed, or any part of such a sum, as compensation for the damage or suffering caused by him.
  - (B) A military court shall not pass a compensation order, as stated in sub-clause (A), unless the victim and the accused have both been given the opportunity to present evidence relating to the extent of the damage.
  - (C) Sub-clause (A) shall be applied only to the category of damage defined in clause 2 of Military Order 164 (Order Concerning Local Court) (The Status of Army Authority) 1967.
  - (D) The same laws which are applicable to the late payment of a fine shall be applied to unpaid damages.

*Single-Judge Military Courts*

- 50.
  - (A) Single-judge military courts shall be set up by the Area Commander and shall be presided over by an officer with legal qualifications who shall be appointed by the Area Commander (such courts are hereinafter to be referred to as "single-judge courts").
  - (B) The provisions of this order shall apply to single-judge courts as if they were military courts set up in accordance with clause 4, and wherever the word "court" appears in this order it will be interpreted to mean single-judge courts as well unless any provision exist which stipulates the contrary.
  - (C)
    - 1. Single-judge courts shall sit at such times and in such places as they are instructed to.
    - 2. A single-judge court shall not have the jurisdiction to pass the death sentence.

- 3. A single-judge court shall not have the jurisdiction to pass any sentence of imprisonment which exceeds five years or a fine which exceeds three thousand Israeli liras or a combination of this degree of fine and term of imprisonment.
- 4. The conviction and sentence passed by a single-judge court shall not be subject to the confirmation of the Area Commander but shall be valid upon pronouncement.
- 5. In relation to a judgement and sentence passed by a single-judge court, a Military Commander may of his own volition or upon application of the convicted person:
  - a. invalidate the finding, acquit the accused and order his release;
  - b. mitigate the punishment or commute the sentence.
- 6. The record of every case brought before a single-judge court shall contain the following information:
  - a. the charge or charges;
  - b. the plea of the accused;
  - c. a summary of the evidence;
  - d. the court's verdict and sentence.
- 7. Any authorised person shall be entitled to enforce the sentence passed by a single-judge court, or at the order of a Military Commander in accordance with sub-clause 5.
- 8. If an individual has, by sentence from a single-judge court, been ordered to pay a fine and fails to do so, then the Military Commander may order the seizure and sale of the convicted person's property in order to secure payment of the fine.
- (D) At any time prior to the court issuing its final judgement, a single-judge court shall have authority to transfer any charges to a military court, set up in accordance with clause 4 above, to place the accused in custody or free him on conditions which it shall set in order to secure his appearance before such a military court; and thereafter the military court shall have the jurisdiction to hear the case and reach a verdict in the same way as if the accused has been brought before it from the beginning.
- (E) An accused brought to trial before a single-judge court may request at the beginning of the case that the case be transferred to a military court set up in accordance with clause 4 and the single-judge court is obliged to fulfill such a request. A single-judge court shall inform the accused at the beginning of the case of his rights in accordance with this clause.
- (F) In circumstances in which a single-judge court is prevented for whatever reason from completing a trial, whether it has already begun to hear evidence or not, the Military Commander may order that another single-judge court should continue to try the case, picking up the proceedings from the point at which the previous single-judge court left off, and it may, after granting the parties the opportunity to be heard on the matter, conduct itself in accordance with the evidence heard by the previous court as if such evidence was presented to it, or it may request that such evidence either in whole or in part, be presented before it again.

### SECTION III - OFFENCES

#### *Sabotage and the Causing of Death*

- 51.
  - (A) Any person who intentionally causes the death of another or carries out an act of sabotage against any military target shall be subject to the death sentence or any other punishment to be determined by the court.
  - (B) No death sentence may be passed by a court if the accused was under the age of eighteen at the time of committing the offence.

#### *Carrying of Firearms, Explosives, etc.*

- 52.
  - (A) No person may carry any firearm, ammunition, bomb, grenade, explosive or incendiary device without a permit granted by the Military Commander, or his delegate, or other than in accordance with the terms of the permit.
  - (B) Membership is not permitted of any group, any of whose other members have committed an offence in accordance with clause 51 or sub-clause (A) of this order.

- (C) Any person committing an offence under the terms of this clause shall be liable to life imprisonment or any other punishment to be determined by the court.

*Offences against the Maintenance of Public Order*

- 53.
  - (A)
    - 1. No person may have in his possession any firearm, ammunition, bomb, grenade, explosive or incendiary device or any instrument article or thing designed or adapted for causing death or serious injury unless he carries a permit granted by the Military Commander or his delegate and unless he has fulfilled all the conditions of the licence or permit which he holds.
    - 2. No person shall manufacture any firearm, ammunition, bomb, grenade, explosive or incendiary device without a permit granted by the Military Commander or his delegate or other than in accordance with the terms of such a permit.
    - 3. No person shall destroy, endanger, interfere with, or do any act or omission calculated to destroy, damage, obstruct, endanger or interfere with the security of the area or of the Israeli Defence Forces and its soldiers, or its activities or the safe operation of the following equipment - ship, airplane, port, quay, pier, mooring, railway, waterway, road, track, railway engine, carriage, truck or any other means of public transport or public communication or any works, plant or equipment used for or designed for the manufacturing, supply, storage, transporting, transmission or distribution of water, fuel, gas or electricity, or any property of the State of Israel or of the Israeli Defence Forces.
    - 4. No person may approach or be in the vicinity of any such property as is defined in sub-clause (3) or enter thereon for the purpose of carrying out any act prohibited by that sub-clause.
    - 5. Membership is prohibited of any group, any of whose members have committed or are planning to commit any offence as defined in this clause.
  - (B) Any person who has committed an offence under this clause shall be sentenced to a term of life imprisonment or any other punishment which the court shall determine.

*Contact with the Enemy*

- 54. No person may make contact either in writing, orally or in anyway whatsoever with any person who, there is reason to suspect, is working for the enemy, whether they be in the employ of an enemy organisation or in any other way connected to the enemy.

*Disguises*

- 55.
  - (A) No person shall adopt any disguise in any circumstance calculated to prejudice or endanger public safety, or the security of the Israeli Defence Forces, or the defence of the area, or the maintenance of public order.
  - (B) Any person committing an offence under this clause shall be sentenced to a term of imprisonment which should not exceed five years.

*Impersonation*

- 56. Any individual who, while not a public servant, impersonates a public servant shall be guilty of an offence under this order.

*Harbouring Criminals*

- 57. No person shall assist or harbour anyone who has committed an offence against the security provisions or who is, or has been, engaged in any activity prejudicial to public safety, to the safety of the Israeli Defence Forces and its soldiers, and to the maintenance of public order, or when there are reasonable grounds to suspect that he has done so, whether by providing information, shelter, food, drink, money, clothes, weapons, ammunition, supplies, provisions, means of conveyance, fuel or petrol of any kind whatsoever, or by any other means.

*False or Contradictory Evidence*

- 58.
  - (A) Any person who knowingly gives false evidence in any proceeding before a military court or behaves in an unseemly manner before any such court shall be sentenced to a term of imprisonment of up to five years.

- (B) Any person who knowingly gives false evidence before any person authorised by any law or by the security provisions to hear evidence shall be sentenced to a term of imprisonment of up to two years.
- (C) Any person who, during the course of giving evidence before a military court, contradicts in an important detail evidence which he previously gave before another military court or before any other court or person authorised by any law or security provision to hear evidence, and if the court proves that there was an intention in so doing to deceive those before whom evidence was given, shall be sentenced to a term of imprisonment of up to two years, irrespective of whom the accused intended to deceive. For the purpose of this clause 'evidence' shall be taken to mean any statement given under oath, under affirmation or otherwise.

#### Non-Prevention of an Offence

- 59. Any person who knows or has reasonable ground for suspecting that another person is committing or intends to commit an offence against an existing law or the security provisions the punishment for which exceeds three years of imprisonment, and who does not forthwith inform the Military Commander or the nearest police station or any officer in the Israeli Defence Forces, or does not act in any other reasonable manner in order to prevent the act or its continuation or completion shall be guilty of an offence under this order.

#### *Licenses and Authorisations Issued under the Security Provisions*

- 60.
  - (A) Any licence-holder shall act in accordance with the request of a soldier.
  - (B) No person shall break any condition laid down in a licence.
  - (C) No person shall alter or permit another to alter any document issued in accordance with security provisions.
  - (D) No person shall use or allow another to use any such document to which alterations have been introduced in contravention of sub-clause (C).
  - (E) No person shall lend any document issued in accordance with the security provisions.
  - (F) No person shall keep in his possession or control any document similar to a document issued under the security provisions with the intent of misleading.
  - (G) For the purposes of sub-clauses (B)-(F), any act committed outside the region shall be regarded as though it was done within the region.

#### *Evasion of Obligatory Payment*

- 61. Any person who intentionally evades the obligation to make any monetary payments to the Area Commander, or any of the authorities in the area, such a sum being imposed by law or by the security provisions and constituting one of the actions hereinafter set out, shall be sentenced to a term of up to five years imprisonment or to a fine of ten thousand Israeli liras and/or one-and-a-half times the sum the payment of which was evaded or intended to be evaded, or both such punishments together. These actions are as follows:
  - 1. Deleting from any document, which is to be presented in accordance with a law or the security provisions, any sum recorded in that document;
  - 2. Transmitting in any document, which is to be presented in accordance with a law or the security provisions, any false written statement;
  - 3. Making a false reply orally or in writing to a question or a request for information put to him in accordance with a law or the security provisions;
  - 4. Preparing or maintaining or permitting the preparation or maintenance of false account books or other false statements or falsifying or permitting the falsification of account books or statements;
  - 5. Using deceit, cunning or tricks or permitting the use thereof.

#### *Meddling with the Affairs of the Israeli Defence Forces*

- 62. Any person who:
  - 1. Commits any act which it is reasonable to assume is liable to prevent the Defence Forces of Israel or any person occupied in the execution of essential services from carrying out their duties; or

- 2. Knowingly commits any act intended to cause any soldier or person occupied in essential services to be unable efficiently to carry out his duties, shall be deemed to be guilty of an offence under this order.

*Information of Military Value*

- 63.
  - (A) Any person who, without legal authority,
    - 1. obtains; or
    - 2. records; or
    - 3. communicates with any other person or publishes; or
    - 4. has in his possession any certificate or record containing any information purporting to be in respect of the following subjects: the number, description, armaments, equipment, disposition, movement or condition of the Israeli Defence Forces, their vehicles, aircraft and fleets or their operations, completed or projected, or their prisoners of war, materials or any measures for the defence or fortification of any place, or any other information of military value or purporting to be of such value; shall be guilty of an offence against this order and shall be sentenced to fifteen years imprisonment.
  - (B) Without prejudice to the generality of clause 3 (A) above any person who passes, sends or signals any information whatsoever by any means, or who communicates with any other person in a manner or in circumstances or by means likely to convey information, shall be deemed to have communicated the information within the meaning of clause 63 (A) to another person.

*Obstruction*

- 64. Any person who obstructs a soldier in the execution of his duty, or any person exercising any powers or performing any duties conferred or imposed on him by the security provisions, or discharging any duty in connection with public safety, the security of the Israeli Defence Forces, the defence of the area, the maintenance of public order or the maintenance and supply of services; shall be guilty of an offence under this order.

*Insults and Threats*

- 65. Anyone who:
  - 1. Behaves in an insulting manner towards any of the authorities of the Israeli Defence Forces within the region or any of its representatives; or
  - 2. Threatens another person or insults him in a manner likely to disturb the peace or public order; shall be guilty of an offence under this order.

*Attacking a Soldier*

- 66.
  - (A) Any person who attacks a soldier or uses violence towards him shall be guilty of an offence under this order.
  - (B) "Soldier" in connection with this clause shall be interpreted to include any person invested with the authority of a soldier in accordance with the security provisions.

*Attacking Service Personnel*

- 67. Any person who attacks or uses violence toward a person in the service of, or previously in the service of, the Israeli Defence Forces or any of its authorities, or who causes damage to its property; shall be guilty of an offence under this order.

*Activity against Public Order*

- 68. Any person who commits any act which disturbs or is likely to disturb the peace or public order shall be guilty of an offence under this order.

*Offences concerning Military Equipment*

- 69.
  - (A) In this clause "military equipment" shall be interpreted to mean weapons, ammunition, explosive material, clothing, uniforms, personal equipment of soldiers or any item of equipment supplied for the use of the Israeli Defence Forces, or which is the property of the Israeli De-

fence Forces, or vested by law in the Israeli Defence Forces, or forming part of the supplies of the Israeli Defence Forces, or brought to the region for their use.

- (B) No person shall keep in his possession any military equipment without permission or reasonable justification, and whereof the burden of proof shall be upon him.
- (C) No person shall purchase, or exchange, or keep in his possession, or receive military equipment from a soldier or on behalf of a soldier or in his name, nor shall a person request military equipment, take it, or remove it from the hands of a soldier in order to sell or transfer possession therein in any way whatsoever.
- (D) No person shall knowingly and unlawfully remove military equipment from the possession of the army.
- (E) Any person committing an offence under this clause shall be sentenced to up to ten years imprisonment.

#### *Entry to a Prohibited Area*

- 70.
  - (A) Any person who enters a prohibited area, attempts to penetrate the same, remains therein, attempts to investigate its structure or what occurs therein, or without reasonable explanation wanders nearby without being authorised to do so, and also any person who attempts to disturb or deceive a guard or watchman keeping guard over the prohibited area shall be sentenced to up to ten years imprisonment.
  - (B) In this clause "prohibited area" shall mean a place occupied by the Israeli Defence Forces or used for security purposes or for the provision of essential services.

#### *Escape from Custody*

- 71. Any person who escapes from custody to which he is subject by law shall be guilty of an offence under this order.

#### *Intimidation*

- 72. Any person who:
  - 1. Threatens to injure the person, or reputation, or property of an individual, or of any other person to whom the individual is beholden for his property or his status, with intent to cause the said individual to commit any act which he is not legally obliged to do, or to omit to do any act which he is legally entitled to do; or
  - 2. Threatens in like manner and with a similar intention any persons generally, or any class or description of persons, shall be guilty of an offence under this order.

#### *Authority to Obtain Information*

- 73. Any person who does not comply with the directives given by the Military Commander, or on his behalf, to produce or reveal information or articles which are in his possession to the authority or person specified in such a directive, shall be guilty of an offence under this order.

#### *False Information*

- 74. Any person who makes a false declaration or representation, or makes use of any document containing false information, to any of the authorities of the Israeli Defence Forces or to any authority acting under the auspices of the Israeli Defence Forces in the area, or to anyone authorised by order of the Area Commander of the Israel Defence Forces, shall be guilty of an offence under this order.

#### *Offences involving Bribery*

- 75.
  - (A) In this clause:
    - 1. "Bribe" shall mean money, things of monetary value, services or any other gain.
    - 2. "Receipt" shall include receipt on behalf of another person or from another person directly or indirectly.
  - (B) A public servant who accepts a bribe in connection with any activity connected with his duty shall be liable to a sentence of seven years imprisonment or a fine of ten thousand Israeli lira or both punishments together.

- (C) The law which applies to anyone proffering a bribe also applies to any individual who accepts a bribe. A person who offers or promises a bribe, even if it is not carried out, shall be deemed to be a person who has given a bribe.
- (D) A person who receives money in order to bribe a public servant shall be guilty of an offence under this order, whether the money is given for his intercession with one person or another or not, and irrespective of whether there was an intention to bribe or not.
- (E) Any person receiving money in order, either himself or through another directly or indirectly, to cause a public servant wrongly to act, desist from acting, delay, be inactive, act slowly, favour or to discriminate against, shall be guilty of an offence under this order.
- (F) Any person who gives money to a person in circumstances set out in clauses (D) and (E) shall be considered to have given a bribe.
- (G) There shall be no distinction in matters relating to bribery:
  - 1. In what manner the bribe is given;
  - 2. Whether it is in connection with wrongful actions, inaction, delay, preferment or discrimination;
  - 3. Whether it is given with a particular job in mind or in order to pervert fairness in general;
  - 4. Whether it is for an action of the taker himself or to buy his influence over the actions of another;
  - 5. Whether it is actually given by the giver or through the offices of a third party; whether it is given to the acceptor or to another person on the acceptor's behalf either before or after the event; whether the person benefitting from the bribe is the acceptor or another individual;
  - 6. Whether the position of the acceptor is one of power or subservience; whether the performance of his job is paid or not paid; whether voluntary or by virtue of an obligation.
- (H) In any case concerning an offence under this clause the military court may reach a guilty verdict on the evidence of one witness alone, even if the witness was a party to the offence.

#### *Damaging the Property of the Security Forces*

- 76.
  - (A) Any person who negligently causes damage to the property of the security forces shall be guilty of an offence under this order.
  - (B) For the purposes of this clause "property of the security forces" shall mean property in the ownership or use of any one of the category of persons set out in clause (2) of Military Order 164 Concerning Local Courts (Status of the Authorities of the Israeli Defence Forces) 1967.

#### *Causing Damage due to Negligence*

- 77. Any person who negligently causes damage to the person of a soldier or a worker in the service of or on a mission for the Israeli Defence Forces or any of the authorities appointed or authorised to act in the area by the Area Commander or the Military Commander, shall be guilty of an offence under this order.

### SECTION IV - ARREST, SEARCH, SEIZURE AND FORFEITURE

#### *Arrest*

- 78.
  - (A) Any soldier may, without a warrant, arrest any person contravening the provisions of this order or who, there is reason to suspect, has committed an offence under the terms of this order.
  - (B) Any person arrested under sub-clause (A) shall be brought as soon as possible to a Police Station or a place of detention specified in this order.
  - (C) A warrant of arrest must be made within a reasonable time against any person arrested in accordance with sub-clause (A); if such an arrest warrant is not issued within ninety-six hours of an individual's arrest, then he shall be released.
  - (D) Any police officer is authorised to issue an arrest warrant in writing, which shall not exceed seven days.

- (E) A Police officer, not being below the rank of "Pakad", who is of the opinion that the investigation material collated against a person, in respect of whom an arrest warrant has been taken out in accordance with the terms of sub-clause (D), necessitates continuation of his detention, may extend the period for not more than seven days.
- (F)
  - 1. A military court is authorised to issue an arrest warrant for a period not exceeding six months;
  - 2. In circumstances in which an arrest warrant is issued for a period of less than six months a military court may extend it from time to time, provided that the total period of detention shall not exceed six months.
- (G) In circumstances in which a charge has been brought before a military court, the court shall be authorised to order the continued detention of the accused until the end of his case.
- (H) An arrest warrant, under the terms of sub-clauses (D) to (G), shall be executed by a soldier.
- (I)
  - 1. A military court or a police officer is authorised to order the release of any person arrested in accordance with this clause; no person arrested by virtue of an arrest warrant issued by a court shall be released except by a court order emanating from the court which originally ordered the arrest, in accordance with sub-clause (G);
  - 2. No police officer may release any person detained in accordance with Military Order 52 - Police Forces Working in Conjunction with the Israeli Defence Forces, 1967.
- (J) 'Police officer' in this article shall be taken to include any other officer defined in Military Order 52 - Order Concerning Police Forces Working in Conjunction with the Israeli Defence Forces, 1967.

#### *Release on Bail*

- 79.
  - (A) Release on bail, in accordance with clause 78, may be by way of a personal bond on the part of the person arrested or charged, either undertaken alone or in conjunction with the bond of a surety, or by way of monetary deposit, as the police officer or court, which ordered the provision of a surety as a condition of release, shall deem fit.
  - (B) Release on bail shall be conditional upon the arrested or charged person presenting himself for questioning and for the hearing of the case at any time that he is requested to do so.
  - (C) In circumstances in which a person has been released on bail, any soldier may, either on his own initiative or at the request of the surety, if he has reasonable grounds to suspect that the person released is about to evade justice, arrest the released person without an arrest warrant. A released person arrested accordingly shall be dealt with in accordance with the terms of clause 78 (B).
  - (D)
    - 1. At the request of the military prosecutor, the military court may, upon it being proved to the court that the person released has broken any one of the conditions of his release, order the arrest of the released person. Thereupon it may order:
      - (i) Payment of the whole amount of the bond, or part thereof to the funds of the Area Command, and any such order shall be regarded as a fine which has not been paid in due time;
      - (ii) The forfeiture of the deposit, either in whole or in part, in favour of the Area Command.
    - 2. At any time after the issuing of an order, in accordance with subclause (A), a military court may, for reasons which it shall record, cancel or alter the order as it deems fit.

#### *Seizure and Forfeiture*

- 80. A military court may, with regard to procedural matters not laid down by this order, adopt any course which it deems to be best calculated to ensure that justice is done.
  - (A) Any soldier may seize and detain any goods, articles, documents or things which, he has reasonable grounds to suspect, prove that an offence against this order has been committed, or are the reward for the committing of any such offence, or the means by which an offence has been committed or ordered or facilitated, and which may serve as evidence that an offence against the terms of this order has occurred.

- (B) Any goods, articles, documents or things which prove that an offence against this order has been committed, or which have been given as a reward for the commission of such an offence, or to commission or facilitate any such offence, shall be dealt with in whatever way the Area Commander shall direct.
- (C) Any goods, articles, documents or things seized in accordance with this clause which, it is subsequently discovered, have not been used for the commission, rewarding, execution or facilitation of an offence under the terms of this order, and which cannot be used as evidence that an offence against this order has been committed, shall be released in accordance with directions of the Area Commander.

#### *Investigations*

- 81. An officer or soldier, authorised by an officer generally or specifically, may at any time enter any place, vehicle, ship or aircraft, which, he has reason to suspect, is being used or has been used for any purpose prejudicial to public safety, the security of the Israeli Defence Forces or its soldiers, the maintenance of public order, or for purposes of inciting rebellion, riot or disturbance, or in which he suspects that a person who has committed an offence against the terms of this order may be hiding, and he may search the place, vehicle, ship or aircraft and any person found on the premises or leaving the premises.

#### *Personal Check*

- 82. Any soldier may detain and search any person who, he has reason to suspect, has been using any article liable to seizure under this order, or any animal on which, he has reason to suspect, any such article is hidden.

#### *Stopping Vehicles, Vessels and Aircraft*

- 83.
  - (A) Any person authorised by this order to enter any vehicle, ship or airplane may stop or detain the same using force if necessary.
  - (B) If any person in command or charge of any vehicle, ship or airplane, does not stop the said vehicle immediately when called upon to do so, either orally, or by signals, or by any other means, by any person authorised to do so, he shall be guilty of an offence under the terms of this order.

#### *Delegation of Jurisdiction*

- 84. The jurisdiction to arrest, seize, forfeit, search, conduct body searches, and stop vehicles, ships and airplanes, which is vested in a soldier in accordance with this clause shall be extended to cover any offences against security provisions, or any other law in effect in the area or in any other territory occupied by the Israeli Defence Forces.

## SECTION V - RESTRICTION ORDER, SUPERVISION ORDERS AND ADMINISTRATIVE DETENTION

#### *Restriction Orders*

- 85.
  - (A) A Military Commander may, in relation to any individual, pass an order for all or any part of the following purposes:
    - 1. For ensuring that an individual is not allowed access to any region or area which the order specifies, except insofar as he may be permitted to enter by the order, or by the authority of any person who may be specified in the order;
    - 2. For requiring that individual to notify the authority or person specified in the order of his movements in such manner and at such times as may be specified by the order;
    - 3. Prohibiting or restricting the possession or use by that person of any articles specified in the order;
    - 4. Imposing upon him restrictions in respect of his employment or business, or his association with other persons, or his activities in relation to the dissemination of information or opinions, as may be set out in the order.
  - (B) If any person contravenes the terms of this clause, he shall be guilty of an offence against this order.

*Special Supervision*

- 86.
  - (A) A Military Commander may direct by order that any person shall be placed under special supervision.
  - (B) Any person placed under special supervision in accordance with this clause shall be subject to all or some of the following restrictions as the Military Commander shall order:
    - 1. He shall be required to reside within the limits of a particular area in the region, which shall be specified by the Military Commander by order;
    - 2. He shall not leave the town, village or sub-district within which he resides without the written permission of the Military Commander;
    - 3. He shall at all times keep the Military Commander or his delegate, informed of the whereabouts of his residence;
    - 4. He shall be obliged to present himself, whenever requested to do so by the Military Commander at the place which he orders;
    - 5. He shall remain within the doors of his house during such hours as the Military Commander may specify by order;
  - (C) A soldier may arrest any person against whom an order has been made in accordance with the terms of sub-clauses (A) and (B) and may convey him to the area in which he should be.
  - (D) Any person who contravenes an order in accordance with this clause shall be guilty of an offence against the terms of this order.
  - (E) The provisions concerning the right of appeal specified in clause 87 (E), (with such alterations as may be necessary in the circumstances), shall apply to any person against whom a supervision order has been made in accordance with this clause.

*Administrative Detention*

- 87.
  - (A) A Military Commander, or anybody to whom he delegates his authority in this capacity, may issue an order determining that an individual be detained in whatever place of detention specified by the order.
  - (B) When an order is issued in accordance with this clause against any person who, under the terms of clauses 85 or 86, is already subject to an order, the order issued under this clause shall be deemed to take precedence.
  - (C) Any person who issues a detention order in accordance with this clause shall immediately in writing and not later than ninety-six hours after passing the order, inform the legal advisor of the Area Commander and the legal advisor of the Military Commander thereof.
  - (D) Any soldier may arrest any person against whom an order has been issued, in accordance with the terms of this clause, by the Military Commander, and may convey him to the place of detention specified in the arrest order.
  - (E) An appeals committee shall be established for the purpose of this order appointed by the Area Commander and shall be presided over by a judge. The function of such a committee shall be to consider any appeal against an order issued in accordance with this clause and to inform the Area Commander of its recommendations. The committee shall examine the case of any person who is detained in accordance with this clause at least once every six months regardless of whether the individual has appealed or not.
  - (F) Any person held in a place of detention in accordance with the provisions of this clause who commits a breach of discipline and obedience while in detention shall be guilty of an offence under this order.

SECTION VI - RESTRICTIONS

*Transport and Traffic*

- 88.
  - (A) A Military Commander, or a person acting under the general or specific authority of a Military Commander, may through the issuing of an order or instructions, or otherwise:

- 1. Prohibit, restrict or regulate the use of certain roads or set the routes to be followed by vehicles or animals or persons generally or of any specific class;
- 2. Require of any person owning or having in their possession, or under their control any vehicle, to use the vehicle for the conveyance of such goods at such times and by such routes as may be specified by him;
- 3. Prohibit, restrict or regulate the movement of people in general, or of people of any specified class, or particular individuals, in airplanes.
- (B) Any soldier may issue an order requiring any of the inhabitants of any town, village, area or quarter, either in whole or in part, to remove from a road any barricade or obstruction, or any glass, nails or other obstacles which may prevent the use of such road.
- (C) Any person who contravenes any order, provision or requirement issued in accordance with the terms of this clause shall be guilty of an offence under this order.

#### *Curfews*

- 89. A Military Commander may issue an order requiring every person within a specified area to remain within doors during the hours set by the order. Anyone who is found out of doors without a written permit issued by or on behalf of a Military Commander, in the area or during the hours set by the order, shall be guilty of an offence under this order.

#### *Closed Areas*

- 90.
  - (A) A Military Commander may issue an order declaring any area or place to be a closed area. Anyone who is found entering or leaving the area without a written permit issued by or on behalf of a Military Commander, or with a permit which was issued under false pretenses, shall be guilty of an offence under this order.
  - (B) Any person who enters a area or place closed in accordance with sub-clause (A) without a written permit issued by or on behalf of a Military Commander or with a permit which was issued under false pretenses, or who remains in the area or place subsequent to the expiry of the validity of such a permit or in contravention of the conditions set by the permit, may be removed from the area or place by a soldier.

#### *Opening and Closing of Premises*

- 91.
  - (A) A Military Commander may issue an order under the following circumstances:
    - 1. If it appears to him to be necessary, in the interests of maintaining essential services, he may require any person who is in possession of business premises, an institute of learning, or any other place which is visited by the public or part thereof (hereinafter referred to as "the place") which he may have reason to believe to have been closed in pursuance of an organised or general closure of places, to open the place and carry on business as usual.
    - 2. If it appears to him to be necessary, in the interests of maintaining normal administrative services, public order and the security of the Israeli Defence Forces, he may require any person in possession of a place to close it, and cease conducting business therefrom, and to keep it closed for such period as is specified in the order.
  - (B) In this clause
    - "Business premises" shall include any workshop, factory, commercial premises, shop, restaurant, buffet bar, pharmacy, bakery, laundry and any business which manufactures or sell goods or provides services for the public;
    - "Possesses" in relation to any place or business premise, shall include the proprietor, the manager, the clerk, the deputy or any person who has control of any place or is able to operate the same.
  - (C) Any person breaking the terms of this clause shall be guilty of an offence under this order.

## SECTION VII - VARIOUS PROVISIONS

#### *General Punishment*

- 92. Any person contravening any provision of this order or failing to observe any provision or obligation specified in the security provisions, shall be liable to imprisonment for five years or to

a fine of five thousand Israeli liras or to both such punishments together, if no other punishment is specified for the offence.

*Offences by Corporations*

- 93. In circumstances in which a person convicted of an offence against the security provisions is a corporate body, every person who, at the time the offence was committed, was a director or officer of the corporate body shall be deemed to be guilty of that offence, unless he proves that the offence was committed without his knowledge or that he exercised all reasonable means to prevent the commission of the offence.

*Burden of Proof*

- 94. It shall be the responsibility of any person charged in connection with an offence against the security provisions to prove that his case comes within any exemption, or allowance or right which he pleads or that he is in possession of any licence, permit, consent or authorisation.

*Repeals*

- 95. This order shall repeal:
  - 1. Military Order 12 - Order Concerning The Application of Provisions (Yehuda and Shomron) 5727 - 1967;
  - 2. Military Order 157 - Order Concerning the Extension of Warrants of Arrest (Temporary Provisions) (Yehuda and Shomron) 5728 - 1967;
  - 3. Military Proclamation 3 - Order Concerning Security Provisions (Yehuda and Shomron) 5727 - 1967.

*Commencement of Validity*

- 96. This order shall come into force on the twenty-eighth day of Nissan 5730 (1 st May 1970).

*Name*

- 97. This order shall be called "An Order Concerning Security Provisions" (Yehuda and Shomron) No. 378, 5730 - 1970.

14<sup>th</sup> Nissan 5730 (20<sup>th</sup> April 1970)

RAPHAEL VARDI, TAT-ALUF, Area Commander, Yehuda and Shomron



**THE JARRING MISSION, FIRST AND SECOND PHASE, REPORT BY UN SECRETARY GENERAL U THANT (S/10070), 4 JANUARY 1971 [EXCERPTS]**

*[UNSC Res. 242 (22 Nov. 1967) had called for the appointment of a special Middle East representative to assist in efforts to achieve a peaceful and accepted settlement in the region. Sweden's Amb. to the USSR, Dr. Gunnar Jarring, was appointed and met with Israeli and Arab leaders starting in early 1968. The following are excerpts of the first and second phase of his Mission. The second part includes the correspondence relating to the suspension and the resumption of the talks in late 1970.]*

1. On November 22, 1967, the Security Council adopted resolution 242 (1967) which reads as follows:

*"The Security Council,*

*"Expressing its continuing concern with the grave situation in the Middle East,  
Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,*

*"Emphasising further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,*

*"(1) Affirms that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:*

*(i) Withdrawal of Israel armed forces from territories occupied in the recent conflict;*

(ii) *Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to live in peace within secure and recognised boundaries free from threats or acts of force;*

"(2) *Affirms further the necessity*

(a) *For guaranteeing freedom of navigation through international waterways in the area;*

(b) *For achieving a just settlement of the refugee problem;*

(c) *For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarised zones;*

"(3) *Requests the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;*

"(4) *Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible*".

2. On November 23, 1967, I reported to the Council (S/8259) that I had invited Ambassador Gunnar V. Jarring of Sweden to accept the designation as the Special Representative mentioned in paragraph 3. [...]

ACTIVITIES OF THE SPECIAL REPRESENTATIVE DURING THE PERIOD  
DECEMBER 9, 1967 TO NOVEMBER 26, 1968

4. When the Special Representative first met with the parties in December 1967, he found that the Israeli Government was of the firm view that a settlement of the Middle East question could be reached only through direct negotiations between the parties culminating in a peace treaty and that there could be no question of withdrawal of their forces prior to such a settlement. On December 27, the Minister for Foreign Affairs of Israel, Mr. Abba Eban, communicated to the Special Representative a proposal that Israel and the United Arab Republic representatives should, as a first step, discuss an agenda for peace. The Israeli proposals for such an agenda were:

"(1) **Political and juridical problems:** *The replacement of cease-fire arrangements by peace treaties ending the state of belligerency, ending all hostile acts and threats and embodying a permanent undertaking of mutual non-aggression.*

"(2) **Territorial and security problems:** *The determination of agreed territorial boundaries and security arrangements. Agreement on this measure would determine the deployment of armed forces after the cease-fire.*

"(3) **Navigation problems:** *Practical methods should be discussed for ensuring free navigation for all States including Israel in the Suez Canal and the Gulf of Aqaba when the cease-fire is replaced by peace. In the light of tragic experience, it is evident that international declarations cannot by themselves solve this problem. Concrete measures and guarantees are required.*

"(4) **Economic problems:** *Proposals for terminating boycott practices and instituting normal economic relations.*"

5. The United Arab Republic and Jordan, for their part, insisted that there could be no question of discussions between the parties until the Israeli forces had been withdrawn to the positions occupied by them prior to 5 June 1967. Reacting specifically to the Israeli proposals for discussing an agenda for peace, the Minister for Foreign Affairs of the United Arab Republic, Mr. Mahmoud Riad, stated that the withdrawal of Israel's forces to the positions held prior to June 1967 was a basic and preliminary step to a peaceful settlement in the Middle East.
6. An Israeli proposal for discussions on an agenda for peace with Jordan was submitted to the Special Representative on 7 January 1968. It followed the same general lines as the proposal for the United Arab Republic but contained more detailed suggestions for economic co-operation, as well as the following new topics;

**"Humanitarian problems:** *In the proposed negotiations, high priority should be given to a solution of the refugee problem with international and regional cooperation.*

**"Religious and historical sites:** *Access to sites of special religious significance should be discussed. The Government of Israel clarified its views on this subject in several verbal and written communications to the United Nations."*

It was also stated:

*"In the meantime, it is urgent that breaches of the cease-fire and activities by El Fatah and other such organisations should be suppressed and every effort made on both sides to avoid exchanges of fire."*

7. The proposals, when communicated to the Jordanian authorities by the Special Representative, were objected to in the same way as the proposals to the United Arab Republic had been.
8. Faced with these conflicting positions, the Special Representative sought to obtain from the parties an assurance that they would implement Security Council resolution 242 (1967), in the hope that such a declaration would be regarded as a basis for subsequent discussions between the parties. The Special Representative received from Foreign Minister Eban a number of formulations of Israel's position on the Security Council resolution, of which the last, dated 19 February 1968, read as follows:

*"(1) The Government of Israel, out of respect for the Security Council's resolution of 22 November 1967 and responding affirmatively thereto, assures you of its full co-operation in your efforts with the States concerned to promote agreement and to achieve an accepted settlement for the establishment of a just and lasting peace, in accordance with your mandate under the resolution.*

*"(2) Israel's position has throughout been that the best way to achieve the objective of the Security Council resolution is through direct negotiations. However, as a further indication of Israel's co-operation, we are willing that this be done in a meeting convened by the Special Representative of the Secretary-General.*

*"(3) On 12 February 1968, I informed you of Israel's acceptance of the Security Council's call, in its resolution of 22 November 1967, for the promotion of agreement on the establishment of peace. The United Arab Republic is also aware of Israel's willingness as explained on 1 February to negotiate on all matters included in the Security Council's resolution. We accept the sponsor's view that the principles recommended for inclusion in the peace settlement are integrally linked and interdependent.*

*"(4) We have noted the United Arab Republic's willingness to 'implement' the Security Council's resolution and fulfil its obligations thereunder. It is a matter of concern that the United Arab Republic statements, unlike those of Israel, do not specifically use the precise terms of the resolution in such crucial matters as 'agreement' and the 'establishment of a just and lasting peace', and that the United Arab Republic has not yet agreed to a process of negotiation without which, of course, a declaration of willingness to fulfil the resolution is of no substantive effect. The resolution is a framework for agreement.*

*"It cannot be fulfilled without a direct exchange of views and proposals leading to bilateral contractual commitments. The United Arab Republic position is, therefore, still deficient in important respects. We are, however, conscious of the importance of the fact that the United Arab Republic and Israel have both responded affirmatively to the call for co-operating with you in the mission laid upon you by the Security Council.*

*"At the same time, it would be unrealistic to ignore that there have been sharp differences of interpretation of what the resolution entails. To subscribe to similar declarations does not in itself solve practical issues at stake.*

*"(5) It is accordingly urgent to move forward to a more substantive stage and to embark on a meaningful negotiation for achieving the just and lasting peace called for by the Security Council."*

In discussions with the Special Representative, Foreign Minister Eban stated that Israel would not object to an indirect approach to negotiations provided that it was designed to lead to a later stage of direct negotiations and agreement.

9. The United Arab Republic Foreign Minister gave repeated assurances that the United Arab Republic was ready to implement the Security Council resolution as a whole and to fulfil its obligations under it, but stated that it would not accept direct negotiations. The United Arab Republic accepted indirect negotiations; however, the first step must be an Israeli declaration "in clear language" that it would implement the Security Council resolution.
10. The Jordanian authorities expressed a similar point of view to the Special Representative.
11. The Special Representative then proceeded to United Nations Headquarters for consultations with the Secretary-General. Returning to the area at the beginning of March, he informally presented to the parties, to ascertain their reactions, a draft letter from himself to the Secretary-General, which would be worded as follows:

*The Governments of Israel and the United Arab Republic (Jordan) have both indicated to me that they accept Security Council resolution 242 (1967) of 22 November 1967 for achieving a peaceful and accepted settlement of the Middle East question and intend to devise arrangements, under my auspices, for the implementation of the provisions of the resolution.*

*"The two Governments have expressed their willingness to co-operate with me in my capacity as Special Representative of the Secretary-General in the discharge of my tasks of promoting agreement and achieving such a settlement.*

*"In view of the urgency of the situation and with a view to expediting efforts to reach settlement, I have invited the two Governments to meet with me, for conferences within the framework of the Security Council resolution, in Nicosia. I have pleasure in informing you that the two Governments have responded favourably to this invitation."*

12. When Ambassador Jarring presented this text to the United Arab Republic Foreign Minister on 7 March 1968, the latter stated that recent statements by Israeli leaders showed that they were following an expansionist line. It was no longer sufficient to have Israel give an assurance of intent to implement the resolution; the Arabs had to be satisfied that the Israelis were going to "implement if for action". If the Israelis withdrew completely from the occupied territories, peace could be arrived at by the implementation of the other provisions of the Security Council resolution under the Council's guidance.
13. In a meeting on 10 March, the Special Representative informed the Israeli Foreign Minister of the United Arab Republic attitude. He then informally showed his draft letter to the Foreign Minister, who expressed the personal view that it would be fully acceptable to the Israeli authorities if it was also accepted by the other side and led to contact between them. Subsequently the Special Representative was informed of Israel's official acceptance, without conditions, of the text.
14. In a meeting on 14 March, the Jordanian authorities stated that they were ready to accept the proposed meeting in principle provided that the text was modified to read that the parties had "declared their readiness to implement the resolution".
15. During the following weeks, Ambassador Jarring paid repeated visits to the countries concerned in an endeavour to obtain from the Israelis a more precise formulation of their acceptance of the resolution and from the two Arab States acceptance of the idea of meetings between the parties under his auspices.
16. At a meeting in Amman on 16 April 1968, the Jordanian authorities stated that they were prepared to accept the text of the Special Representative's draft letter provided that the third paragraph was amended to read as follows:

*"In view of the urgency of the situation and with a view to expediting efforts to reach settlements, I will meet with representatives of Israel and Jordan for conferences within the framework of the Security Council resolution, in New York. I have pleasure in informing you that the two Governments have responded favourably hereto."*

The acceptance was based on the assumption that the United Arab Republic would accept an identical text.

17. The Israeli authorities found difficulties in the Jordanian amended text. They had accepted meetings at Nicosia, on the understanding that the Special Representative's invitation would lead to joint meetings. The new text appeared to give the impression that only meetings between the parties and the Special Representative were intended. The change of venue, while not objectionable in principle, tended to create the impression that only discussions with the permanent missions in the scope of normal United Nations activities would take place; a change from Nicosia to a European city would be acceptable.
18. The United Arab Republic Foreign Minister at first continued to insist on a prior declaration by Israel of its intention to implement the Security Council resolution. Finally, however, on 9 May, on the eve of the Special Representative's departure from the area (see following paragraph), he replied to the Special Representative's proposed invitation in the form amended by Jordan in the following written statement:

*"With reference to your indication to me today of your desire to meet with a representative of the United Arab Republic in New York, I wish to reaffirm the readiness of our Permanent Representative to the United Nations in New York to meet with you to continue the contacts which you have been conducting with the parties concerned in accordance with Security Council resolution 242 (1967) of 22 November 1967 for the implementation of that resolution.*

*"I have referred in the course of our previous meetings to the importance of the setting of a timetable for the implementation of the resolution of the Security Council, and offered you several alternatives towards that end, one of which, that you present a time-table prepared by yourself for the implementation of the resolution. These suggestions emanate from the United Arab Republic's indication to you of its acceptance and readiness to implement the above-mentioned resolution.*

*"I wish to express anew our willingness to co-operate with you in your capacity as Special Representative of the Secretary-General in the discharge of your tasks as defined in the Council's resolution of 22 November 1967."*

The United Arab Republic Foreign Minister repeated that the United Arab Republic was ready to implement the resolution as a whole and as a "package deal". It insisted, however, that Israel should do likewise, including complete withdrawal.

19. Ambassador Jarring was faced with a position where there was now agreement, though clearly with considerable differences of interpretation, on the first two paragraphs of his proposed invitation, but where there was disagreement on the third paragraph containing the actual invitation. Further journeying backwards and forwards between the various countries was unlikely to be productive. In consultations with me, he considered issuing a formal invitation along the lines of his proposal, but with the venue at New York, but it was felt that a forced acceptance obtained by such an invitation would not be helpful.

Instead it was decided that the talks in New York should begin without a formal invitation by the Special Representative or a letter from the Special Representative to the Secretary-General, but on the basis of a short statement to the press in which it would be announced that the Special Representative was arriving in New York for consultations in continuation of his mission...

22. In the five weeks following his arrival in New York, Ambassador Jarring pursued actively his contacts with the permanent representatives of the parties at both a formal and informal level. Unfortunately these contacts did not serve in any way to break the dead-lock between the parties concerning the interpretation of the Security Council resolution and the manner in which it should be implemented. In that regard, the Permanent Representative of Israel had stated in the Security Council on 1 May 1968:

*"In declarations and statements made publicly and to Mr. Jarring, my Government has indicated its acceptance of the Security Council resolution for the promotion of agreement on the establishment of a just and durable peace. I am also authorized to reaffirm that we are willing to seek agreement with each Arab State on all the matters included in that resolution."*

This statement was not regarded as acceptable by the Arab representatives.

23. Returning to New York on 22 July after a short stay in Europe during which he had met, in various capitals, the Foreign Ministers of the United Arab Republic, Israel and Jordan, Ambassador Jarring decided, with my approval, to return to the Middle East and resume his direct contacts with the parties.

This second round of discussions, which began on 16 August 1968, took the form of an exchange of questions and of comments between the parties through the Special Representative ...

Those written statements were in amplification of the positions of the parties as publicly stated in the General Assembly and made clear the essential differences between them. On the one hand, Israel regarded the Security Council resolution as a statement of principles in the light of which the parties should negotiate peace and, on the other hand, the United Arab Republic considered that the resolution provided a plan for settlement of the Middle East dispute to be implemented by the parties according to modalities to be established by the Special Representative.

It was also abundantly clear that there was a crucial difference of opinion over the meaning to be attached to the withdrawal provisions of the Security Council resolution, which according to the Arab States, applied to all territories occupied since 5 June 1967 and, according to Israel applied only to the extent required when agreement had been reached between the parties on secure and recognized borders between them. [...]

#### ACTIVITIES OF THE SPECIAL REPRESENTATIVE DURING THE PERIOD 27 NOVEMBER 1968 TO JUNE 1970

- [...] 28. It has been the hope of Ambassador Jarring, in submitting his questions, that the replies might show certain encouraging features which might make it possible to invite the parties for a series of meetings between them and him at some mutually convenient place.

Unfortunately, the replies were in general a repetition of attitudes already expressed to Ambassador Jarring on numerous occasions from the beginning of his mission. They showed continued serious divergencies between the Arab States and Israel both as regards the interpretation to be given to the Security Council resolution and as to the procedures for putting its provisions into effect.

29. Ambassador Jarring was regretfully forced to conclude, with my agreement, that the conditions for convening a useful series of meetings at that time did not exist ...
32. On 3 April 1969, the Permanent Representatives of France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America began a series of meetings on the Middle East question, which have continued at various intervals up to the present time. After each such meeting, the Chairman reported to me on the substance of the discussions and I kept Ambassador Jarring informed.

#### *The attempt to hold discussions under the Special Representative's auspices (June 1970-4 January 1971)*

33. In June 1970, the Government of the United States of America proposed to the Governments of Israel, Jordan and the United Arab Republic that they should each advise Ambassador Jarring as follows:
- (a) that having accepted and indicated their willingness to carry out resolution 242 in all its parts, they will designate representatives to discussions to be held under his auspices, according to such procedure and at such places and times as he may recommend, taking into account as appropriate each side's preference as to method of procedure and previous experience between the parties;
  - (b) that the purpose of the aforementioned discussions is to reach agreement on the establishment of a just and lasting peace between them based on (1) mutual acknowledgement by the United Arab Republic, Jordan and Israel of each other's sovereignty, territorial integrity and political

independence, and (2) Israeli withdrawal from territories occupied in the 1967 conflict, both in accordance with resolution 242;

- (c) that, to facilitate his task of promoting agreement as set forth in resolution 242, the parties will strictly observe, effective 1 July, at least until 1 October, the cease-fire resolutions of the Security Council.

34. Having been informed by the United States Government that the States concerned had accepted its peace initiative, I invited Ambassador Jarring to return immediately to Headquarters, where he arrived on 2 August...

I was informed by the United States Representative that his Government had received the acceptance of the Governments of the United Arab Republic and Israel to a standstill cease-fire for a period of ninety days from 2200 GMT on the same day. Ambassador Jarring and I had previously been informed by Secretary of State Rogers that his Government would take responsibility for organizing the standstill cease-fire.

35. Ambassador Jarring at once entered into contact with the parties and, after considering their views on the time and place of the discussions, on 21 August 1970 addressed to them invitations to take part in discussions opening at New York on 25 August 1970. He met on the appointed day with representatives of each of the parties. However, Ambassador Tekoah, who had been designated by Israel as its representative for the initial phase of the talks, then stated that he had been instructed by his Government to return to Israel for consultations. On his return on 8 September, he communicated to Ambassador Jarring the following decision of his Government:

*"Israel's acceptance of the United States peace initiative according to its decision of 4 August 1970, and the appointment of a representative to the talks under the auspices of Ambassador Jarring are still in effect.*

*"The Government of Egypt has gravely violated the cease-fire standstill agreement, and this violation is continuing without let-up.*

*"The strictest observance of the cease-fire standstill agreement is one of the central elements of the American peace initiative and of the talks under the auspices of Ambassador Jarring.*

*"Therefore, so long as the cease-fire standstill agreement is not observed in its entirety, and the original situation restored, Israel will not be able to participate in these talks".*

38. On 30 December, Ambassador Jarring received in Moscow a message from the Foreign Minister of Israel in which the latter informed him of the readiness of the Government of Israel to resume its participation in the talks.

### **Questions submitted by Ambassador Gunnar Jarring to the Arab Governments and Israel**

Specific lists of questions based on the following general list were submitted by Ambassador Jarring to the Governments of the United Arab Republic on 5 March of Jordan on 8 March of Israel on 9 March and of Lebanon on 14 March 1969.

#### **A. The questions**

1. Does Israel (Jordan, Lebanon, United Arab Republic) accept Security Council resolution 242 (1967) for implementation for achieving a peaceful and accepted settlement of the Middle East question in accordance with the provisions and principles contained in the resolution?
2. Does Israel (Jordan, Lebanon, United Arab Republic) agree to pledge termination of all claims or states of belligerency with Jordan, Lebanon and the United Arab Republic (Israel)?
3. Does Israel (Jordan, Lebanon, United Arab Republic) agree to pledge respect for and acknowledgement of the sovereignty, territorial integrity and political independence of Jordan, Lebanon, and the United Arab Republic (Israel)?
4. Does Israel (Jordan, Lebanon, United Arab Republic) accept the right of Jordan, Lebanon and the United Arab Republic (Israel) to live in peace within secure and recognized boundaries free from threats or acts of force?

5. If so, what is the conception of secure and recognized boundaries held by Israel (Jordan, Lebanon, United Arab Republic)?
6. Does Israel agree to withdraw its armed forces from territories occupied by it in the recent conflict?
7. Does the United Arab Republic agree to guarantee freedom of navigation for Israel through international waterways in the area, in particular:
  - (a) through the Straits of Tiran, and
  - (b) through the Suez Canal?
8. Does Israel (Jordan, Lebanon, United Arab Republic) agree that, if a plan for the just settlement of the refugee problem is worked out and presented to the parties for their consideration, the acceptance in principle of such a plan by the parties and the declaration of their intention to implement it in good faith constitute sufficient implementation of this provision of the Security Council resolution to justify the implementation of the other provisions?
9. Does Israel (Jordan, Lebanon, United Arab Republic) agree that the territorial inviolability and political independence of the States and the area should be guaranteed:
  - (a) by the establishment of demilitarized zones;
  - (b) through additional measures?
10. Does Israel agree that such demilitarized zones should include areas on its side of its boundaries?
11. Does Jordan agree that a demilitarized zone should be established in Jordanian territory from which Israel armed forces have been withdrawn?
12. Does the United Arab Republic agree that a demilitarized zone should be established:
  - (a) at Sharm el-Sheikh;
  - (b) in other parts of the Sinai peninsula?
13. Does Israel (Jordan, Lebanon, United Arab Republic) agree that demilitarization of such zones should be supervised and maintained by the United Nations?
14. Would Israel (Jordan, Lebanon, United Arab Republic) accept as a final act of agreement on all provisions a mutually signed multilateral document which would incorporate the agreed condition for a just and lasting peace?

#### B. Reply of the Government of Israel

(Handed to Ambassador Jarring in Jerusalem by the Minister for Foreign Affairs on 2 April 1969.)

Dear Ambassador Jarring,

Israel's position on all the subjects raised in your 11 questions has been stated in detail in my address to the General Assembly of 8 October 1968, and in the memoranda presented to you on 15 October 1968, and 4 November 1968.

I now enclose specific replies in an affirmative spirit to the questions as formulated. It is my understanding that on the basis of the answers received from the three Governments you propose to pursue further mutual clarifications in an effort to promote agreement on all the matters at issue in accordance with your mandate. We are ready to join in this process at any appropriate place.

Israel's statements of attitude, including its replies to these questions, has taken into account recent developments in Arab policy including the speeches recently delivered by President Nasser and other Arab leaders. We have noted the specific and emphatic reiteration of their refusal to make peace with Israel, to recognize Israel, to negotiate with Israel, to cease terrorist attacks on Israel or to admit the possibility of sovereign co-existence in any field. It would appear at this time that the effective negation by the UAR of the principles of the Charter and of the Security Council's Resolution is obvious and vehement. We hope that this policy, to which effect is given every day, will change; but these authoritative statements have caused deep concern and have intensified the tension which we would have wished to see relieved.

It is also our view that highly publicized encounters by four member States have weakened the attention which should have been concentrated on the efforts of the parties themselves to move towards agreement. They are causing a duplication and dispersal of effort. They have also encouraged a wrong impression in some quarters that a solution can be sought outside the region and without its Governments. Israel recognizes your mission as the authoritative international framework within which peace between the States in the Middle East should be promoted.

I recall the idea which we discussed some weeks ago that the Foreign Ministers of the three Governments should meet with you at a suitable place to pursue the promotion of agreement. As you will remember, I reacted positively to this idea. I wish to re-affirm that Israel will continue to cooperate with you in the fulfilment of your mission.

Yours sincerely,

(Signed) Abba Eban

*Answer to Question One:*

Israel accepts the Security Council Resolution (242) for the promotion of agreement on the establishment of a just and lasting peace, to be reached by negotiation and agreements between the Governments concerned. Implementation of agreements should begin when agreement has been concluded on all their provisions.

*Answer to Question Two:*

It is the Arab States, not Israel, which claimed and originated states of belligerency. They declared themselves for two decades to be in a state of unilateral war with Israel. It is therefore primarily incumbent upon them to terminate the state of war with Israel.

On the establishment of peace with its Arab neighbours, Israel agrees to the termination, on a reciprocal basis, of all claims or states of belligerency with each State with which peace is established. A declaration specifying each State by name would be made by Israel in each case.

The corresponding statement by any Arab State must specifically renounce belligerency "with Israel" and not "with any State in the area." Legal obligations must be specific in regard to those by whom they are bound.

Renunciation of belligerency includes the cessation of all maritime interference, the cessation of boycott, measures involving third parties; the annulment of reservations made by Arab States on the applicability to Israel of their obligations under international conventions to which they have adhered; non-adherence to political and military alliances and pacts directed against Israel or including States unwilling to renounce claims or states of belligerency with Israel and maintain peaceful relations with it; the non-stationing of armed forces of such other States on the territory of the contracting States and the prohibition and prevention in the territory of Arab States of all preparations, actions or expeditions by irregular or para-military groups or by individuals directed against the lives, security or property of Israel in any part of the world.

The last stipulation is without prejudice to the fact that the responsibility of Arab Governments for preventing such activities is legally binding under the cease-fire established by the parties in June 1967.

*Answer to Question Three:*

Israel agrees to respect and acknowledge the sovereignty, territorial integrity and political independence of neighbouring Arab States; this principle would be embodied in peace treaties establishing agreed boundaries.

*Answer to Question Four:*

Israel accepts the right of Jordan, Lebanon, the United Arab Republic and other neighbouring States to live in peace within secure and recognized boundaries, free from threats or acts of force. Explicit and unequivocal reciprocity is Israel's only condition for this acceptance. "Acts of force" include all preparations, actions or expeditions by irregular or para-military groups or by individuals directed against the life, security or property of Israel in any part of the world.

*Answer to Question Five:*

Secure and recognized boundaries have never yet existed between Israel and the Arab States; accordingly, they should now be established as part of the peace-making process. The cease-fire should be replaced by peace treaties establishing permanent, secure and recognized boundaries as agreed upon through negotiation between the Governments concerned.

*Answer to Question Six:*

When permanent, secure and recognized boundaries are agreed upon and established between Israel and each of the neighbouring Arab States, the disposition of forces will be carried out in full accordance with the boundaries determined in the peace treaties.

*Answer to Question Seven: [general question eight]*

The refugee problem was caused by the wars launched against Israel by Arab States, and has been perpetuated through the refusal of Arab States to establish peaceful relations with Israel. In view of the human problems involved in this issue, Israel has expressed its willingness to give priority to the attainment of an agreement for the solution of this problem through regional and international cooperation. We believe that agreement could be sought even in advance of peace negotiations. We suggest that a conference of Middle Eastern States should be convened, together with the Governments contributing to refugee relief and the Specialized Agencies of the United Nations, in order to chart a five-year plan for the solution of the refugee problem in the framework of a lasting peace and the integration of refugees into productive life. This conference can be called in advance of peace negotiations.

Joint refugee integration and rehabilitation commissions should be established by the Governments concerned in order to work out agreed projects for refugee integration on a regional basis with international assistance.

In view of the special humanitarian nature of this issue we do not make agreement on plans for a solution of the refugee problem contingent on agreement on any other aspect of the Middle Eastern problem. For the same reason, it should not be invoked by Arab States to obstruct agreement on other problems.

*Answer to Question Eight: [General question 9]*

The effective guarantee for the territorial inviolability and political independence of States lies in the strict observance by the Governments of their treaty obligations. In the context of peace providing for full respect for the sovereignty of States and the establishment of agreed boundaries, other security measures may be discussed by the contracting Governments.

*Answer to Questions Nine and Ten: [general questions 10 and 13]*

Without prejudice to what is stated in answer to Question Eight, it is pointed out that experience has shown that the measures mentioned in Questions Nine and Ten have not prevented the preparation and carrying out of aggression against Israel.

*Answer to Question Eleven: [general question 14]*

Peace must be juridically expressed, contractually defined and reciprocally binding in accordance with established norms of international law and practice. Accordingly, Israel's position is that the peace should be embodied in bilateral peace treaties between Israel and each Arab State incorporating all the agreed conditions for a just and lasting peace. The treaties, once signed and ratified, should be registered with the Secretariat of the United Nations in accordance with Article 102 of the United Nations Charter.

C. Reply of the Government of Jordan

(Received by Ambassador Jarring in Nicosia.)

23 March 1969

Your Excellency,

Following are the answers of my Government to the questions which you presented to us in Amman, on Saturday, 8 March 1969. The answers as numbered, hereunder, correspond to your questions.

These answers explain my Government's position, which position has repeatedly been stated to Your Excellency throughout our past meetings.

May I take this opportunity to express to you my continued sincere wishes for your success in the important mission with which you are entrusted.

Yours sincerely, (Signed) Abdul Monem Rifa'I, Minister of Foreign Affairs

*Answer (1)*

Jordan, as it has declared before, accepts the Security Council resolution 242 (1967) and is ready to implement it in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles contained in the resolution.

*Answer (2)*

Jordan agrees to pledge termination of all claims or states of belligerency. Such a pledge becomes effective upon withdrawal of Israeli forces from all Arab territories which Israel occupied as a result of its aggression of 5 June 1967.

A pledge by Israel to terminate the state of belligerency would be meaningful only when Israel withdraws its forces from all Arab territories it occupied since 5 June 1967.

*Answer (3)*

On 5 June 1967, Israel launched its aggression against three Arab States, violating their sovereignty and territorial integrity. Agreement to pledge respect for and acknowledgment of the sovereignty, territorial integrity and political independence of every State in the area requires the termination by Israel of its occupation and the withdrawal of its forces from all the Arab territories it occupied as a result of its aggression of 5 June.

*Answer (4)*

Jordan accepts the right of every State in the area to live in peace within secure and recognized boundaries free from threats or acts of force, provided that Israel withdraws its forces from all Arab territories it occupied since 5 June 1967, and implements the Security Council resolution of 22 November 1967.

*Answer (5)*

When the question of Palestine was brought before the United Nations in 1947, the General Assembly adopted its resolution 181 (II) of 29 November 1947 for the partition of Palestine and defined Israel's boundaries.

*Answer (6) [General question 8]*

It has always been our position that the just settlement of the refugee problem is embodied in paragraph 11 of the General Assembly resolution 194 of December 1948, which has been repeatedly reaffirmed by each and every General Assembly session ever since its adoption.

If a plan on the basis of that paragraph is presented for consideration to the parties concerned, its acceptance by the parties and the declaration of their intention to implement it in good faith, with adequate guarantees for its full implementation, would justify the implementation of the other provisions of the resolution.

*Answers (7) (8) [General questions 9 and 11]*

We do not believe that the establishment of demilitarized zones is a necessity. However, Jordan shall not oppose the establishment of such zones if they are astride the boundaries.

*Answer (9) [General question 13]*

In case demilitarized zones are established, Jordan accepts that such zones be supervised and maintained by the United Nations.

*Answer (10) [General question 14]*

In view of our past experience with Israel and its denunciation of four agreements signed by it with Arab States, we consider that the instrument to be signed by Jordan engaging it to carry out its obliga-

tions would be addressed to the Security Council. Israel would likewise sign and address to the Security Council an instrument engaging it to carry out its obligations emanating from the Security Council resolution of 22 November 1967. The endorsement by the Security Council of these documents would constitute the final multilateral act of agreement.

#### D. Reply of the Government of Lebanon

(Received by Ambassador Jarring in Moscow on 21 April 1969.) (Translated from French.)

In reply to the questionnaire which Your Excellency addressed to me on 14 March 1969, I have the honour, on behalf of the Lebanese Government, to inform you of the following:

Lebanon is essentially involved in the general context of the Israeli-Arab conflict and, therefore, in the consequences of the war launched by Israel on 5 June 1967 because of its brotherly solidarity with the Arab States and of the threats which are constantly directed at it by Israel.

Lebanon is justified in considering, however, that the armistice agreement which it concluded with Israel on 23 March 1949 remains valid, as indicated in its message of 10 June 1967 to the Chairman of the Mixed Armistice Commission and as confirmed by U Thant, Secretary-General of the United Nations, in his report to the General Assembly of 19 September 1967. In that report, Mr. Thant, referring to the actual text of the agreement, said that it could be revised or suspended only by mutual consent. In view of Lebanon's circumstances, now and in the past, the armistice lines have, of course, never been changed. These lines, it should be noted, correspond to the frontiers of Lebanon which have always been internationally recognized in bilateral and multilateral diplomatic instruments as well as by the League of Nations and the United Nations. Lebanon participated actively in the drafting of the United Nations Charter and was admitted in its present form and structure to membership in the Organization. Its frontiers have not undergone any de facto or de jure alteration as a result of the cease-fire decisions taken by the Security Council after 5 June 1967.

It may be appropriate to state the above-mentioned facts, more particularly with a view to explaining the nature and character of the only reply which we are in a position to give to the questionnaire sent to us by Your Excellency on 14 March 1969.

In this reply, which reflects the position taken by Lebanon at inter-Arab conferences, we proclaim Lebanon's support of the position of the Arab States whose territory has been occupied by Israel and which have accepted the Security Council's decision of 22 November 1967.

The present note is consistent with the spirit of the talks which you have already held with various Lebanese officials.

Accept, sir, the assurances of my highest consideration.

*(Signed)* Youssef Salem, Minister for Foreign Affairs

#### E. Reply of the Government of the United Arab Republic

(Handed to Ambassador Jarring in Cairo by the Minister for Foreign Affairs of the United Arab Republic on 27 March 1969.)

The memorandum handed to you on 5 March 1969, during your recent visit to Cairo, clearly expresses the realities of the present situation. In its items 1-7 the memorandum gives a clear restatement of the position of the United Arab Republic which is based on the acceptance of Security Council resolution 242 of 22 November 1967, and its readiness to carry out the obligations emanating therefrom.

The memorandum also clearly expounds Israel's persistence in rejecting the Security Council resolution and its refusal to carry out its obligations emanating from it as well as Israel's plans for annexation of Arab lands through war; a policy not only prohibited by the Charter of the

United Nations but also violates the Security Council resolution which specifically emphasizes the inadmissibility of the acquisition of territory by war. It has become obvious that Israel, in its endeavour to realize its expansionist aims, is no longer satisfied with the actual rejection of the Security Council resolution but actively works against it.

The same memorandum also states Israel's expansion plan as revealed by the quoted statements of Israeli leaders. This plan aims at:

1. Annexation of Jerusalem;
2. Keeping the Syrian Heights under its occupation;
3. Occupation of the West Bank in Jordan and its complete domination, practically terminating Jordan's sovereignty in that part;
4. Economic and administrative integration of the Gaza Strip into Israel and the systematic eviction of its inhabitants;
5. Occupation of Sharm el-Sheikh and the Gulf of Aqaba area as well as the continued military presence in the eastern part of Sinai;
6. The establishment of Israeli settlements in occupied territories.

The Israeli position constitutes a flagrant violation and clear rejection of the Security Council resolution of 22 November 1967 and of the peaceful settlement for which it provides.

In the light of these undeniable facts, I find it incumbent upon me to state categorically, at the outset of the replies to the specific questions you addressed to the United Arab Republic on 5 March 1969, that all the answers of the United Arab Republic, which reaffirm its acceptance of the Security Council resolution and its readiness to carry out the obligations emanating from it require, likewise, that Israel accept the resolution and carry out all its obligations emanating from it and in particular withdrawal from all Arab territories it occupied as a result of its aggression of 5 June 1967.

*Question (1)*

The United Arab Republic, as it has declared before, accepts the Security Council resolution 242 (1967) and is ready to implement it in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles contained therein.

*Question (2)*

The United Arab Republic agrees to pledge termination of all claims or state of belligerency. Such a pledge becomes effective upon withdrawal of Israel's forces from all Arab territories occupied as a result of Israel's aggression of 5 June 1967.

A declaration by Israel terminating the state of belligerency would be meaningful only when Israel withdraws its forces from all Arab territories it occupied since 5 June 1967.

*Question (3)*

On 5 June 1967, Israel launched its aggression against three Arab States violating their sovereignty and territorial integrity. Acceptance by the United Arab Republic to pledge respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area requires the termination by Israel of its occupation and the withdrawal of its forces from all the Arab territories it occupied as a result of its aggression of 5 June, and the full implementation of the Security Council resolution of 22 November 1967.

*Question (4)*

The United Arab Republic accepts the right of every State in the area to live in peace with secure and recognized boundaries free from threats or acts of force, provided that Israel withdraws its forces from all Arab territories occupied as a result of its aggression of 5 June 1967, and implements the Security Council resolution of 22 November 1967.

*Question (5)*

When the question of Palestine was brought before the United Nations in 1947, the General Assembly adopted its resolution 181 of 29 November 1947 for the partition of Palestine and defined Israel's boundaries.

*Question (6) [General question 7]*

We have declared our readiness to implement all the provisions of the Security Council resolution covering *inter alia*, the freedom of navigation in international waterways in the area; provided that Israel, likewise, implements all provisions of the Security Council resolution.

*Question (7) [General question 8]*

It has always been our position that the just settlement of the refugee problem is embodied in paragraph 11 of the General Assembly resolution 194 of December 1948, which has been un-faithfully reaffirmed by each and every General Assembly session ever since its adoption.

If a plan on the basis of that paragraph is presented for consideration to the parties good faith, with adequate guarantees for its full implementation, would justify the implementation good faith, with adequate guarantees for its full implementation would justify the implementation of the other provisions of the Security Council resolution.

*Questions (8), (9) [General questions 9 and 12]*

We do not believe that the establishment of demilitarized zones is a necessity. However, the United Arab Republic will not oppose the establishment of such zones if they are astride the boundaries.

*Question (10)*

In case demilitarized zones are established the United Arab Republic accepts that such zones be supervised and maintained by the United Nations.

*Question (11) [General question 14]*

In view of our past experience with Israel and its denunciation of four agreements signed by it with Arab States, we consider that the instrument to be signed by the United Arab Republic engaging it to carry out its obligations should be addressed to the Security Council. Israel should, likewise, sign and address to the Security Council an instrument engaging it to carry out its obligations emanating from the Security Council Resolution of 22 November 1967. The endorsement by the Security Council of these documents would constitute the final multilateral document.

Cairo, 27 March 1969

**ANNEX II:**  
**CORRESPONDENCE RELATING TO THE RESUMPTION OF THE DISCUSSIONS**

A. Letter dated 18 November 1970 addressed to the Nfinister for Foreign Affairs of Israel:

I have the honour to refer to my letter of 7 August 1970, addressed to the Secretary General, referred to in document S/9902 in which I informed him of the agreement of your Government and of the Governments of Jordan and the United Arab Republic to the holding of discussions under my auspices for the purpose of reaching agreement on the establishment of a just and lasting peace between the parties.

As you will recall, I issued on 21 August 1970 an invitation to the parties to take part in discussions opening at New York on 25 August 1970. Ambassador Tekoah, who was Israeli representative for the initial stage of the discussions, met with me twice on the opening date, but was recalled to Israel for consultations. On his return on 8 September he communicated to me the decision of your Government, for reasons which were explained to me and have been publicly announced by your Government, to suspend its participation in the talks.

I am definitely of the view that the time has come for me once again to invite your Government to participate in discussions for the purpose of reaching agreement on the establishment of a just and lasting peace in accordance with Security Council resolution 242 (1967).

When I met you last on 5 November 1970, to consider the question of Israel's return to the discussions, I noted your concern about the influence of the debate of the General Assembly on the Middle East question and of its resolution 2628 (XXV). I wish to assure you in this connection that I am pro-

ceeding on the basis that there is no change in my mandate, which I continue to regard as having been defined in Security Council resolution 242 (1967).

You will understand, I know, my desire to make a positive report to the Secretary-General about the progress of our discussions. I am accordingly inviting your Government to reconsider its position on the question and to resume its participation in the discussions. In this connection I wish to state that I have already been informed by the Governments of Jordan and the United Arab Republic of their continued willingness to participate.

I take this opportunity to inform you that, pending a reply from your Government to this appeal, I am returning to my post in Moscow. I hope that your Government will find it possible in the near future to respond favourably to this invitation, in which case I shall be available to return to New York at twenty-four hours' notice.

*(Signed)* Gunnar Jarring

B. Letter dated 18 November 1970 addressed to the Permanent Representative of Jordan\*

\*An identical letter mutatis mutandis was sent to the Permanent Representative of the United Arab Republic.

I have the honour to inform you that I have today addressed a letter to the Israeli Minister for Foreign Affairs in which I once again appealed to his Government to resume participation in discussions for the purpose of reaching agreement on the establishment of a just and lasting peace in accordance with Security Council resolution 242 (1967).

In that connection, I keep in mind the willingness of the Governments of Jordan and the United Arab Republic, as expressed to me by yourself and your colleague from the United Arab Republic to continue to participate in such discussions.

I take this opportunity to inform you that, pending the receipt of a reply from Israel, it is my intention to return to my post in Moscow. I wish to emphasize, however, that I am ready to return here at twenty-four hours' notice on receipt of the Israeli reply.

*(Signed)* Gunnar Jarring

C. Letter dated 18 November 1970 from the Permanent Representative of the United Arab Republic

With reference to your letter of today in which you inform me of your imminent return to your post in Moscow, I note with appreciation your reference to the readiness of the United Arab Republic to co-operate fully with you.

I wish to emphasize that, conscious of its obligations under the Charter and in abiding by the Security Council resolution 242 (1967), the United Arab Republic has for the last three years consistently co-operated with you, in the sincere hope that you will successfully achieve the targets entrusted, by the Secretary-General, to you in accordance with the aforementioned resolution.

Since my Government designated me last August to enter into discussions with you, I have during several meetings restated my Government's belief in a lasting peace based on the faithful implementation of the aforementioned Security Council resolution in all its parts and consequently the restoration of all Arab lands occupied by Israel since 5 June 1967, as well as ending the injustices inflicted so far on the Arab people of Palestine.

I am sure that Your Excellency's report to the Secretary-General on your mission which will be transmitted by him of the Security Council before 5 January 1971 will be of great benefit to the members of the Security Council and will assist them in taking whatever steps they may deem necessary in carrying out the responsibility entrusted to them by the Charter.

*(Signed)* Mohamed H. El-Zayyat

D. Letter dated 1 December 1970 from the Minister for Foreign Affairs of Israel.

I have received your letter of 18 November 1970, in which you invite the Government of Israel to participate in discussions under your auspices for the purpose of reaching agreement on the establishment of a just and lasting peace in accordance with Security Council resolution 242 (1967). I note your assurance in reply to my comments on General Assembly resolution 2628 (XXV) that you are proceeding on the basis that there is no change in your mandate, which you continue to regard as having been defined in Security Council resolution 242.

On 6 August 1970, Ambassador Tekoah conveyed to you Israel's position on the United States peace initiative. This communication remains valid as the expression of Israel's policy. Concerning the discussions which we have agreed to hold under your auspices, I also draw attention to the Israel Government's decision of 6 September 1970, which was conveyed to you by Ambassador Tekoah.

On 22 November 1970, the Government of Israel adopted and published the following decision:

"The Government will act in accordance with the policy expressed in the Prime Minister's statement to the Knesset on 16 November 1970, for the creation of conditions which will justify implementation of the Government's resolution of 4 August 1970, which was approved by the Knesset - concerning the holding of talks under the auspices of Ambassador Jarring, including consolidation and extension of the cease-fire agreement with the aim of progressing from a cease-fire to a complete end to the war and to lasting peace."

We are now holding discussions on the creation of conditions which would justify a decision by the Government of Israel to hold talks with the United Arab Republic under your auspices, in accordance with our decision of 4 August 1970, conveyed to you by Ambassador Tekoah on 6 August. I shall keep you in touch with developments on this matter as they arise.

We have publicly announced that we are ready for discussions with Jordan whose Government has informed you on its continued willingness to participate in such talks.

We are also willing to hold discussions on the establishment of permanent peace with Lebanon, which has announced its adherence to Security Council Resolution 242.

*(Signed)* Abba Eban

E. Message from the Minister for Foreign Affairs of Israel

Further to my letter of 1 December 1970, I have the honour to inform you that the Government of Israel decided on 28 December 1970 as follows:

The present political and military conditions enable and justify the termination of the suspension of Israel participation in the talks under the auspices of Ambassador Jarring. The Government decided to authorize the Minister for Foreign Affairs to inform those concerned of the readiness of the Government of Israel to resume its participation in the Jarring talks in accordance with the basic principles of the Government policy and on the basis of its decisions of 31 July and 4 August 1970, as approved by the Knesset, concerning Israel's affirmative reply to the peace initiative.

In view of this decision I would like to meet you in Jerusalem at your earliest convenience and my intention is to survey the situation, to acquaint you with the basic views of my Government and to discuss steps necessary to ensure the fulfilment of your mission for the promotion of agreement on the establishment of peace.

*(Signed)* Abba Eban

Aide-memoire from Egypt of 15 February 1971

On 15 February, Ambassador Jarring received from the representative of the United Arab Republic an aide-memoire in which it was indicated that the United Arab Republic would accept the specific commitments requested of it, as well as other commitments arising directly or indirectly from Security Council Resolution 242 (1967). If Israel would give, likewise, commitments covering its own obligations under the Security Council resolution, including commitments for the withdrawal of its

armed forces from Sinai and the Gaza Strip and for the achievement of a just settlement for the refugee problem in accordance with United Nations resolutions, the United Arab Republic would be ready to enter into a peace agreement with Israel.

Finally, the United Arab Republic expressed the view that a just and lasting peace could not be realized without the full and scrupulous implementation of Security Council Resolution 242 (1967) and the withdrawal of the Israeli armed forces from all the territories occupied since 5 June 1967.



**PALESTINIAN NATIONAL COUNCIL, STATEMENT ON THE POLITICAL SITUATION,  
NINTH SESSION, CAIRO, 13 JULY 1971**

The Palestine National Council held its ninth session in Cairo from 7 to 13 July 1971 during extremely difficult conditions and amid increasing plotting against the Palestine revolution. The council members discussed the demands of the current stage of the Palestine revolution, at a time when the Jordanian authorities are attacking the Palestine revolution bases and our heroic fighters in 'Ajlun, Jarash, and the Ghazzah camp.

In addition to tackling the mission entrusted to it, the council adopted the measures to deal with the situation. These measures have been announced.

The ninth session of the Palestine National Council was distinguished by several progressive steps toward national unity. The following are the most important:

1. In its new form, the council is more representative of the various sectors than past councils. All the fedayeen organizations without exception participated in it and representation of the trade union organizations has been increased.
2. The council has affirmed the national unity formula as approved by the eighth session and has adopted new practical decisions to achieve unity of the revolution forces in all fields of command, organization, training, arms, and combat orders. It has also approved the establishment of a unified council for information and a unified system of collection and expenditure of funds.
3. On the basis of and in complete response to these stands, the Executive Committee was elected as supreme command of the Palestine revolution.

Representation of the various fighting organizations on the committee has been widened to insure more collective action and bar individual action and also to insure the participation of all forces in facing the dangerous conditions threatening the Palestine revolution and people.

The first point the council dealt with was the serious situation facing the revolution in Jordan. In view of the Jordanian regime's insistence on striking and foiling the revolution, the council censured the policy of suppression and terrorization exercised by the Jordanian authorities and the regional fanaticism resulting from this policy. This policy has produced and continues to produce serious negative effects on the cause of national unity in the Palestine-Jordanian arena, which in practice lead to the weakening of the masses' unity and the denial of the revolution's right to represent the Palestine people and to seek the realization of their aspirations for the liberation of their usurped land.

The council has censured the successive obstacles that the Jordanian authorities have been placing to prevent the fighters from proceeding to their occupied land. These obstacles include besieging of the revolution bases and intercepting the revolution's supply convoys and armed men returning from military operations in the occupied territory.

The council condemns the recurrent disregard for the Palestine revolution's right to exercise its basic duty, and declares that several aspects of this duty have been regulated by the Cairo and Amman agreements. The council demands adherence to these agreements. It calls on the Arab States that

signed these agreements to take the stands they pledged to take in order to guarantee implementation of the two agreements. It also calls on these states to stop financial aid to Jordanian authority, which continues to disregard and violate these agreements, and to use this aid for its intended purpose- the liberation of Palestine from the imperialist onslaught against Arab land.

The council supports the efforts by the Jordanian nationalist forces to establish a cohesive nationalist front working to reinforce the march of the Palestine revolution and protect it against anyone plotting against it.

While it finds itself committed to the defense of the national rights of our people in Jordan and seeks to consolidate the unity of the two banks as one of its objectives, the Palestine revolution affirms through its National Council that the consolidation of this unity cannot take place through the practices of the Jordanian authorities, which encourage separatist and regional learning's, but only through strengthening the cohesion of the people and unifying their efforts for the sake of liberation. This cohesion and unity should be based on national and democratic foundations.

The second point the council dealt with was the danger of a political settlement. The council discussed the extensive current efforts to implement a settlement, particularly the activities of U.S. imperialism in imposing itself on the Middle East and creating deceptive conditions leading only to the liquidation of the Palestine issue.

The council reaffirms its stand based on the permanent upholding of the Palestine people's full rights to liberate their land through popular armed struggle and on the reaffirmation of categorical rejection of all capitulationist settlements and of plans that harm the natural and historic rights of the Palestine people, including UN Security Council resolution No. 242 of 22 November 1967.

The Palestine National Council expresses the will of the Palestine people and their determination to continue their armed struggle until the achievement of all their national aims, despite the viciousness of the conspiratorial onslaught against the Palestine revolution.

While it is continuing its struggle and sacrifices, the Palestine revolution always looks to the Arab masses and their nationalist forces and the national liberation movements in the world to perform their duty in one of the most ferocious battles waged by a peaceful people against Zionist and imperialist forces and their agents in the Arab areas.



### **UN SECURITY COUNCIL, RESOLUTION 298 ON JERUSALEM, NEW YORK, 25 SEPTEMBER 1971**

The Security Council,

*Recalling* its resolutions 252 (1968) of 21 May 1968, and 267 (1969) of 3 July 1969, and the earlier General Assembly resolution 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, concerning measures and actions by Israel designed to change the status of the Israeli-occupied section of Jerusalem,

*Having* considered the letter of the Permanent Representative of Jordan on this situation in Jerusalem and the reports of the Secretary-General, and having heard the statements of the parties concerned in the question,

*Recalling* the principle that acquisition of territory by military conquest is inadmissible,

*Noting* with concern the non-compliance by Israel with the above-mentioned resolutions,

*Noting* with concern also that since the adoption of the above-mentioned resolutions Israel has taken further measures designed to change the status and character of the occupied section of Jerusalem;

1. *Reaffirms* its resolutions 252 (1968) and 267 (1969);
2. *Deplores* the failure of Israel to respect the previous resolutions adopted by the United Nations concerning measures and actions by Israel purporting to affect the status of the City of Jerusalem;
3. *Confirms* in the clearest possible terms that all legislative and administrative actions taken by Israel to change the status of the City of Jerusalem, including expropriation of land and proper-

ties, transfer of populations and legislation aimed at the incorporation of the occupied section, are totally invalid and cannot change that status;

4. *Urgently* calls upon Israel to rescind all previous measures and actions and to take no further steps in the occupied section of Jerusalem which may purport to change the status of the City, or which would prejudice the rights of the inhabitants and the interests of the international community, or a just and lasting peace;
5. *Requests* the Secretary-General, in consultation with the President of the Security Council and using such instrumentalities as he may choose, including a representative or a mission, to report to the Council as appropriate and in any event within 60 days on the implementation of the present resolution.



**SPOKESMAN OF THE PLO EXECUTIVE COMMITTEE, KAMAL NASSER, STATEMENT ON MUNICIPAL ELECTIONS IN THE WEST BANK, FEBRUARY 1972 [EXCERPTS]**

... [The elections are] part of the Zionist-colonialist plan whose aim, among other things, is to get the Palestinian people into a position where they participate in the liquidation of the Palestine problem and in prejudicing the security, future and destiny of the Arab nation. The Executive Committee [...] warns all who support or participate in them that it will not stand idly by in the face of attempts to liquidate the Palestinian problem by Zionist and colonialists and the traitors who cooperate with them for the achievement of their aims.

The Executive Committee affirms [...]

1. That in urging in the Palestinian people to take part in the alleged municipal elections in the West Bank and the Gaza Strip, the aim of the Zionist occupation is to execute its plan to impose coexistence between the people and the occupation, to legitimize the occupation, and consequently to perpetuate the occupation of the part of Palestine occupied of the part of Palestine occupied in 1967.
2. That only resistance is legitimate in a state of occupation.
3. That the immediate object of holding these alleged elections is to turn the conflict between the people and the occupation into a struggle between different groups of the people, with Palestinians fighting among themselves instead of fighting the enemy.



**KING HUSSEIN OF JORDAN, UNITED ARAB KINGDOM PLAN, AMMAN, 15 MARCH 1972**

I am pleased to meet you and to speak to you about the affairs of the current stage and their connection with the affairs and experiences of the past and the aspirations and hopes of the future. The establishment of the State of Jordan in 1921 was the most important stage of the Arab revolution following the exposure of the conspiracy against this revolution during the First World War. After the issue of the Balfour Declaration in 1917, the establishment of the State became even more significant because it spared the territory east of the Jordan river from that Declaration and consequently from the Zionist plans at that time.

When the Arab armies entered Palestine in 1948, the Jordanian army was the smallest in terms of men and equipment. Yet, this army was able to save from Palestine that area which extends from Jenin in the north to Hebron in the south and from the Jordan river in the east to a point not more than 15 kilometres from the coast in the west. It was also able to save the entire Holy City of Jerusalem and other areas outside the city walls - those areas north, south and east of the walls which later became known as Arab Jerusalem. That area which later became known as the West Bank was all that was left for the Arabs from Palestine, in addition to that narrow strip which later became known as the Gaza Strip.

After a short period of temporary administration in the West Bank, a group of leaders, notables and elders representing Palestinian Arabs who had emigrated from the occupied territories considered

joining the East Bank, a patriotic and nationalist demand and a guarantee against Israeli dangers. They held two great historic meetings. The first was in Jericho on 1 December 1948 and the second in Nablus on 28 December 1948. These meetings were attended by the representatives of all the people leaders, thinkers, youth, the aged, workers and farmers - and their organizations.

Those present adopted resolutions calling on the late King Abdullah Bin al-Hussein to take immediate steps to unify and merge the two Banks in a single State under his leadership. The old king responded to the nation's call and ordered that constitutional and practical measures be taken to achieve that important patriotic and nationalist demand. The measures included holding elections to select the legitimate representatives of the West Bank people in the Chamber of Deputies.

On 24 April 1950, the new Jordanian National Assembly - with its two chambers, deputies and senators - representing the two Banks held an historic meeting which marked the first real step in modern Arab history towards Arab unity, which the revolution has advocated since its inception. The meeting announced the unity and merger of the two Banks in a single independent Arab State, a parliamentary monarchy known as the Hashemite Kingdom of Jordan.

The ship of unity sailed in seas which were not all calm and easy. There were many currents secretly manipulated by foreign hands and quarters. They tried to cause storms around the ship to push it gradually towards the rocks. But the vigilance of the people in the two Banks of the country, their faith in the unity of their soil and in their sons and their understanding of the real danger to them which lurks across the border were a great guarantee for the safety of the trip and saved the ship from the evils harboured against it.

The primary fact that the unity of the two Banks represented day after day has been that the people in both Banks are one and not two peoples. This fact was manifested for the first time in the reunion of the sons of the East Bank with their emigrant brothers, the sons of the Palestine areas occupied in 1948. It was manifested when the former shared with the latter food and shelter and the sweetness and bitterness of life. This fact became more salient and took deeper roots with every step the State took.

The unity of blood and destiny reached its greatest significance in 1967 when the sons of the two Banks stood together on the West Bank as they have been doing for twenty years and jointly sacrificed their blood on its pure soil. But the struggle was too great for them and its conditions and complexities were too much for their valour. The catastrophe occurred and what happened did happen.

In the sea of suffering that the June catastrophe left behind, the objectives of the Jordanian State in the post-war era have been summarized as (1) valiant steadfastness in the face of the unabating and unending aggressions against the East Bank and (2) confident resolve to liberate the land, the people and the brothers in the West Bank. All the efforts were directed towards these two objectives in an atmosphere of reassurance about the Arab States' support for Jordan in its ordeal and of unlimited confidence that the unity of all Arab destiny has become a concrete fact to the entire Arab nation, and unshaken by regional interests no matter how great, and cannot be harmed by plans and intentions no matter what these advocate or how they are disguised.

### *A New Catastrophe*

But suddenly Jordan found itself face to face with a new catastrophe whose inevitable result, if it had been destined to come true, would have been the loss of the East Bank and the establishment of the situation needed to liquidate the Palestine issue once and for all on the ruins of the East Bank. The driving forces of the catastrophe had enlisted numerous elements to serve their aims. Numerous other elements and quarters fell into the trap of these forces. Some of the former and the latter of these elements had assumed Palestinian identity as bearers of the holy cause. They played their role under the guise and cover of that name. Many of the paradoxes and conflicting currents in the world found their way among these elements. Many international contradictions and various world disputes penetrated them.

Naturally Jordan had to stand up and deal with the imminent catastrophe. This it did by taking a stand in which that unique mixture of its sons, the emigrants and the supporters, participated equally. The

dissension was crushed on the solid rock of national unity. The dissension ceased to exist thanks to the enlightenment of the new man who had been born on that distant day in 1950 and grew up on the challenges which the ordeals have been posing for the past 20 years.

Throughout all this, since the June 1967 war and perhaps even before then, the Jordanian leaders have been thinking and planning for the future of the State. The leaders have based this thinking on their faith in Jordan's Arab mission, which stems from the mission of the great Arab revolution, and on their faith in the man of the two banks of the river and in his ability to carry out his role in serving and achieving the aims of this mission. The Palestine issue was viewed from all the aspects of the entire Arab-Zionist conflict. Palestine was the first objective of the Zionist plans. The people in Palestine were the first prey and victim of these plans. The next were the people of the two dear Banks.

Even if the expansionist ambitions had a limit, it would be in the interest of Zionism to keep the Arab world weak, with its ranks scattered, to enable Zionism to keep its gains forever. Since the opposing camp stands as one force and bloc as a whole, all the Arabs should stand united with closed ranks in the opposite camp. Moreover, unity in itself is insufficient unless it includes a true concept of the requirements of sound civilization and modern progress.

Jordan understood the magnitude of the catastrophe which had befallen the Palestinian people. When the Zionist plot dispersed them, the sons of this people could not find in any country, Arab or non-Arab, the honourable and dignified life found by those who came to Jordan for shelter in 1948 and afterwards. Under the unity of the two Banks in Jordan, the real Palestinian regrouping, the vast majority of the people, came to live on the two banks of the immortal river. The Palestinian found the sound framework within which he could work and move and found the real springboard for the desire of liberation and for the great hopes.

The Palestinian people existed for hundreds of years before 1948. The Palestinian people continued to exist after 1948. But the forces and currents behind the conditions which had started to prevail in the Arab world began overriding and ignoring these facts in view of the nation's confused situation and dismemberment from which it has been suffering for years. The pressure and eruption of these fabricated conditions intensified through the conferences, campaigns and plans we have been hearing of and witnessing. It was as if it was desired that the Palestinian should cut off his domestic and national links and place himself in a small bottle which could be easily smashed at any time. It was as if a new plan was being designed against that people, or rather was a move in the long chain of plots against the Palestinian people and the entire Arab nation. This suspicious move is not confined to the Palestinian minority outside the two Banks but is aimed at the majority here. It desires to push the people in the West Bank into a separation from everything with which they are connected and from everything around them. If certain powers who are encouraging and strengthening these trends do not conceal their desire to rid themselves of the responsibilities for the Palestinian issue and people, the glitter of this situation, no matter how attractive to some, should not blind us to the danger that the Palestinian people may end up in a position in which they will once again be an easy and isolated prey to Israel and its insatiable ambitions. That is why this move is trying to portray the Jordanian régime as coveting booty and gain. That is why it is trying to penetrate the national unity to weaken it and cast doubt on it.

#### *The Arab World*

The first inevitable result of all the conditions prevailing in the Arab world - the dispersed ranks, scattered efforts, non-existent co-ordination, rivalry in establishing axes and camps, abandonment of the essence of the issue and its prerequisite, paying lip service to the issue once and exploiting it several times, the abandonment of real work for liberation and the devotion of efforts to domination and achievement of power - has been the continued Israeli occupation of the West Bank of Jordan and other dear Arab territories. The second inevitable result has been a further intensification of the Palestinian people's suffering. It has also been pushing the Palestinians into more confusion, bewilderment and ruin, which is on the point of overtaking the Arabs everywhere. The talk about the municipal elections in the West Bank is but one of the signs of this suffering just as it is also one of the means to exploit and use this suffering.

Despite all this, Jordan has never for one day stopped advocating the unity of ranks and the pooling and coordination of efforts. Jordan has never hesitated to extend a true capable hand to all the brothers out of its belief in the unity of the cause and fate. Jordan has never spared any effort in working for the goal of liberation.

Though Arab conditions have obstructed Jordan and impeded its steps, contemplation of the future of the State has continued along its course. This is because none of the attitudes or events could shake our faith in the inevitable triumph of the right in the end and the dissipation of the catastrophe of the dear land and the beloved kinsmen.

Though basically that faith depended on the faith in the right itself and its inevitable triumph, it derived its strength from faith in the country and the people on both banks of the river and in the nation throughout the greater homeland.

For this reason it has been decided to move the country into a new phase which basically centres on liberation and which in essence responds to the aspirations and expectations of man in our country and incorporates his faith in the unity of his nation and his affinity for it. Furthermore, it is based on absolute adherence to the legitimate rights of the Palestinian people and aims at leading the Palestinian people to the point which will enable them to regain and safeguard these rights.

This was the pledge we took - to give the people the right of self-determination. This is our reply to all those who chose to cast doubts on this pledge and to render it void of all meaning. This pledge today finds its way to the ears of every citizen in this country, every member of this nation and every person in this world. Today this pledge is growing in size, exceeding the limits of its words to face all the possibilities of dispersement and scattering and to incorporate all the patriotic and national goals and manifest them in all clarity.

We wish to declare here that planning for the new phase has come as a blessed result of a long series of uninterrupted discussions and continued consultations which we have had with people's representatives, personalities, leaders and thinkers of both Banks. All have expressed the unanimous opinion that the primary formula of the phase embodies the most modern concepts of the modern State and the best models of objective democracy. Furthermore, the formula has come to help build the new society which the new man is building to be the new force which will drive us along the road of victory, progress, unity, freedom and a better life.

We are happy to declare that the bases of the proposed formula for the new phase are as follows:

1. The Hashemite Kingdom of Jordan shall become a Unite Arab Kingdom, and shall be thus named.
  - A. The Region of Palestine, and shall consist of the West Bank and any further Palestinian territories to be liberated and whose inhabitants opt to join.
  - B. The Region of Jordan, and shall consist of the East Bank.
2. The United Arab Kingdom shall consist of two regions:
3. Amman shall be the central capital of the Kingdom and at the same time shall be the capital of the Region of Jordan.
4. Jerusalem shall become the capital of the Region of Palestine.
5. The King shall be the Head of the State and shall assume the Central Executive Power, assisted by a Central Council of Ministers. The Central Legislative Power shall be vested in the King and in the National Assembly whose members shall be elected by direct and secret ballot, having an equal number of members from each of the two regions.
6. The Central Judicial Authority shall be vested in a "Supreme Central Court."
7. The Kingdom shall have a single "Armed Forces" and its "Supreme Commander" shall be the King.
8. The responsibilities of the Central Executive power shall be confined to matters relating to the Kingdom as a sovereign international entity ensuring the safety of the union, its stability and development.
9. The Executive Power in each Region shall be vested in a Governor-General from the Region, and in a Regional Council of Ministers also formed from citizens of the Region.

10. The Legislative Power in each Regional shall be vested in a "People's Council" which shall be elected by direct secret ballot. This Council shall elect the Governor General.
11. The Judicial Power in each Region shall be vested in the courts of the Region and nobody shall have any authority over it.
12. The Executive Power in each Region shall be responsible for all matters pertinent to it with the exception of such matters as the constitution defines to be the responsibility of the Central Executive Power.

It is obvious that the implementation of this proposed plan will require the necessary constitutional steps and the Parliament shall be asked to draw up the new constitution of the country.

The new phase which we look forward to will guarantee the reorganization of the Jordanian-Palestinian house in a manner which will provide it with more intrinsic power and ability to work to attain its ambition and aspirations. Proceeding from this fact, this formula will bind the two Banks with ties of stronger fibre and with closer bonds and will strengthen their brotherhood and march as a result of enhancing man's responsibility in each Bank on bases more suitable for serving their national aspiration without prejudice to any of the rights gained by any citizen, whether he be of Palestinian origin living in the Jordanian region or of Jordanian origin living in the Palestinian region.

This formula gathers and does not disperse, strengthens and does not weaken, unites and does not divide. It does not contain anything to change anything gained by any person during a unity of 20 years.

Every attempt to cast doubt on any of this or discredit it is treason against the unity of the kingdom, the cause, the people and the homeland. The experience, vigilance and ability gained by our people make them capable of facing the forthcoming responsibilities with greater confidence and more determination. If ability is a debt for a person to use for himself and others and if vigilance is a weapon to be used for his and others' welfare, then the time has come for that person to stand up and face his responsibilities, perform them sincerely and faithfully and practise them bravely and with dignity. For this reason this formula is the title for a new bright, shining and confident page in the history of this country in which each citizen has a part and responsibility. It is partly based on sound allegiance to his faithful country and sincere devotion to his nation.

The armed forces, which from the very beginning marched under the banner of the great Arab revolution and which included and will always include in its ranks the best sons of the people in both Banks, will always be prepared to welcome more sons of both Banks. They will always be at peak efficiency, ability and organization, and will remain open to anyone anxious to serve the homeland and the cause with absolute loyalty to homeland and the cause and to the aims.

This Arab country is the country of the cause, just as it is from the Arabs and for all the Arabs. The record of its sacrifices for the nation and the cause is long and well-known. This record was written by its brave armed forces and free and loyal people with their blood and honourable sacrifices. Inasmuch as the attitudes toward this country change to attitudes of fraternity, assistance and support, this country will continue on the path of sacrifice with strength and hope until it and its nation regain their rights and achieve their objectives.

This Arab country belongs to all, Jordanians and Palestinians alike. When we say Palestinians we mean every Palestinian throughout the world, provided he is Palestinian by loyalty and affinity. When we call on every citizen to rise to play his part and carry out his responsibilities in the new stage, we call on every Palestinian brother outside Jordan to respond to the call of duty - unaffected by appearances and attempts to outdo others and free from weaknesses and deviations - to proceed with his relatives and brothers in a march whose basis is this formula and to be united in rank and clear in aim in order that all may participate in attaining the aim of liberation and establishing the cherished edifice and strong structure.

If God helps you, none can defeat you. For God is mighty and strong. Peace be with you.



**SPOKESMAN OF THE PLO EXECUTIVE COMMITTEE, KAMAL NASSER, REPLY TO KING HUSSEIN'S PROPOSED PLAN FOR THE WEST BANK, BEIRUT, 16 MARCH 1972**

The Committee's decision to reject and condemn King Hussein's proposal was based on the following basic facts:

1. That the people of Palestine alone can decide their own future of their cause in the atmosphere of freedom which is essential for such a decision, and that, should such an atmosphere be absent, should the atmosphere prevailing in both the East and West Banks be, on the contrary, one of intimidation, oppression and arbitrary tyranny, the only possible view as regards deciding the future must be that of the resistance movement, by virtue of its ability to freely express what is going on in the minds of our people, undeterred by fear of bearing the responsibility for freely stating the correct view.
2. Despite all that the Palestinian resistance movement said, from the day it fired its first shot up to black September 1970, to the effect that it only came into existence to liberate Palestine and the occupied territories, and despite the consistence attitude it has always adopted and what it had endured as a result of adopting this attitude - to the effect that the central contradiction which it came into existence to combat is the Zionist presence and the Israeli occupation - despite all this the Jordanian regime has insisted on offering itself as an accomplice for the Zionist enemy.

King Hussein's statement and proposal should suffice to convince all who were not already convinced of this fact. He beat about the bush with an issue which, since the events in Jerash in 1971, has become an important one, though it is still not a central issue. King Hussein concentrated in his proposal on the relations of the one people in the Jordanian-Palestinian field without making any serious reference to the central problem, which is the problem of liberation. But the real truth about the struggle, both in theory and practice, lies in the contradiction between the attitude of King Hussein and his regime and that of the Paletinian people and their leaderships to the question of liberation and the recovery of Palestinian rights. This contradiction exists not only as regards strategic goals; it also applies to the question of what methods are to be used for the achievement of these goals.

In this connection the Committee wishes to reaffirm even more strongly what it has already said on dozens of occasions - that the contradiction is not between Jordanian and Palestinian, but between a subservient and collusive regime and a people who have adopted armed struggle as the way to achieve their wishes and to recover their rights. The clearest proof of this is that while King Hussein does find certain Palestinians who are ready to follow in his train and creep into his palace, in the ranks of the resistance movement there are thousands of genuine Jordanians bearing arms side by side with their Palestinian brothers in arms. Indeed, King Hussein knows as well as anyone that he has in his palace Palestinians who are conspiring against their own cause - a number of traditionalist traitors who are only surpassed in treachery by their brothers and relations who are now cooperating directly with the Israeli regime [...] and it may well be that, in these two groups, there are many who are linked by common ideas and a common organization within the framework of contacts aimed at coordination between the agents of King Hussein and the agents of Israel.

Thus our fundamental difference, our historic contradiction with the regime, centers on the question of liberation, there is nothing wrong with the relations between the two peoples; they are only threatened by the Jordanian regime and by the King himself, who has always played this sinister regionalist card, and this is still doing so. But those who have been brought together by companionship in arms, imprisonment, suffering and common aspirations cannot be separated by the tunes ground out by a suspect information service that is charged with an odious spirit of tribalism.

3. For a long time King Hussein and his regime accused the resistance movement of striving to establish a feeble Palestinian entity which it could control, and issued statements and communiqués in connection with this false charge to justify their brutal massacre of members of our people.

But now King Hussein is revealing himself and his collusion by announcing the birth, in another form, of the 'feeble entity,' Israel having made a bargain to become a partner in the project, in re-

turn for concession on Jerusalem, the Triangle and real sovereignty [...] and, of course, in return for recognition of and peace with Israel and for the creation of a bridge over which it can cross into all parts of the Arab homeland.

It is through its rejection of the government establishment, its feudalist regime and its subservience to Zionism and imperialism that the resistance understands how the unity of the peoples of the two Banks can be restored. And although in the past the resistance's rejection of the attitudes of the Jordanian regime has been restricted to reading the history of the Hashemite family and its perception of what this regime was capable of doing, today, in announcing its rejection of the regime, the King and his proposal, the resistance has at its disposal unimpeachable and damning documentary evidence proving the extent to which the subservient regime in Jordan is now merged with the Zionist regime in Palestine.

4. By his proposed deal King Hussein is not only challenging all the official and popular institution of the Arabs; he is not only dissenting from unanimous Arab opinion and from the decisions taken by the Arab nation during the last fifty years. Worse than this, he is playing, in the Arab area, the role of intermediary in breaking the isolation of the Israeli wild beast and loosing it on the Arab nation and the rest of the Arab countries through an 'Arab Kingdom,' a kingdom which would be Arab only in name and its physical components, while its mind and will would be Israeli. Thus, by this proposal of his, King Hussein is challenging not only the people of Palestine and the resistance movement, but also the whole Arab nation and the fate of the liberation movement that is in progress on its soil. He is not only betraying the history of our nation and its glorious struggle, but also threatening its future and condemning it to perpetual subservience.

In thus starting its historic attitude, the resistance has not forgotten the miserable and desperate conditions in which the Jordanian regime, in cooperation with Zionist and world imperialism, has forced us to live, especially in the West Bank and the Gaza Strip. But, from its familiarity with the process of history, the resistance realizes that such conditions alone are capable of sparking off the Arab struggle against Zionism, treachery and colonialism in the correct way.

The resistance, therefore, in all seriousness and honesty, calls on the masses of the Arab nation, their revolutionary vanguards and their democratic forces, both regional and national, to take immediate action to frustrate the Hashemite plan for liquidation, and to redouble their struggle to confront every responsible person, from the Ocean to the Gulf, with his fateful responsibility for ensuring that we continue to exist as a free nation rejecting defeat and surrender.

Future generations will pass judgement on every member of this generation on the basis of his attitude to the battle of the crossroads which will decide whether we are to remain free Arabs or to end up as miserable slaves [...]



**ISRAELI PRIME MINISTER GOLDA MEIR, STATEMENT REGARDING THE UNITED ARAB KINGDOM PLAN, KNESSET, JERUSALEM, 16 MARCH 1972**

*[A day after Jordan's King Hussein broadcasted his United Arab Kingdom Plan (see document dated 15 March above), PM Meir addressed the Knesset on the matter. At the conclusion of the discussion on the subject the Knesset passed a Resolution (see next document)].*

Several days ago, the world was told that King Hussein was about to make a highly important political statement affecting the future of the region. Various commentators ascribed far-reaching significance to this expected speech, and there were some who wanted to see it as a step towards a peace agreement with Israel. This wave of interest on the eve of the speech is quite comprehensible in view of the sincere expectations and desires that exist and the wish to see our area emerging from the era of wars and advancing towards peace. But the magnitude of the expectations has been matched by the magnitude of the disappointment.

After broadcasting a series of march tunes, the Jordanian radio transmitted the king's address, which the announcer described as a historic pronouncement.

In this speech, the king announced, after an ideological introduction, a plan for a new stage of his kingdom and its establishment as a United Arab Kingdom, which, according to him, would consist of Palestine and Jordan. He gave details of this United Kingdom. He spoke of the strong bonds between the two Banks. He stated that the armed forces of the kingdom, composed of select persons from both Banks, would always be ready to absorb sons from both parts of the kingdom in loyalty and devotion to the aims of victory. He went on to declare that any attempt to cast doubts on the plan was tantamount to treason against the unity of the kingdom and the homeland, and he proclaimed the opening of a new and illustrious page in the annals of the nation. In his ideological introduction, Hussein spoke of "Zionist plots" and defined the aims of Jordan after the Six Day War as a determined stand to liberate the land and his brethren from Israeli occupation in "abidance by the legitimate rights of the Palestinian people" and called for perseverance on the road of "sacrifice and hope, until we restore the right". At the end of his statement he called upon every Palestinian outside Jordan to join his brethren in marching together until the achievement of the goal of liberation. And he concluded with the hope and the promise that "God will grant us victory".

We have heard the speech of the King of Jordan. It does not bring tidings of peace, it is not founded on the principle of agreement and does not display readiness for negotiations. It is a pretentious and one-sided statement, which not only does not serve the interests of peace but is liable to spur on all the extremist elements whose aim is war against Israel.

In all this detailed plan, the term peace is not even mentioned and it is not based on the concept of agreement. The whole of King Hussein's proposal is based on the assumption that he is capable of reaching a solution of the controversial problems at issue without an agreement between our States, as if he could dictate to Israel the plan that he has put forward. This is a plan dealing with territories which are not under his control and which he strives to obtain by "liberation".

In his speech, as we have seen, Hussein announces the establishment of a United Arab Kingdom to consist of Jordan and Palestine. Of what does Palestine, according to him, consist? Palestine consists of the West Bank and of any Arab land that may be liberated. In his speech King Hussein makes no mention at all of the State of Israel as a country with which settlement and agreement have to be reached. The State of Israel, according to this conception, is nothing more than the result of a Zionist plot to dominate Palestine, and the task of Jordan and the Arabs is to liberate the soil of Palestine from this plot. He tries to give this goal of liberation historic dimension by recalling that as early as 1921, after the Balfour Declaration, it was Jordan's task "to save the West Bank from Zionist plots", and again, in 1948 "to save a large part of it and also succeeded in conquering the sacred place in the Old City of Jerusalem, thereafter known as Arab Jerusalem".

Only through such an approach to Israel can we explain the fact that in the plan under discussion King Hussein makes no mention of negotiations and agreement with Israel, but speaks about the liberation of Palestine.

Pretentiousness is a pervading characteristic of Hussein's address. According to his plan, King Hussein does not confine himself to the liberation of the administered territories. He goes further. Just as he claims Jerusalem as the capital of Palestine, so he does not limit the concept of Palestine to the administered territories, but extends it to our country as a whole. He crowns himself King of Jerusalem and envisions himself as the ruler of larger territories than were under his control prior to the rout of June 1967. The king defines the results of the participation of Jordan in the Six-Day War as a "disaster", but, unfortunately, five years later he puts forward a plan which goes to show that he has failed to learn the lesson from this disaster.

Had the King of Jordan seen fit to change the designation of the Kingdom of Jordan and to call it by the name of Palestine, the United Arab Kingdom or any other name, had he seen fit to introduce changes in the internal structure of his kingdom, if, after negotiations between us, we were to reach agreement, in-

cluding the territorial issue - it would not then have been our concern to take a stand on internal matters which are within Jordan's sovereign competence and we would not have interfered in them just as we have never interfered in the internal structure or the nature of the régime of any country whatsoever. In the present case, however, the king is treating as his own property territories which are not his and are not under his control. In the fervour of his enthusiasm as a liberator of territories and a setter-up of kingdoms, he has gone so far as to designate Jerusalem - Israel's eternal capital, as the capital of Palestine.

It was only for the purpose of camouflage that the plan was presented as being nothing but Jordan's internal affair, and the only truth of the matter is that this plan affects Israel's most vital interests.

It would be a grave mistake on Jordan's part to inflame Palestinian expansionist passions. No problem can be solved in a manner incompatible with an agreement with Israel or without an agreement with it. Any constructive solution can be obtained only through understanding and agreement with Israel.

Israel will continue to pursue its enlightened policy in Judaea and Samaria and will maintain the policy of open bridges. It will continue to look after the provision of services to the inhabitants of Judaea and Samaria, and will respect every peaceful and law-abiding citizen.

Israel took a favourable view of the internal stability of Jordan's abstention from participation in the attempts to activate the eastern front. This abstention serves the interests of Jordan and impedes the renewal of hostilities in the region.

It is hard to imagine a country to which peace would be more beneficial than to Jordan. Provided Jordan continues to act in accordance with its genuine and independent interests, and renounces pretensions and sterile plans, it will be able to direct its resources and efforts into constructive channels, while maintaining good neighbourly relations with Israel and benefiting thereby.

The plan proclaimed by King Hussein cannot serve as a basis for an agreement with Israel. Those who are trying to create the false impression that it is an agreed programme, or the product of prior discussion with us, are being ridiculous. The entire plan is a surprise invention of its authors.

No unilateral declarations or actions whatsoever will bring Jordan one inch nearer to peace. No sophistry, even if it wins banner headlines, will lead to any constructive change. There is only one way which has any prospects, namely, serious negotiations for a peaceful solution, a bold and realistic effort to reach understanding and agreement. Any other way will be futile. Israel is faithful to its policy: it is maintaining the situation as determined in the cease-fire agreements. It will endeavour to strengthen its position in compliance with the needs of its security and development, and is ready, with all its heart, for serious peace negotiations.



**ISRAELI KNESSET, RESOLUTION REGARDING THE UNITED ARAB KINGDOM PLAN,  
JERUSALEM, 16 MARCH 1972**

*[See also previous document and document dated 15 March 1972 above].*

The Knesset has duly noted the Prime Minister's statement of 16 March 1972, regarding the speech made by the King of Jordan on 15 March 1972.

The Knesset has determined that the historic right of the Jewish people to the Land of Israel is beyond challenge.

The Knesset authorizes the Government of Israel to continue its policy in accordance with its basic principles, as approved by the Knesset on 15 December 1969, according to which: "The Government

will steadfastly strive to achieve a durable peace with Israel's neighbours founded on peace treaties achieved by direct negotiations between the parties. Agreed, secure and recognized borders will be laid down in the peace treaties.

The peace treaties will assure co-operation and mutual aid, the solution of any problem that might be a stumbling-block in the path to peace, and the avoidance of any aggression, direct or indirect.

Israel will continue to be willing to negotiate - without prior conditions from either side - with any of the neighbouring States for the conclusion of a peace treaty. Without a peace treaty, Israel will continue to maintain in full the situation as established by the cease-fire and will consolidate its position in accordance with the vital requirements of its security and development.

The Knesset supports the Government in its endeavours to further peace by negotiating with the Arab States according to the resolutions of the Knesset.



**PALESTINE LIBERATION ORGANIZATION DELEGATION TO THE SOVIET UNION,  
STATEMENT ISSUED ON ITS DEPARTURE FROM BEIRUT, 17 JULY 1972**

On the occasion of the visit to the USSR of the delegation of the Palestinian Revolution, headed by Mr. Yasser Arafat, Mr. Kamal Nasser, Member of the Executive Committee and Official Spokesman for the Palestine Liberation Organization, made the following statement:

The principle significance of the visit to the USSR by the delegation of the Palestinian Revolution at this critical stage through which the Palestinian cause is now passing lies in the Following points:

1. It indicates closer identification of the Palestinian Revolution with Soviet socialist experience.
2. It is an indication that, in the Palestinian Revolution's appraisal of the international situation, the USSR occupies a position of fundamental support for the Arab nation in its confrontation with American imperialism.
3. The Palestinian Revolution's awareness that it must mobilize Arab resources will, more than anything else, be instrumental in achieving the capacity for liberation, and until the balance of power swings in favour of the battle, the Revolution affirms that the USSR, because of its respect for the right of the Arab peoples and the Palestinian people in particular, and its conception of the strategy and dimensions of the battle, is aiding and supporting this right with economic and military resources, in as much as this right implies identity of objectives with the USSR in its struggle against imperialism and world Zionism.
4. The Palestinian revolution realizes that, in spite of the differences within the socialist camp, it (the Palestinian Revolution), like the Vietnamese revolution and all genuine revolutions on behalf of liberation, regards itself as a field for meeting and interaction between all world forces opposed to colonialism, Zionism and reaction.
5. The object of the visit by the delegation of the Palestinian Revolution is to achieve the closest possible co-ordination of common efforts with a profound realization of the differing objective situations in which the various sections of the world revolution, the liberation movements and the socialist countries find themselves.
6. This realization makes us determined to strengthen and intensify relations with the USSR so that our joint study of international developments in the area may lead to greater clarity and more effective and successful efforts against the common enemy- the imperialist-Zionist axis.



**JOINT SOVIET-PALESTINIAN COMMUNIQUÉ ON THE VISIT OF THE PLO  
DELEGATION TO THE SOVIET UNION, MOSCOW, 28 JULY 1972**

In response to an invitation from the Soviet Committee for Solidarity with the Afro-Asian Countries, a delegation of the Palestine Liberation Organization, headed by Yasser Arafat, the President of the Executive Committee of the Organization, paid a visit to the USSR from July 17 to 27. The delegation included members of the principal Palestinian organizations associated with the Palestine Liberation Organization.

The guests visited Moscow and Leningrad, had meetings with representatives of circles of Soviet society and were shown the achievements of the Soviet people in the field of the execution of plans for the building of a communist society.

In the course of talks between the Soviet Afro-Asian Solidarity Committee and the Palestine Liberation Organization, views were exchanged on the present situation in the Middle East, the Palestinian resistance movement and the future strengthening of co-operation and solidarity in the struggle against imperialism and to liberate the Arab territories occupied by Israel.

The delegation talked of the struggle of the Palestinian resistance movement against imperialism and Israeli aggression to realize the legitimate national rights of the Palestinian Arab people. The delegation also expressed its gratitude to the Soviet people for their support of the national liberation movement and for the aid they are providing to the Palestine Liberation Movement, which represents the Palestinian Arab people.

The delegation affirmed that the USSR's aid to the Arab peoples, including the Palestinian Arab people, is extremely important for the success of the Arabs' struggle against Israeli aggression and for the achievement of freedom and social progress. In this context the representatives of the Liberation Organization expressed the view that the attempts being made by imperialist and reactionary circles to prejudice the friendship between the forces of national liberation in the Arab world and the USSR and the other socialist countries are incompatible with the interests of the Arab peoples.

The delegation drew attention to the increasing activity of the forces of imperialism and reaction in the Middle East with the object of destroying the Arab national liberation movement and liquidating the Palestinian resistance movement.

The delegation expressed its resolve to advance in conformity with the plan to strengthen the unity of all progressive and democratic forces in the Arab world for the struggle against imperialism, Zionism and reaction.

The representatives of the Soviet Committee for Solidarity with the Afro-Asian countries resolutely condemned continuing Zionist-imperialist aggression against the Arab peoples and the crimes of the Israeli military clique in occupied Arab territories, expressed their great esteem for the just struggle in which the Arab people are engaged against the occupiers, and remarked on the liberationist and anti-imperialist character of the Palestinian resistance movement which is attracting aid and support from all progressive and anti-imperialist forces in the world.

The delegation of the Palestine Liberation Organization stated that it has recently been closing the ranks of the Palestinian resistance movement and consolidating its unity on a progressive and anti-imperialist basis.

The representatives of the Soviet Committee for Solidarity with the Afro-Asian countries affirmed that the soviet people will, in the future also, continue to provide aid to the Palestinian resistance movement in its just struggle against imperialism, reaction and Israeli aggression, for the legitimate rights of the Palestinian people.



**ISRAELI PRIME MINISTER GOLDA MEIR, STATEMENT TO THE KNESSET  
REGARDING THE KILLING OF ISRAELI ATHLETES AT THE OLYMPIC GAMES  
IN MUNICH, 16 OCTOBER 1972**

*[On 5 Sept. 1972, 11 members of the Israeli Olympic team were killed by Palestinians. The following are excerpts from the report of PM Meir regarding the results of the investigation of the security measures taken for the protection of the Israeli team.]*

I do not intend to cover in detail the events in Munich, from the terrorists' taking control of the building and its occupants up to the bitter end at the airport. In my remarks to the Knesset on 12 September, I made clear that the Israel Government had no possibility of utilizing its forces and experience to free our dear ones, during any stage of the horrifying events in Munich and at the airport. The mode of conduct, of planning and execution of the operations carried out by the German forces were decided upon and were the sole responsibility of the German authorities, who did not require the agreement of any Israeli representative.

From the operational standpoint, there is indeed room for thought and for a critical attitude to the operation of the German forces at the airfield, which failed in the attempt to rescue our dear ones. At the same time, I wish to emphasize once more that the Israel Government fully appreciates the decision itself taken by the German authorities to use force in order to rescue our hostages, when no other alternative to save them remained. We attach great positive value to the decision of any Government not to surrender to anti-Israeli and anti-Jewish terrorist violence carried out on its territory. Even the operational failure does not alter this appreciation of ours and I do hope that the lessons learned will not be disregarded.

Members of the Knesset,

The subject of safeguarding against Arab terrorists' plans to attack Israeli installations, missions or Israelis, in Israel and abroad, has been our concern since the establishment of the State. The emphasis placed on, and the means adopted to, forestall attacks have changed from time to time, to meet changes in the terrorists' methods of attack and theatres of operation. Since the Six-Day War, quite a few grievous attacks have been made, forcing us to increase our security precautions. The steps taken by the security services prevented a considerable number of attacks which were about to be launched, but not all. The Arab terrorist organisations try to achieve surprise by varying their operations. They even decided to throw overboard all criteria and inhibitions, giving preference to any cruel and inhuman act. They are trying to cover up for their defeat inside Israel's borders and in the administered territories by murderous activity abroad.

During the last few years, especially since the hijacking of the airliner to Algiers (22 July 1968), methods and means employed to ensure the safety of Israeli objectives abroad have become more improved. The Government, while it was still headed by the late Levi Eshkol, instructed a special ministerial committee to deal with the subject of ensuring the safety of aircraft. Later, due to the worsening of the situation, the powers of the ministerial committee were extended to other Israeli objectives as well. The Committee worked incessantly under the chairmanship of the Deputy Prime Minister. The topics were submitted for debate by the head of the General Security Service. The instructions issued by the committee; in which representatives of the Security Services, the Police, and - where required - representatives of the branches of the IDF, the Air Force and the Navy, were transmitted for execution to the appropriate ministries and services. Decisions in principle of the ministerial committee were submitted and are still submitted to the Cabinet for approval. Considerable means have been invested in security. I am sure the Knesset does not expect me to enumerate the steps taken in various fields, before and after the events at Munich.

Members of the Knesset,

Terrorist activity, especially abroad, is by its very nature unpredictable in its methods, place and timing. Generally speaking, because of objective conditions, it is impossible to arrange full Israeli protection beyond the measures that may be adopted by the authorities, for every Israeli objective anywhere in the world that might serve as a target for attack. At the same time, we shall not cut our

manifold links with our people abroad and with other countries. We shall not stop taking part in international life as citizens of a sovereign State, as partners in ties of economic and cultural life, of art, sport, science and the like. If we are destined to face the danger of attack in distant places, we shall meet the dangers conscious of the fact that only through courage can we overcome and conquer the danger.

In my Knesset statement on 12 September, I referred to the duty of Governments to eradicate nests of terrorism in their own countries. A number of States have taken action against terrorism at home. Special bodies have been set up to fight terror, measures have been adopted to make it more difficult for the terrorists to organize and operate, and security measures have been intensified. I shall not survey these steps here in detail. There is no doubt that they are only a beginning and that all possibilities have not yet been exhausted.

Let me mention only a few praiseworthy examples:

It was natural that the German Government should undertake a series of vigorous measures to prevent terrorists from organizing and operating in its territory. It has intensified the control of nationals of the Arab States and of entry to its territory, and it has outlawed suspected Palestinian organizations. The German Government has also intensified security precautions for Israeli institutions, installations and individuals. It has also shown readiness to take action in the same direction among other European countries, within various European and international forums.

The Government of the US is working to devise and activate practical measures to prevent terrorism in its territory. The President of the US has set up a committee on the ministerial level to combat terror. The US Government has also embarked on ramified activity on the international scene. The Secretary of State, Mr. Rogers, has sent notes to some 50 countries appealing for measures against terrorism. In all his public appearances, including his speech in the UN Assembly, he has devoted an important place to the question of terrorism and stated that the US has drafted a further international treaty dealing with the war on terrorism. An emphatic condemnation of terrorism has been expressed in official reactions from President Nixon, the Secretary of State and his assistants, the Senate, the US delegation to the UN, and others.

Israel welcomes these initial activities by various States in this field and hopes that they will continue and be intensified in other countries as well.

The UN organization has also placed on its agenda an item dealing with measures to prevent terrorism. As a result of pressures by the Arab States, the question has been transferred for preliminary consideration to the legal committee, with a secondary priority, and combined with the demand to consider the causes of terrorism as well. Our UN delegation is on the alert in regard to this subject and is trying to ensure an officacious debate.

The efforts of the Arab states to prevent a practical discussion on the question of terrorism within the framework of the UN are evidence of their direct responsibility for encouragement, support and assistance to the terrorist organizations. It is this support that enables these organizations to continue to exist and operate, and the Arab countries cannot wash their hands of the responsibility so long as they continue to provide shelter, training facilities, supplies and equipment, and financial and political support for the murderous activities of the terrorist organizations.

In this context I view with gravity the statement made by the Egyptian President in his speech yesterday, to the effect that he sees in "the Palestinian resistance" - read: El-Fatah and other terrorist and sabotage organizations - "the legitimate representation of the Palestinian people", and his announcement that "Egypt will measure the stand and trends of every Arab State by its relations with the Palestinian resistance."

Members of the Knesset,

Let us not give way to the illusion that worldwide repulsion at the murderous deeds has put an end to the terrorist activities of these organizations. Expressions to emotion, however strong they may be, will not put an end to terrorism unless they are accompanied by action.

From time to time we face new trials that are forced upon us in the course of the struggle for Israel's survival and rights. We must continue to organize ourselves and to rally to meet such renewed trials, even if the arena is far away. We shall not exempt other Governments from their obligations, in addition to the activity of the Israeli factors in charge of this subject, but we must realize that, for the sake of security abroad, we shall also need voluntary effort and readiness from all Israeli factors organizations, institutions and individuals - who go abroad. All these must display alertness and cooperation in regard to the subject of security.

According to the division of authority that has always been in force in Israel, the Prime Minister is responsible for the general security service and the Israel secret service. There has been no change in this situation. In carrying out this task, I shall continue to have recourse to the assistance of any Cabinet colleagues and of the services of persons with appropriate qualities and skills.

In recent days, in connection with the events at Munich, there has been severe criticism of Israel's security services, including generalized and completely unjust allegations.

We are not in the habit of describing in public the activities and achievements of the security services, and I shall not do so on this occasion either. I must emphasize, with full responsibility, that the security services, with their various branches, together with the Israel Defence Forces and the Police, have played a decisive role in the war against terrorism within the territory of the State, in the administered areas and abroad. They play a part of major importance in maintaining security and preventing dangerous assaults. The services are always deployed to do their duty as required by the changing circumstances, and I am confident that they will continue to be successful in the future in coping with new problems and those that may arise.

Members of the Knesset,

Our war against the Arab terrorists is a vital mission demanding devotion and concentration. From its very nature, it cannot be limited to defensive means, to safeguarding and self-defence, but must be active in all that has to do with the detection of murderers, of their bases, their actions and operations, to foil their designs and, in particular, to stamp out the terrorist organizations.

The current stage in terrorist activity abroad lends added force to the justification of our initiatives to strike at the terrorist bases and concentrations in the neighbouring countries, from which they set out to carry out their criminal missions, and not to absolve from responsibility those Arab states which support their operations and shelter them.

In some of the newspapers in Israel distorted versions have been published of Government policy and of my position on the war against terrorism. This subject is not a matter for public discussion, and I have not seen fit to issue denials. There is nothing for me to do but to repeat what I said in the Knesset on 12 September, with the concurrence of the entire Government of Israel: "We have no choice but to strike at the terrorist organizations wherever we can reach them. That is our obligation to ourselves and to peace. We shall fulfil that obligation undauntedly."



**PALESTINIAN NATIONAL COUNCIL, POLITICAL PROGRAM,  
CAIRO, 12 JANUARY 1973 [EXCERPTS]**

**1. THE PALESTINIAN THEATER**

1. To continue the battle and the armed struggle for the total liberation of the soil of the Palestinian homeland and for the establishment of the democratic Palestinian society in which all citizens will enjoy the right to work and to a decent life, so that they may live in equality, justice and brotherhood, and which will be opposed to all kinds of ethnic, racial and religious fanaticism.

- This society will also ensure freedom of opinion, assembly, demonstration, and the freedom to strike and form political and trade union institutions and to practice all religions, inasmuch as this Palestinian society will be part of the comprehensive unified Arab democratic society.
2. To struggle against the settlement mentality and the projects it harbors either for the liquidation of our people's cause as far as the liberation of our homeland is concerned or for the distortion of this cause by proposals for entities and for the establishment of a Palestinian State - in part of the territory of Palestine; and to resist these proposals through armed struggle and through mass political conflict linked with it.
  3. To strengthen the links of national unity and unity in struggle between the masses of our countrymen in the territory occupied in 1948 and those in the West Bank, the Gaza Strip and outside the occupied territory.
  4. To oppose the policy of evacuating the Arab population of the occupied territory, and to resist with violence the building of settlements and the Judaization for parts of the occupied homeland.
  5. To mobilize the masses in the West Bank, the Gaza Strip and the whole of Palestinian territory, to arm them to continue the struggle, and to increase their ability to struggle against Zionist settler colonialism.
  6. To assist the organizations of the masses to resist the attempts by the Histadrot to attract Arab workers to join it and strengthen it, and with this end in view to support the trade unions of Palestine and Jordan and to resist the effort of the Zionist parties to establish Arab branches in the occupied territories.
  7. To support the endurance of workers working in Arab territory and institutions, to provide safeguards to protect them against the temptation to work in enemy projects, and to resist the enemy's attempts to take over or smash Arab production projects.
  8. To support the peasant masses and to promote national economic and cultural institutions in the occupied homeland, so as to attach Arab citizens to the land and check the trend to emigrate, and to resist Zionist economic and cultural aggression.
  9. To show concern for the situation of our countrymen in the territory occupied in 1948 and to support their struggle to maintain their Arab national identity, to take up their problems, and to assist them to join the struggle for liberation.
  10. To show concern for the interests of the masses of our people working in different parts of the Arab homeland, and to make every effort to ensure that they obtain economic and legal rights equal to those of the citizens of the societies they live in, especially as regards the right to work, compensation, indemnities, freedom for Palestinian action, both political and cultural, and freedom for travel and movement within the framework of maintaining their Palestinian personality.
  11. To promote and develop the role of the Palestinian woman in the struggle at social, cultural and economic levels and to ensure that she plays her part in all fields of the struggle.
  12. To show concern for the situation of our countrymen in the camps and to make every effort to raise their economic, social and civilizational levels, and to train them to manage their own affairs.
  13. To regard anyone who cooperates with the enemy, joins him in his crimes against the people and the homeland, or neglects the established historical and natural rights of the people and the homeland, as a fit object for attack by the revolution, as regards both his person and his possessions, whether these be money, immovable property or land.
  14. To show concern for the situation of our masses who live abroad as emigrants, and to make every effort to link them with their cause and their revolution.
  15. In its official Arab relations the Liberation Organization concentrates on protecting the interests of Palestinian citizens in the Arab homeland and expressing the political will of the Palestinian people, and the Palestinian revolution, within the framework of the Palestine Liberation Organization, will continue to be the highest command of the Palestinian people; it alone speaks on their behalf on all problems related to their destiny, and it alone, through its organizations for struggle, is responsible for everything related to the Palestinian people's right to self-determination.
  16. Therefore the Palestine Liberation Organization consists of all the sections of the armed Palestinian revolution, of the Palestinian mass organizations, both trade union and cultural, and of all nationalist groups and personalities that believe that armed struggle is the principal and fundamental course to the liberation of Palestine, and that adhere to the Palestinian National Charter.

## II. THE JORDANIAN-PALESTINIAN THEATRE

It is the duty of the Jordanian-Palestinian national front to direct the struggle of the two people towards the following strategic objectives:

1. To establish national democratic regime in Jordan, and to liberate the whole of Palestinian soil from Zionist occupation and establish a national democratic regime that will ensure the protection of the national sovereignty of the Jordanian and Palestinian peoples and guarantee the renewal and restoration of the unity of the two banks on the basis of regional national equality between the two peoples. In this way it will fully safeguard the historical national rights of the Palestinian people and the established national rights of the two peoples. In this way it will fully safeguard the historical national rights of the Palestinian people and the established national rights of the two peoples, ensure their joint national development at economic, social and civilizational levels and strengthen brotherly relations and equality between the two peoples. In this way it will fully safeguard the historical national rights of the Palestinian people and the established national rights of the two peoples, ensure their joint national development at economic, social and civilizational levels and strengthen brotherly relations and equality between the two peoples through equality of constitutional, legal, cultural and economic rights and by placing the human, economic and civilizational resources of each of the two peoples at the disposal of their joint development.
2. To weld the struggle of the Palestinian and Jordanian peoples to the struggle of the Arab nation for national liberation and against imperialist projects designed to impose solutions and situations involving surrender of the Arab homeland, the struggle to liquidate the Zionist and imperialist presence in all its forms, economic, military and cultural, and all forces linked thereto, which play the role of go-between for neo-colonialist infiltration.

So that the Jordanian-Palestinian national front may be effectively established and be strengthened and grow, it is essential that an immediate start should be made on activating all kinds of day-by-day mass struggle, so that the movement of the masses on behalf of both their day-by-day- and general demands may lead to the emergence among the interests of their various groups - leaderships and organizations that have been absent from the day-by-day battles of the masses in recent years.

Also, for the objectives of the Jordanian-Palestinian national front to be achieved, there must be a long and hard struggle, so that through day-by-day struggle and partial battles the masses may surmount all regional and social obstacles and be fused in a joint struggle. Such a struggle will enable the masses to play their part as fighters for the national cause, and will expose the subservient royalist regime whose basic support lies in the tribal relationships and regional bigotry which it employs as a mask to disguise its subservience to Zionism and colonialism.

The Jordanian-Palestinian national front which is striving to establish a national democratic regime in Jordan and to liberate Palestine must activate and direct the popular struggle on all the different fronts of the clash between the masses and the Jordanian authorities, employing appropriate slogans in the day-by-day battles, so as to forge a permanent link between these partial battles and its general objectives and so as to direct both the bayonets with which it fights and the consequences it achieves into the channel of the general struggle of the two peoples.

The Palestine Liberation Organization adopts the program of action in the Jordanian theatre and submits it as a subject for serious comradely dialogue with the organizations in Jordan which are engaged in the struggle for the building of the Jordanian-Palestinian front, and which must engage in struggle:

1. To mobilize and organize the masses with a view to establishing a national democratic regime which will ensure that the revolution in Jordan is provided with all the means necessary for engaging in mass struggle.

2. To bring the members of the Jordanian people into the armed struggle against the Zionist enemy, this being a right at both local and Arab levels, and essential for the protection of Eastern Jordan in particular.
3. To struggle to achieve freedom for the Palestinian revolution to act in and from Jordan and to establish its bases in Jordanian territory, and to expose the conspiracies of the subservient regime and its misrepresentations in this connection, and to ensure protection by the masses of combatants who operate from and return to the territory west of the River.
4. To resist terrorist police measures and all aggressions against the freedoms and rights of citizens to expose and resist imperialist capitalist; to show up and resist the infiltration of Zionist political, economic and cultural domination; to resist all increases in taxes and prices; to expose the laws which disseminate a spirit of separatism between members of the two peoples; to disclose the deliberately repressive role of the army; to show up subservient and hostile elements and plans directed against the masses and other Arab make every effort to activate mass struggles of all kinds; to encourage the struggle of the workers, the agricultural, industrial, commercial and nationalist sectors, the peasants, the Bedouin, the wage-earners, the intellectuals and students.
5. To make every effort to ensure that the Jordanian-Palestinian front has an active share in a single front of struggle to strengthen relations between the Palestinian and Jordanian national struggle and world revolutionary forces.



**ISRAELI PRIME MINISTER GOLDA MEIR, ADDRESS TO THE SECRETARIAT OF THE ISRAEL LABOUR PARTY, STATEMENT ON THE PALESTINIAN ISSUE, 12 APRIL 1973**

We Israelis make no pretensions of determining whether there is or is not a "Palestinian entity." This decision is the privilege of the Arabs themselves. As a result of the war imposed upon us in 1948, some of the Arabs of Palestine left and wandered to other places. Nonetheless, I reject the contention that "two and a half million Palestinian Arabs are wandering about the world without a homeland."

There is a complete distortion in any comparison between the Situation of the Jews in the Diaspora who are without a homeland and that of the Palestinians. The Palestinian Arabs live among their brethren, with whom they share a common religion, culture and language. The Arabs themselves declare that they are a single Arab nation - even though it is a nation which stretches over eighteen independent States.

The differences and distinction between an Arab from Judaea or Samaria living today in Amman and an Arab who has for generations lived on the East Bank of the Jordan are much less than the differences and distinction among Jews from various lands - yet we absorb these Jews and blend with them into one nation. Whoever speaks in terms of balance and analogy between the Jewish problem on the one hand and the Palestinian problem on the other is ignoring the fact that this parcel of land in which we have established the State of Israel is the only one in which the Jewish people can be sovereign and in which every Jew can live with his fellow-Jews in independence.

A non-Israeli who hears such a comparison and is persuaded by it is only a step away from accepting the concept of "the plundered earth" and everything implied by it.

The Palestinian refugee problem has not yet been solved only because the Arab States have kept it unsolved for use against us. A shocking example of this was the situation prevailing in the refugee camps in 1967 when we entered the Gaza Strip.

The Egyptian Government, for instance, did not extend Egyptian citizenship to the inhabitants of the Gaza Strip, nor did it allow them to work or to move anywhere else.

In contrast with the unfriendly behaviour of some of the Arab States, the Government of Jordan extended Jordanian citizenship to the Arabs of Palestinian origin within its territory. Citizenship was

bestowed upon the residents of Judaea and Samaria as well as upon their brethren on the East Bank. All these - those on the East Bank and those in Judaea and Samaria - are thus Jordanian citizens.

The Palestinian Arabs have in Jordan every opportunity for national self-expression. They need Jordan - just as Jordan cannot exist without them. There are in Jordan wide spaces with a development potential in which the Palestinians can be rehabilitated.

Some 600,000 or more citizens of Palestinian origin are now living on the East Bank of the Jordan. For many years now, never less than half of the members of the Jordanian Parliament have been of Palestinian origin, as are the majority of the members of the present Jordanian Cabinet.

Between the Mediterranean Sea and the eastern desert, there is room for two States only: a Jewish State, and an Arab State - Israel and Jordan. We oppose the establishment of an additional Arab State in the region between Israel and Jordan.

As I have mentioned, there are at least 600,000 citizens of Palestinian origin living on the eastern bank of the Jordan River. This population is bound to the Arabs of Judaea and Samaria by family ties and by a common origin. For this reason, I am glad that the policy of the open bridges is continuing, a policy that makes it possible to maintain this link between the Arabs of the administered territories and their brothers in Jordan and the Arabs in the neighbouring countries.

During the past two years, about half a million people have crossed those bridges. This figure includes some 210,000 inhabitants of the administered areas who crossed into Jordan for visits to that and other Arab countries, and about 290,000 inhabitants of Arab countries who visited the administered areas and Israel, including 260,000 who came in the framework of the summer visits. The number of Arabs crossing the bridges in both directions is increasing steadily.

We have enacted the policy of the open bridges out of consideration for the needs of the Arabs in Judaea and Samaria and their brethren living on the East Bank of the Jordan. One can imagine the suffering and distress caused this population if the bridges were barred, and with them, the opportunity to maintain family contacts and the large-scale exchange of goods between Judaea and Samaria and the East Bank of the Jordan.

Commenting in the Knesset on King Hussein's speech of 15 March 1972, I said: "We have never interfered in the internal structure or nature of the regime of any country. Should the King of Jordan decide to change the name of his kingdom to "Falastin" or any other name, and to introduce changes in the internal structure of his realm in order to give, within his kingdom, an opportunity for self-expression to those Arabs who call themselves Palestinians, and if, in the course of negotiations between us, we should have agreed on all relevant aspects, including the territorial one, then we should not concern ourselves with taking a stand in internal affairs which are within the sovereign competence of the Arab nation that borders on Israel in the East."

We shall not negotiate with the organizations of murderers and their leaders who endeavour to destroy the State of Israel and to establish instead a Palestinian state on the "plundered earth." All the more so since the murder and terror organizations' claims of representing the Arabs of Judaea and Samaria, and Arabs of Palestinian origin in other countries, lack all foundation.

The peace treaties shall include a reiteration of our readiness, which has remained valid throughout the years, to pay compensation for abandoned Arab property, and our willingness to offer all technical aid for the rehabilitation of refugees in Arab countries. The rehabilitation of those refugees who live within the borders of Israel shall be our responsibility. The problem of the Arabs who strive for a Palestinian identity can and must find its solution in the Kingdom of Jordan. At the conclusion of the peace treaties, we shall insist that the advent of peace be accompanied by an end to the Arab-Israeli conflict and that it be agreed that the Arabs shall have no further claims on Israel.



**GOVERNMENT OF ISRAEL, ABSENTEES' PROPERTY (COMPENSATION) LAW,  
5733-1973, PASSED BY THE KNESSET, 27 JUNE 1973**

1. In this law--
- "Custodian" and "absentee" have the same respective meanings as in the Absentees' Property Law, 5710-1950<sup>1</sup>;
  - "property" means immovable property which became absentees' property and on the date of the coming into force of this Law is vested in the Custodian or before that date was transferred from him to the Development Authority established under the Development Authority (Transfer of Property) Law, 5710-1950<sup>2</sup>, or was validly expropriated from him, but does not include property -
    - (1) consideration or a substitute for which has been released to the person who immediately before the vesting was the owner thereof or to his legal representative;
    - (2) for which the person who was the owner thereof immediately before the vesting or his legal representative has received compensation from the Custodian or his legal representative or from the State or its legal representative;
  - "agricultural property" means property on which on the determining date rural property tax was leviable under the Rural Property Tax Ordinance, 1942<sup>3</sup>;
  - "urban property" means property on which on the determining date urban property tax was leviable under the Urban Property Tax Ordinance, 1940<sup>4</sup>;
  - "easement" has the same meaning as in the Land Law 5729-1965<sup>5</sup>;
  - "the determining date" means the 16th Kislev, 5708 (29th November, 1947).
2. A person entitled to claim compensation for property (hereinafter referred to as a "claimant") is a person who is an Israel resident on the date of the coming into force of this Law or becomes an Israel resident thereafter and who before the property was vested in the Custodian was one of the following:
- (1) the owner of the property, including the person who would have been his heir had the property not been vested;
  - (2) in the case of urban property - an absentee who was the tenant thereof, including his wife who lived with him at that time;
  - (3) the lessee (*hokher*)\*<sup>6</sup> of the property;
  - (4) the holder of an easement over the property.
3. Compensation shall be paid to the claimant out of the Treasury after deduction of debts incurred before the vesting which have been paid by the Custodian under section 20 of the Absentees' Property Law, 5710-1950.
4. A claim for compensation shall be filed on behalf of the claimant in the manner and form prescribed by regulations, with the person appointed by the Minister of Finance for that purpose (hereinafter referred to as "the officer-in-charge"), not later than the expiration of three years from the date of the coming into force of this Law, or, if the claimant became a resident after the coming into force of this Law, not later than the expiration of two years from the day on which he became a resident, whichever is later. Notice of the appointment of the officer-in-charge shall be published in *Reshumot*.
5. (a) The Minister of Finance shall establish advisory committees to clarify the claimant's rights in the property in respect of which he demands compensation or to concern itself with the amount of the compensation, as well as for
- Definitions
- Right to claim compensation.
- Payment of compensation.
- Time for filing of claims.
- Advisory committees.

<sup>1</sup> *Sefer Ha-Chukkim* of 5710, p. 86; *LSI* vol. IV, p. 68.

<sup>2</sup> *Sefer Ha-Chukkim* of 5710, p. 278; *LSI* vol. IV, p. 151.

<sup>3</sup> *P.G.* of 1942, Suppl. I, p. 9 (English Edition).

<sup>4</sup> *P.G.* of 1940, Suppl. I, p. 218 (English Edition).

<sup>5</sup> *Sefer Ha-Chukkim* of 5729, p. 259; *LSI* vol. XXIII, p. 283. 176

<sup>6</sup> \*\* See section 3 of the Land Law, 5729-1969 (Tr.).

the purpose of determining the annual value of property in accordance with the Schedule. The chairman of the committee shall be a Judge of a Magistrates' Court or a person qualified to be a Judge of a Magistrates' Court.

- (b) An advisory committee shall have the powers of a commission of inquiry under sections 7 to 11 of the Commissions of Inquiry Law, 5729-1968<sup>7</sup>.
- (c) Notice of the appointment of an advisory committee shall be published in *Reshumot*.

Amount of compensation to owner of property.

- 6. Compensation to a claimant who was the owner of the property shall be calculated in accordance with the Schedule.

Amount of compensation to other claimants.

- 7. (a) The amount of compensation to a claimant who was a tenant of the property shall be fifteen per cent of the amount fixed under section 6 in respect of the property he occupied, unless before the coming into force of this Law he received payment for surrendering possession of the property; and if he occupied part of the property, the compensation shall be fifteen per cent of an amount which bears to the amount fixed under section 6 in respect of the whole property the same proportion as the area he occupied bears to the total area of the property. For the purpose of calculating the compensation, a right to additional building as referred to in section 2 of Chapter One of the Schedule shall not be taken into account.
- (b) Compensation to a lessee (*hokher*) or the holder of an easement shall be part of the amount due to the owner of the property under section 6 and shall be fixed by the officer-in-charge on the basis of an evaluation of the right in question.

Notification by officer-in-charge.

- 8. When the advisory committee has concluded its clarification of the claim, the officer-in-charge shall notify his decision to the claimant in writing, assigning reasons; and if he decides that compensation shall be paid, he shall specify the property for which it is to be paid and the amount due to the claimant.

Dispute as to compensation.

- 9. (a) Any dispute concerning the decision of the officer-in-charge as to the right to or amount of compensation shall, on application on behalf of the claimant or the Attorney-General, be determined by the District Court of Jerusalem or the District Court in whose area of jurisdiction the property is situated.
- (b) The court shall not entertain an action as to compensation for any particular property filed later than six months from the day on which a notification under section 8 in respect of that property was delivered to the claimant.
- (c) A proceeding under this Law is exempt from court fees.

Time for payment to owner of property.

- 10. Compensation finally fixed for the owner of any property and not exceeding 10,000 pounds shall be paid to him in cash not later than the 22nd Tammuz, 5735 (1st July 1975) or within sixty days from the date on which it was finally fixed, whichever is later. Where the compensation exceeds the said amount, the excess shall be paid in bonds issued under section 15, which shall be delivered to the claimant within six months from the day on which the compensation was fixed.

Time for payment to other claimants.

- 11. Compensation finally fixed under section 7 shall be paid fully, in cash, not later than the 22nd Tammuz, 5735 (1st July 1975) or within sixty days from the day on which it was finally fixed, whichever is later.

Time for payment to claimants whose claims were delayed.

- 12. Claimants who file their claims after the 22nd Tammuz, 5735 (1st July 1975) or whose compensation is finally fixed after that date shall be paid the amount payable in cash under section 10 or 11 upon the expiration of thirty days after the amount due to them is finally fixed, and the amount payable in bonds shall be paid six months after being so fixed.

<sup>7</sup> *Sefer Ha-Chukkim* of 5729, p. 28; *LSI* vol. XXIII, p. 32.

- Compensation to several claimants.
- Second claim after hearing of first claim.
- Payment in bonds.
13. (a) Compensation under this Law due to several claimants jointly in respect of the same property shall be apportioned among them in the manner they may have agreed upon or, in the absence of agreement, as the may prescribe under section 9.
  - (b) Where a proceeding for the apportionment of compensation has been instituted, the State shall deposit the cash and bonds intended for the payment thereof with the court in which the proceeding has been instituted, and the court shall transfer or pay the same to the person entitled after termination of the proceeding.
14. (a) Where after compensation has been paid to a claimant in respect of any property another person claims the same compensation or part thereof in respect of the same property or part thereof, the second claimant shall file his claim in the District Court of Jerusalem against the person to whom the compensation has been paid.
  - (b) Where a second claim is filed in respect of property the rights in which or the amount of compensation in respect of which have or has already been determined by the court in proceedings under section 9, every person who was a party to those proceedings shall be joined to the proceedings under subsection (a).
  - (c) A second claimant whose claim under subsection (a) has been allowed may, in the manner and within the time indicated in section 4, file a claim for additional compensation in respect of the property in question if he contends that no appropriate compensation has been paid for it.
15. (a) For the purpose of the payment of compensation, the Government is hereby authorized to issue bonds in the name of the State.
  - (b) The Bank of Israel (hereinafter referred to as "the administration") shall manage the affairs of the bonds.
  - (c) The bonds shall be made out in the name of a specific person.
  - (d) From the 17th Tammuz, 5740 (1st April, 1980), the bonds shall be transferable by delivery as if they were bearer bonds.
  - (e) The bonds shall be redeemed in fifteen equal annual instalments, plus interest due at the time of payment of each instalment, on the 1st October of every year, beginning 1975; but the Minister of Finance may, according to criteria prescribed by him by regulations with the approval of the Finance Committee of the Knesset, direct that some particular bonds shall be redeemed at an earlier date if he is satisfied that such is necessary for the rehabilitation or housing of the claimant.
  - (f) The bonds shall bear interest at the rate of 4 per cent p.a. from the date of issue. The interest shall be exempt from tax.
  - (g) The principal and interest of the bonds shall be linked to the cost-of-living index. If at the time of any payment under subsection (e) it appears that the new index exceeds the basic index, the amount of that payment shall be increased in the proportion of the excess of the new index over the basic index.
  - (h) For the purposes of subsection (g) -
    - (1) "cost-of-living index" has the same meaning as in the Defence Loan Law, 5717-1956<sup>8</sup>;
    - (2) "basic index" means the cost-of-living index published immediately before the coming into force of this Law;
    - (3) "new index", in relation to a particular part of the amount of compensation, means the index published for the month of December last preceding the date of payment of that part.

<sup>8</sup> *Sefer Ha-Chukkim* of 5717, p. 8; *LSI* vol. XI, p. 5.

- (i) The Administration shall maintain a register in which the names and addresses of the holders of the bonds and the face-value of the bonds issued to each of them shall be entered.
- (j) The bonds shall be exempt from stamp duty.
- (k) The bonds shall bear the facsimile signatures of the Minister of Finance and the Accountant-General.
16. (a) Notwithstanding anything contained in any agreement, the total fee of an advocate for handling a claim in which compensation is awarded shall not exceed -
- (1) where an amount not exceeding 10,000 pounds was awarded under section 8, 7 per cent or, if court proceedings are involved, 10 per cent;
  - (2) where an amount exceeding 10,000 pounds is awarded, a fee as indicated in paragraph (1) for the first 10,000 pounds and 5 per cent or, if court proceedings are involved, 7 per cent for any amount in excess of the first 10,000 pounds.
- (b) Where no compensation is awarded, the fee shall be as agreed between the advocate and the claimant; but if the claimant contends that the fee or expenses agreed upon is or are unreasonable, he may apply to the Chamber of Advocates for a ruling.
- (c) The Minister of Justice may, by regulations, designate kinds of claims or handling in respect of which, notwithstanding anything contained in any agreement, the advocate's fee shall not exceed a lower percentage than that prescribed in subsection (a).
- (d) Notwithstanding anything contained in any agreement, a person shall not be required to pay for handling a claim, in addition to the fee referred to in subsection (a) or (b), any amount on account of inclusive expenses or miscellaneous expenses save in so far as such expenses are of any of the kinds designated by regulations and exceed the amount therein prescribed for that kind of expenses.
17. (a) A person who for handling a claim pays a fee or expenses of an amount exceeding that prescribed in section 16(a) or fixed by the Chamber of Advocates under section 16(b) may recover the excess.
- (b) In hearing an action for recovery of a payment or part thereof, the court may, notwithstanding anything provided in any law, accept oral testimony as evidence in respect of the payment and be satisfied with the testimony of a single witness.
- (c) A person who in any manner whatsoever receives a fee or expenses in excess of the prescribed amount shall be liable to a fine of five times the amount of the excess.
- (d) The provisions of this section shall not affect the disciplinary liability of an advocate in respect of the collection of a fee or expenses in excess of the permitted amount.
18. From the date of the coming into force of this Law, an absentee's claim for a right in property, or for the release of property under section 28 of the Absentees' Property Law, 5710-1950, including the release of property substituted under section 4(d) of that Law shall not be heard save in accordance with this Law.
19. (a) The Minister of Finance and the Minister of Justice are charged with the implementation of this Law and may make regulations as to its implementation.
- (b) The Minister of Justice may make regulations as to the practice in filing claims, the handling of claims and the procedure in proceedings for fixing the amount of compensation.
20. The Government may by order, with the approval of the Finance Committee of the Knesset, designate categories of holders of a right in immovable property vested in the Custodian who shall be entitled to compensation under this Law

Advocate's fee.

Payment of excessive fee.

Abrogation of right of claim against Custodian.

Implementation and regulations.

Grant of right to compensation.

although they are not claimants within the meaning of this Law. The procedure for the filing of claims under this section and the time when the right to file them shall expire shall be prescribed by the Government.

Commencement. 21. This Law shall come into force on the 1st Tammuz, 5733 (1st July, 1973).

SCHEDULE (Section 6)

CALCULATION OF COMPENSATION TO OWNER OF PROPERTY

CHAPTER ONE: URBAN PROPERTY

(Property on which on the determining date urban property tax was leviable under the Urban Property Tax Ordinance, 1940)

1. The amount of compensation for any property shall be the net annual value last determined for the purposes of the Ordinance before the determining date or, if no such value was determined or the value so determined cannot be proved, the annual value which was likely to be determined, with an addition of -
  - (a) 30 per cent if the assessment was made for the tax years 1946/47 and 1947/48;
  - (b) 50 per cent if the assessment was made for the tax years 1944/45 and 1945/46;
  - (c) 60 per cent if the assessment was made for an earlier period, the result to be multiplied by 175.
2. Where the built-on area of the property was less than 66 per cent of the area permitted to be built on under a town-planning scheme on the determining date, the amount of compensation calculated according to section 1 shall be increased by half the amount so calculated for that part of the property which could still be built on. The latter amount shall be based on the value determined for vacant land in the neighbourhood nearest to the property in question.

CHAPTER TWO: AGRICULTURAL PROPERTY

(Property on which on the determining date rural property tax was leviable under the Rural Property Tax Ordinance, 1942)

1. The amount of the compensation per dunam shall be according to the category of the property, as follows:

<i>Category</i>	<i>Rate of Compensation</i>
(a) Citrus and banana plantations (Categories 1-3)	900 pounds
(b) 1 <sup>st</sup> grade irrigated land and 1st grade fruit plantations (Category 5)	650 pounds
(c) 2 <sup>nd</sup> grade irrigated land and 2nd grade fruit plantations (Category 6)	550 pounds
(d) 3 <sup>rd</sup> grade irrigated land and 3rd grade fruit plantations (Category 7)	490 pounds
(e) 1 <sup>st</sup> grade ground crop land, 4th grade irrigated land and 4th grade fruit plantations (Category 8)	390 pounds
(f) 2 <sup>nd</sup> grade ground crop land, 5th grade irrigated land and 5th grade fruit plantations (Category 9)	275 pounds
(g) 3 <sup>rd</sup> grade ground crop land, 6th grade irrigated land and 6th grade fruit plantations (Category 10)	235 pounds
(h) 4 <sup>th</sup> grade ground crop land, 7th grade irrigated land and 7th grade fruit plantations (Category 11)	190 pounds
(i) 5 <sup>th</sup> grade ground crop land, 8th grade irrigated land and 8th grade fruit plantations (Category 12)	145 pounds

(j) 6 <sup>th</sup> grade ground crop land, 9th grade irrigated land and 9th grade fruit plantations (Category 13)	100 pounds
(k) 7 <sup>th</sup> grade ground crop land, 10th grade irrigated land (Category 14)	50 pounds
(l) 8 <sup>th</sup> grade ground crop land (Category 15)	25 pounds
(m) Planted forests and meagre land unfit for cultivation	15 pounds
(n) 1. Built-on village areas or land reserved for building	1,600 pounds for the building and the land pertaining thereto if the area of such land does not exceed one dunam; if it exceeds one dunam, the amount shall be increased proportionately; in the case of a building of solid construction (stone, concrete, blocks), 60 pounds shall be added in respect of each square metre thereof.
(n) 2. Buildings not situated in a village area	1,600 pounds for the building and the land pertaining thereto; in the case of a building of solid construction (stone, concrete, blocks), 60 pounds shall be added in respect of each square metre thereof.
(n) 3. Industrial buildings	In accordance, <i>mutatis mutandis</i> , with section 1 of Chapter One.
(n) 4. Property included in section 1 regarding which the Minister of Finance is satisfied that it was of definite commercial value and that it or property adjacent to it was the subject of large-scale transactions.	Treble the value determined under section 1, but not more than 40 per cent of the value of land of the same type in the area nearest to the land in question on which urban property tax is leviable, or 1,000 pounds per dunam, whichever is less.

GOLDA MEIR  
*Prime Minister*

YAACOV S. SHAPIRO  
*Minister of Justice*

PINCHAS SAPIR  
*Minister of Finance*

EFRAYIM KATZIR  
*President of the State*



**ISRAELI FOREIGN MINISTER ABBA EBAN, STATEMENT TO THE KNESSET  
REGARDING THE "LEGITIMATE RIGHTS OF THE PALESTINIAN PEOPLE",  
JERUSALEM, 18 JULY 1973**

The term "legitimate rights" of the Palestinian people is a vague and equivocal concept. It is open to various interpretations. And, indeed, there are, and have been, different interpretations of the term. What is the Arab interpretation? Most Arab spokesmen who use it, and especially the organizations which define themselves as Palestinians, mean one thing clearly - the absolute abolition of Israel's independence, and sovereignty, and its replacement by a State with an Arab majority, which would be added to the eighteen existing Arab percent self-determination and the Jewish nation to zero percent.

We find a clearly formulated expression of this concept in the Palestinian Convention of 1968, which has been reaffirmed at conventions of the Palestinian organizations since then. The 1968 Convention professes, to this day, to define the rights of the Palestinian people. It bases the definition of the rights of the Palestinians on the complete negation of the rights of the Jews to be an independent nation in its Homeland. I quote, as an example, and an illustration, two sentences from paragraph 20 of the Convention:

"The claim to an historic link between the Jews (and the people of) Palestine does not correspond to the historic facts. The Jews are no longer a nation with an independent personality, they are citizens of the States to which they belong." And the Convention goes on to say that the term "Palestine" must be an Arab concept and that, at most, a handful of Jews will be permitted to be a minority in the Arab State.

In many cases, when Arab leaders speak of the legitimate rights of the Palestinian people, their intention, in the context, is: negation of Israel's right to exist and denial of the national identity of the Jews. The literature giving expression to this notion is so prolific that it is superfluous to cite it here. If Member of the Knesset Wilner wishes to know the position of the Government of Israel with regard to this interpretation of the legitimate rights of the Palestinian people, let me tell him that its stand is well-known and unambiguous: Israel will not accept any definition which means that our national, Jewish, identity will be obliterated or changed or diminished in favour of another identity, whatever it may be. There is no question of balance or equality here. It is impossible to set the Arabs' claims to establish the nineteenth Arab State against the right of the single State of Israel to maintain its independence.

There now arises the question whether there is another Arab interpretation of this concept of the legitimate rights of the Palestinian people. From the historical aspect, the Arab Governments had an opportunity to determine in 1948 how they interpreted the term "rights of the Palestine people". Jordan's interpretation was to annex the West Bank, with the agreement of the Palestinian notables. And Egypt's interpretation was to administer the Gaza Strip under stern military rule. Up to the present, we have not heard that all the Arab Governments have risen up and said: Jordan must be broken up, or turned into a Palestinian State. There is someone who says so, but it is not the international or Arab consensus. The basic fact - and this fact has not been given expression in Member Wilner's speech - is the considerable congruence that exists between the term "Palestinian" and the term "Jordanian". The majority of the Palestinians were, and are, Jordanian citizens, and most Jordanian citizens were, and are, Palestinians. Hence any qualitative distinction between the terms "Palestinian" and "Jordanian" is nothing but a meaningless invention designed to delude and to serve as a basis for impairing Israel's sovereignty.

A further historical comment: if the Kingdom of Jordan, at the time of its establishment, had been defined as a Palestinian State, or as a Palestinian - Jordanian State, we would have been spared at least the semantic vagueness that surrounds the concept of "the rights of the Palestinians". It is not correct that someone or other rejects the definition itself. I do not think that we, as Israelis, have the right to presume to determine whether there is, or is not, a Palestinian entity. The Palestinians must determine that. They themselves must decide it. They have decided, and are deciding, it in various lines of thought at different periods. But we have not the right to grant, or deny, this group the name, the title and the identity that it wishes to ascribe to itself.

I have spoken about the history of the congruence of the terms "Jordan" and "Palestine". On 15 March 1972, as Member Wilner remarked, the Prime Minister made mention of it in the contemporary context. If the King of Jordan thought fit - this in connection with his declaration on a federal system - to introduce changes in the internal structure of his kingdom, so as to make that kingdom an expression for those Arabs who define themselves as Palestinians; if, after negotiations between us we had reached agreement on all questions, including the territorial one - then it would not have been our affair to adopt a stand in internal matters which are within the sovereign authority of the Arab State bordering the State of Israel eastward. That is the substance of the Prime Minister's statement of 15 March 1972: that is to say, Israel does not presume to decide on the problems of Arab identity which are controversial.

The problems, then, may be listed as follows: First, the problem of regime - what regime is desirable for the inhabitants of the State neighbouring Israel, whatever it may be called. This, certainly, is a matter not in Israel's responsibility, but a problem of the inhabitants of the neighbouring State. When Israel's borders are fixed under a peace agreement, the population outside those borders, that is, most of the Palestinian Arabs on both sides of the Jordan, will anyway be citizens of the neighbouring Arab State.

The second question is how to solve the problem of borders between Israel and the neighbouring State in which the Palestinians are a majority. This problem, in the opinion of the Government of Israel, can be solved through negotiations between us and the Government ruling in the neighbouring

State, which today is the Jordanian Government. It will be entirely natural, in our view, if, within the membership of that Government's delegation, there are Palestinian representatives, as it is natural that, at present, over half the members of the Jordanian Government are Palestinians.

The situation is that, since 1948, the Palestinians have had their Arab State, in which they have been a majority. There is, therefore, no sense in the attempt to portray them as having been denied independent Arab expression of their identity all these years.

The interesting thing is the unanimity -of opposition to the idea of setting up a third State within the borders of historic Eretz Israel. Israel, Jordan, the inhabitants of Judaea and Samaria, all the Powers, the Palestinian organizations - all of them agree that there is no place for three States in that area.

The only Power wanting such a consummation is the Wilner-Avneri one.

For all the factors that I have mentioned want either the third State instead of Israel, or a Palestinian State instead of Israel, or a Palestinian State instead of Jordan. Or they want the Palestinian State instead of both. President Bourguiba, who was quoted with such great satisfaction by Member Wilner, wishes a Palestinian State instead of Jordan and instead of a considerable part of Israel.

But to say that there is any international authority whatsoever for the claim to such fragmentation within the former Mandatory territory is an invention of people who wish to destroy the entire international fabric.

This is the first time that I have noticed that Member Wilner is silent on Security Council Resolution 242. Generally he talks about it.

On whom does the Resolution place the responsibility for establishing peace? On the member-States of the UN in the region, and on them alone! There is no agreed international basis for the contention that other elements are to be taken into account as equal partners in the responsibility, although it is, of course, natural that the neighbouring State eastward of us should also include members of the Palestinian population among its representatives. It is clear that if, in this connection, the Security Council uses definitions that are not included in Resolution 242, then the Resolution will not be binding on Israel.

It is a fact, then, that no international factor, no Power and no Arab public opinion of significant weight argues that there should be a Palestinian State in addition to Jordan and in addition to Israel. Introduction of the theme of a third State is, in fact, only intended to abolish one or two of the existing States.

To sum up, it is impossible to make such a sharp differentiation between the Palestinian complex and the Jordanian. I do not claim that there is an absolute identity between the two, but to propose that there is an absolute separation between them is to ignore geography, history and the basic cultural and national facts in the region.

There never has been a Jordanian Kingdom without most of its population being citizens of Palestine, and Palestine citizens have always been, and still are, the majority in the Kingdom of Jordan. The problem, therefore, is not a problem of "Palestine" but a problem of borders.

It is difficult today to predict when meaningful and binding negotiations will take place between us and the neighbouring State. In the meantime, we are living in a transition period, which has already lasted over six years, and in which some million Palestinians are under an Israeli military administration.

It is desirable that we examine what are the rights of these million Palestinians in the transition period: first, freedom of movement; second, freedom of expression – as they themselves admit, a freedom of expression in their press which transcends by far that customary in Arab countries; third, freedom to advance to prosperity. For the first time in the history of this population, economic conditions have been brought about which enable them to advance in the reality of economic prosperity. Fourth, freedom to co-exist in peace with Israel. A hundred and fifty thousand Palestinians from neighbouring Arab States visited Israel last summer, and a larger number is expected this year.

There remains, in my view, the question of the national and nationality definition of these million Arabs. That problem is not satisfactorily solved by progress in economic and social wellbeing. Its solution depends on the fixing of borders and the establishment of peace. There is no decision yet. The decision will be made in negotiations between the Arab Governments and Israel and through peace. Absence of negotiations and absence of peace are what prevent the Palestinians from defining clearly what their problem is and what are their goals.

On the other hand, in the ambit of peace, the Palestinians will constitute a majority in an Arab State and will surely be partners in determining its character, its destiny, its relations with Israel. The real problem, therefore, is not the problem of the Palestinians, but the problem of peace.

Preservation of the independence and security of the one State of Israel is an historic, moral and international imperative of the highest order, which ranks above any claim to raise the number of the Arab States from eighteen to nineteen. Members Wilner and Avrieri, for some reason, are not satisfied with the existing eighteen. I think that the whole world will be satisfied, especially after an agreed border has been drawn between Israel and the neighbouring State to the east. The situation so far is that, between the desert and the sea, there have been two States, one Israeli and one Jordanian-Palestinian. We have no reason to commit ourselves to change this basic arrangement. What must be done is to define the border, the peace terms and the conditions of co-existence between Israel and the Arab State east of it: the destiny of that Arab State will be determined not by Members of the Knesset in Israel, but by the forces operating in Arab history, that is, by the citizens and residents of that State.

In any event, there will be a sizable Arab population in the State of Israel. There is no State which enjoys a hundred percent self-determination, although I must say that the Arab nation has come nearer to this hundred percent than any other State in the world. 99.8% of all the Arabs in the world are living each under his independent flag. No other nation has such a patrimony of self-determination. As I said, however, in respect, also, of the million Arabs who have been added to us, we have made no decision either. That is, the Government and the Knesset - with all their insistence on a peace border, which shall be different from that of the cease-fire - have never decided that in a peace agreement it is necessary that a million more Arabs, with their territory, be added to the State of Israel. The problem, therefore, is simple. It can be solved only by the establishment of peace.

Instead of bringing up this subject for a separate debate, the authors of the motion should have directed attention to another problem - to negotiations that would result in an agreement. In that agreement, the border would be determined. Fixing the border will mean that, in this region, there will be no people lacking self-determination or possibly vaguely defined citizenship. Those Arabs who will not be citizens of the State of Israel then will be citizens of an Arab State, and the regime and destiny of the State neighbouring Israel to the east will not be for the people of Israel, or for the Jewish people, or for the Knesset, to decide.

Mr. Speaker, I propose that the Knesset not hold a debate on the motion for the agenda.



**ISRAELI PRIME MINISTER GOLDA MEIR, ADDRESS TO THE KNESSET REGARDING  
THE YOM KIPPUR WAR, AND KNESSET RESOLUTION, JERUSALEM, 16 OCTOBER 1973**

*[See also Map 3 in the Annex]*

Mr. Speaker, Members of the Knesset,

Since Yom Kippur, for the past eleven days, we have been engaged in a cruel war. This war was forced upon us on two fronts at one and the same time. Fierce battles have been waged, in which the Israel Defence Forces have displayed all their valour and strength. The enemy chose to carry out his aggression on the Day of Atonement in both ignorance and malice. He chose this day knowing that so many of our people are engaged in prayer and in the synagogues, as this is the most sacred day of the Jewish people. In his ignorance he was unaware that among Jews the saving of life takes precedence over everything else. We shall not forget the wonderful and moving sight of thousands of young men

quietly leaving the synagogues, wrapped in their praying shawls, and in a short time, with their soldiers' knapsacks on their backs, going out to their units at the fronts, accompanied by a prayer for the welfare of all our fighters and profound faith in the victory of the Israel Defence Forces and the future of the Jewish people.

Our soldiers have fought like lions. The criminal offensive has been blocked, the enemy has sustained heavy blows, but the war is still at its height. Not a day passes without battles. Every Israeli soldier who falls in battle is precious not only to his family but to all of us, and the effort to defeat the enemy involves painful losses.

Members of the Knesset,

I will make no attempt at this time to give a detailed description of the situation on the battlefields and the fronts. I will say only this: On the Syrian front we have overcome the aggressors and pushed them back across the cease-fire lines. The Syrian army has been severely mauled and its forces have crossed over to the other side of the cease-fire line. An Iraqi division which took part in the fighting has been severely hit by our forces. The IDF have struck at the strategic infrastructure of Syria. The war on the Syrian front, however, has not yet been completed.

On the southern front the war is in full swing. After the battles to block the enemy our forces registered great achievements in defensive battles. Yesterday there were heavy armour-against-armour battles and the impetus of the Egyptian offensive was blocked. The indications are that the enemy's initiative has been curbed. At this time, as we are assembled at this session of the Knesset, an IDF force is also operating on the western side of the Canal. No doubt you will not expect me to give you a detailed account of the IDF's moves and plans, and I will add no more on the significance of our achievements while the battles are at their height. The greetings of the nation go out to the soldiers and officers of the IDF.

Our men have fought and are fighting prepared to sacrifice their all. Such fighting can be understood only if we bear in mind the nature and the qualities of our young people, only if we understand that our men are aware of their mission in Jewish history, of their role as the heirs of our age-old heritage of heroism, in defence of their homes, the lives of their dear ones, and the survival of their people and their country.

The IDF units at the front exhibit not only supreme fighting capacity, resourcefulness and daring on the part of soldiers and officers, but also, to an extraordinary degree, fraternity of fighters and self-sacrifice - as defenders who are convinced of the justice of their fight.

Members of the Knesset,

Israel's Defence Forces are a people's army in the deepest and truest sense. The family of Israel is intimately linked to the IDF as a whole, as well as to one or more of their dearest ones serving in our armed forces.

At the same time, not only the family of front-line fighters but also the so-called "rear" - the whole of this nation - is one devoted and anxious family.

Hundreds of families whose dear ones have gone out to the defence of our people and our country have received the terrible news that a son, a husband, a father, or a brother will never return. I have not the courage to try to console them. I can only repeat this truth of ours: They are all the sons of all of us, the pain is that of all of us.

Some of our soldiers are prisoners in enemy hands. We shall not accept any ceasefire that does not include an exchange of prisoners. And then there are the missing: Let us not weaken in our hope that they will be found alive.

Dear families, the safeguarding of our people's survival still involves the agonizing knowledge that our wonderful, brave and guiltless sons have to serve as our protective wall. When the day of peace arrives, it will be thanks to them. Let us all be worthy of them.

Members of the Knesset,

Who can dare deny that it was Egypt and Syria that opened the criminal attack against Israel? Will anyone dare, this time again, to deny the truth that the responsibility for this terrible war in which we are engaged falls on the Governments of Egypt and Syria? I repeat this fact once again, for even at the height of the fighting we are keenly aware of the moral aspects and the moral, human and political responsibility which governments assume in deciding on the initiation of war and bloodshed. The governments of Egypt and Syria will not be absolved of the stigma of this responsibility and its consequences.

The Arab States concentrated tremendous forces for the attack. I will quote some of the main figures for the Arab armies as of 15 October:

Egypt

Troops - Some 650,000

Planes - Some 650

Tanks - Some 2,500

Syria

Troops - Some 150,000

Planes - Some 330

Tanks - Some 2,000

Iraq (her part in the war)

1 armoured division (some 230 tanks)

3 squadrons of fighter planes

Jordan (her part in the war)

1 armoured brigade (some 80 tanks)

Morocco (her part in the war)

One motorized brigade (some 1,500 troops with armoured vehicles)

Ground-to-air missiles:      Egypt - some 150 batteries of SA-2, SA-3, and SA-6.  
                                         Syria - some 35 batteries of SA-2, SA-3, and SA-6.

Artillery (120 mm and up):   Egypt - 2,000  
                                         Syria - 1,300

According to intelligence reports, additional Arab states are about to send forces of varying sizes to participate in the war against Israel.

Members of the Knesset,

There is no need for a fertile imagination to realize what the situation of the State of Israel would have been if we had been on the 4 June 1967 lines. Anyone who finds it difficult to visualize this nightmarish picture should direct his mind and attention to what happened on the northern front - on the Golan Heights - during the first days of the war. Syrian aspirations were not limited to liberating a piece of land, but to deploy their artillery batteries once again on the Golan Heights against the Galilee settlements, to set up missile batteries against our aircraft, so as to provide cover for the breakthrough of their armies into the heart of Israel.

Nor is a fertile imagination required to imagine the fate of the State of Israel had the Egyptian armies managed to overcome the IDF in the expanses of Sinai and to move in full force towards Israel's borders.

I will not waste the Knesset's time by quoting official announcements by the Arab rulers and their spokesmen regarding the objects of the criminal attack that they have launched.

There is no doubt in our minds that war has been launched once more against the very existence of the Jewish State. This is a war over our very existence as a state and a nation.

The armies of Egypt and Syria, supported by other states, with a wealth of arms in tanks, missiles and aircraft - went to war with the aim of reaching the lines of 4 June 1967 on their way to achieving their major goal - the conquest and destruction of the State of Israel. The Arab rulers pretend that their objective is limited to reaching the lines of 4 June 1967 - but we know their true objective: the total subjugation of the State of Israel. It is our duty to realize this truth, it is our duty to make it clear to all men of goodwill who tend to ignore it. We need to realize this truth, in all its gravity, so that we may continue to mobilize from among ourselves and from the Jewish people all the forces and resources necessary to overcome our enemies, to fight back until we have defeated our attackers.

Members of the Knesset,

The Soviet Union aspires to profit from the war against Israel. Anyone whose memory does not deceive him is fully aware of the grim role played by the Soviet Union in creating the conditions that led to the Six-Day War. Every sensible person is aware of the Soviet Union's role in the subsequent developments. The Soviets rehabilitated the armies of Egypt and Syria and supplied them with a wealth of modern sophisticated armaments, with numerous advisers and experts, and at the beginning of 1970 the Soviet Union stationed fighter squadrons and ground-to-air missile batteries in Egypt. In August 1970 the missiles were advanced to the vicinity of the Suez Canal.

Furthermore, the Soviet Union did not prepare the Arab armies for defence, knowing that they were in no danger of being attacked, but built up, trained, equipped and deployed these armies for the planned purpose of aggressive action, as has been revealed. The hand of the Soviet Union is obvious in the equipment, the tactics and the military doctrines that the Arab armies are trying to imitate and adopt. Above everything else, the Soviet Union's all-out support for Israel's enemies in the course of the war has been manifested in the airlift reaching our enemies' airfields and the ships calling at their ports. The Soviet planes and ships carry military equipment, including missiles of various types, and it may be assumed that the planes are also bringing in advisers and experts on operational matters, as well as on equipment and armament.

Soviet air- and sea-lift up to 15.10.73:

By air

From 10 October to date:

To Syria - 125 Antonov - 12 planes

To Egypt - 42 Antonov - 12 planes and a further 16 Antonov - 22 planes

To Iraq - 17 Antonov- 12 planes

By sea

Since 10 October, Russian ships carrying heavy equipment have been calling at the Port of Latakia. Intelligence reports indicate that the Soviet Union has succeeded in involving other countries of the Soviet bloc in the supply of aid to Egypt and Syria. Such conduct on the part of the USSR goes beyond the limits of unfriendly policy. It is a policy of irresponsibility not only towards Israel, but towards the Middle East and towards the world.

Members of the Knesset,

In the UN and in the world press there is considerable talk on the subject of a cease-fire. I wish to say to the Knesset in the clearest possible way: up to now no proposal for a cease-fire has been made to the Israel Government by any political factor whatsoever. Accordingly, there is no need for us to discuss the subject. Moreover, the Egyptians and Syrians have seemingly not yet been beaten enough to evince any desire for a cease-fire. Here and there ridiculous statements have been made by Arab statesmen in favour of a cease-fire conditional on our withdrawal to the lines of 4 June 1967 ... Apparently they are still under the illusion that the Syrians have not yet been repulsed and that the Egyptian tanks are still rolling forward. The time for a cease-fire will come indeed when the enemy's strength has been broken. I am certain that when we have succeeded in bringing our enemies to the verge of collapse, representatives of various states will not be long in "volunteering" to try and save our attackers by means of a cease-fire, and then there will be considerable activity at the United Nations, the Security Council. At any rate, now as in previous wars, the ceasefire depends first and foremost on the strength of the IDF.

Members of the Knesset,

On the ninth day of the war it transpired that a crack Jordanian armoured brigade with 80 tanks had been transferred from Jordan to Syria and placed at the disposal of the Iraqi command.

I think it is unnecessary to stress that we do not want a clash or a war with the Kingdom of Jordan and we are still convinced that it is in Jordan's interest not to bring about another war with Israel.

In the Jordanian announcement of 13 October, Radio Amman emphasized that in addition to holding down Israeli forces along the line for the purpose of lightening the pressure on the Syrians, the Jordanian command had decided to take an additional step, namely, to despatch an elite Jordanian force to the assistance of the Syrians. The announcement emphasized that this step was in addition to the defence of the long Jordanian line, which is a defence of "the heart of the Arab nation."

This is a disturbing and dangerous step. We regarded it as the start of an escalation. We drew the attention of international factors to the fact that developments might get out of control, for in the combat area in war time it is not possible to distinguish one tank from another and we shall have to treat the Jordanian force in Syria as the circumstances of the war may dictate.

Members of the Knesset,

Now, as in times of danger in the past, we are witnessing the grave and disgraceful manifestation of the imposition of an embargo on the shipments of arms to Israel at a time when we are fighting for our very lives.

The French embargo is still in force, and furthermore, the whole world sees how our warnings have proved true: we warned that the Mirages which France was supplying to Libya would be used in war against Israel. They tried to refute this warning of ours, to assure us that the Mirages were being delivered to Libya on condition that they would not be transferred to any other country and would not be used in war. And now the Mirages supplied to Libya are taking an active part in the battles in Sinai. There can be no better proof of this than the downing of such planes by IDF fire. Nor do we ignore the fact that Britain has held up deliveries essential to our war effort.

Faced with these manifestations, every lover of peace is justified in contemplating with anxiety the cynicism and partiality displayed in international politics, and taking note of the selfish, unethical policy conducted by enlightened states towards a small country beleaguered and attacked.

Members of the Knesset,

Always, and especially at this time, the friendship and assistance of the United States, its people and its Government, are dear to us. We have no doubt that the U.S. Government feels profound concern at the bloody events in our region, a concern that stems from America's deep-rooted policy of peace, from her desire to prevent bloodshed, and from America's interest that there should be no regional troublespots which might flare up and spread.

I have no doubt that the U.S. Government has Israel's good at heart, and these feelings of friendship for us are not at the expense of the legitimate interests of other countries, the Arab States included. We are taking care to explain our policies and our needs to the U.S. Government.

As always, we appreciate the warm identification and the great assistance of the Jews of the United States, whose hearts are with Israel in these difficult hours of struggle.

In the name of the people of Israel I wish to express our thanks to the President of the United States and to the American people, who have followed American tradition in helping a nation struggling against aggression.

Faced with the vast quantities of arms and equipment streaming into the Arab States from the Soviet Union at an increasing pace, the United States is continuing to respond to our requests with the quantities and types of arms, and the speed necessitated by the situation. We have no desire that anyone should fight in our place, but we are entitled to help in defending ourselves. I am convinced that the

United States will do all that is required for the deterrence of dangerous tendencies in the policy and the actions of the Soviet Union, and will render to Israel all the help needed to defend her existence and repel her attackers.

In view of the circumstances of this war, waged against forces of huge dimensions, we are called upon to make a great and total effort in the monetary sphere as well, to finance the cost of the war. This situation also demands changes in the entire structure of expenditure and revenue of the Government and the State.

Accordingly, we decided first of all on a war loan to be imposed on everyone by law, following the principles of social justice in its implementation. Thus, higher rates have been fixed for the upper income brackets. This loan is a general one, to be levied on all taxable income.

At the same time, we have issued a call for the acquisition of these loan bonds over and above the requirements of the law. Finance Minister Pinhas Sapir, as well as a public committee composed of Lieut.-Gen. (Res.) Yitzhak Rabin (Chairman) and Messrs. Zalman Suzayev and Asher Yadlin, have undertaken responsibility for the loan. An appeal was first of all launched to persons in the upper income brackets, and I am happy to be able to state that the public as a whole has shown willingness to share in the burden of financing the war effort. An encouraging response has come from all sectors of the population.

The proceeds of the loan will be devoted exclusively to financing war expenditures. The Government has also decided to reduce the development budget by IL 250 million in order to finance war expenditure.

As far as possible, we do not wish to neglect the essential areas of peace-time activity. In this respect, world Jewry has come to our aid by evincing once again its solidarity with the people of Israel. These wonderful expressions of Jewish fraternity carry a significance far beyond the financial aspect.

The central Jewish bodies - the United Jewish Appeal and the Israel Bonds - are undertaking a further burden. The one has undertaken to finance our social welfare budget and the other the development budget. World Jewry is giving expression to its desire that the absorption of immigrants should not cease, that education and health not be neglected, and that we may be able to continue our economic development. We in Israel are fighting and also financing the costs of the war, while our brethren, the Jews of the world, are helping us to carry on rather than suspend our peacetime activities.

I should like to mention the identification with the State shown by Israel's Arab citizens. Offers of voluntary help have come from all communities and strata, from the distant villages in the north to the Bedouin encampments in the south. They have taken the form of providing manpower for vital work, blood donations and subscriptions to the voluntary war loan. This is an encouraging phenomenon and a good omen for the future.

Members of the Knesset,

We are a democratic State. Freedom of speech and criticism are natural and deeprooted characteristics of Israeli society. In the present situation it is only natural that questions should arise which demand explanation and reply. There is always room for criticism and self-criticism. The time is not far off when we shall be able to find time for this as well, in the Knesset and other forums, but I hope that all of us - both Government and Opposition - will not distract our attention now from the main national effort, and that in everything we do and say we will keep to the essential: the maintenance of responsibility and the strengthening of our unity in the effort required to achieve our goals and for victory.

Our objective in this war, which unites the entire nation, is simple and clear: to repel and to break the strength of the enemy on both fronts. Thanks to the redoubtable strength of the IDF, thanks to the spirit of the nation, which is manifested day by day, thanks to the identification of the Jewish people with Israel - we will achieve our goal, we will aim and strive to attain this objective to the full.

We have never considered war to be a means of achieving solutions to the problems at issue in our part of the world. Ever since the establishment of the State of Israel we have been convinced that

negotiation is the shortest and most effective way to peace. Now, in the midst of battle, we shall not enter into debates on political aims and problems. The repelling of the enemy and the crushing of his power are the conditions for safeguarding our future. We shall concentrate everything on the effort to break the enemy's strength and to push him back. It is for this effort that we shall strengthen our unity.

When I am asked by Israelis and non-Israelis, "when will it end?" I answer: "when we have succeeded in beating the enemy." For our part, we shall do everything - I repeat, everything - in order to succeed within the shortest possible time, but we shall not be impatient. This is the true and responsible answer at this time.

KNESSET'S RESOLUTION ON THE GOVERNMENT'S STATEMENT.

On behalf of the factions:

Alignment (Labour Party - Mapam)  
Gahal  
National Religious Party  
Independent Liberals  
State List  
Arab Parties  
Poalei Agudat Yisrael  
Free Centre  
Meri - Israel Radical Camp  
Moked - Maki and "Tkhelet-Adom"  
Knesset Member Shalom Cohen  
Knesset Member Avner Sciaki

The Knesset heard the Prime Minister's statement, held a debate on it, and resolved as follows:

- a) The Knesset communes in awesome reverence and deep love with the memory of the men of the Israel Defence Forces, heroes of the nation, who gave their lives in defence of the nation and the homeland against the aggressive legions of the enemy on the southern and northern fronts.
- b) The Knesset expresses its condolences, in the name of the entire people, to the families who have lost their dear ones. The memory of the heroes and martyrs will live on forever in the heart of the nation.
- c) The Knesset extends its wishes for a speedy and complete recovery to those wounded in battle, and for the speedy return home of the prisoners of war.
- d) The Knesset calls upon the entire people to stand united behind its armed forces, which are fighting to defeat the enemy's aggressive legions and to provide Israel with victory, security and peace.
- e) The Knesset expresses its appreciation to all those free nations which have taken a stand in support of beleaguered Israel and are aiding her in the war for her freedom and future.
- f) The Knesset denounces Britain's and France's withholding of equipment from Israel which is defending herself against the aggression of her enemies, whilst they are receiving an ever-increasing flow of arms and war materiel from the Soviet Union.
- g) The Knesset expresses its appreciation to the United States, its people, its President, its Government and its legislatures, for their support for Israel and the righteousness of her war against aggression and plots of extermination.
- h) The Knesset holds in esteem the stand taken by the Jewish people all over the world, who are again proving their identification with Israel in this fateful trial.

The above resolution was adopted by a vote of 84 in favour and three against.



### UN SECURITY COUNCIL, RESOLUTION 338, 22 OCTOBER 1973

The Security Council,

1. *Calls upon* all parties to the present fighting to cease all firing and terminate all military activity immediately, no later than 12 hours after the moment of the adoption of this decision, in the positions they now occupy;
2. *Calls upon* the parties concerned to start immediately after the cease-fire the implementation of Security Council resolution 242 (1967) in all of its parts;
3. *Decides* that, immediately and concurrently with the cease-fire, negotiations start between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.



### EUROPEAN ECONOMIC COMMUNITY, FOREIGN MINISTERS MEETING, DECLARATION ON THE MIDDLE EAST, 6 NOVEMBER 1973

The nine Governments of the European Community have continued their exchange of views on the situation in the Middle East. While emphasizing that the views set out below are only a first contribution on their part to the search for a comprehensive solution to the problem they have agreed on the following:

They strongly urge that the forces of both sides in the Middle East conflict should return immediately to the positions they occupied on 22 October in accordance with resolutions 339 and 340 of the Security Council. They believe that a return to these positions will facilitate a solution to other pressing problems concerning prisoners-of-war and the Egyptian Third Army.

They have the firm hope that, following the adoption by the Security Council of resolution No. 338 on 22 October, negotiations will at last begin for the restoration in the Middle East of a just and lasting peace through the application of Security Council resolution No. 242 in all its parts.

They declare themselves ready to do all in their power to contribute to that peace. They believe that those negotiations must take place in the framework of the United Nations. They recall that the Charter has entrusted to the Security Council the principal responsibility in the making and keeping of peace through the application of council resolutions Nos. 242 and 338.

They consider that a peace agreement should be based particularly on the following points:

1. The inadmissibility of the acquisition of territory by force.
2. The need for Israel to end the territorial occupation which it has maintained since the conflict of 1967.
3. Respect for the sovereignty, territorial integrity and independence of every State in the area and their right to live in peace within secure and recognized boundaries.
4. Recognition that in the establishment of a just and lasting peace account must be taken of the legitimate rights of the Palestinians.

They recall that according to resolution No. 242 the peace settlement must be the object of international guarantees.

They consider that such guarantees must be reinforced, among other means, by the dispatch of peace-keeping forces to the demilitarized zones envisaged in article 2 (c) of resolution No. 242. They are agreed that such guarantees are of primary importance in settling the overall situation in the Middle East in conformity with resolution No. 242 to which the Council refers in resolution No. 338. They reserve the right to make proposals in this connection.

They recall on this occasion the ties of all kinds which have long linked them to the littoral States of the South and East of the Mediterranean. In this connection they reaffirm the terms of the declaration of the Paris summit of 2 October 1972 and recall that the Community has decided, in the framework of a global and balanced approach, to negotiate agreements with these countries.



**LEAGUE OF ARAB STATES, DECLARATION ON THE OCTOBER WAR,  
SUMMIT CONFERENCE, ALGIERS, 28 NOVEMBER 1973**

*[See also the document dated 4 Dec. 1973 below]*

The Arab world is passing through a decisive stage in its history. The struggle against Zionist invasion is a long-term historic responsibility which will require still further trials and sacrifices.

While the war of October 1973 showed the Arab nation's determination to liberate its occupied territories at all cost, the cease-fire in the field means in no way that the struggle has ended and that there can be imposed upon the Arab nation a solution not meeting its just goals.

So long as the causes of the war of aggression and expansion, which put the world on the edge of a generalised conflict, are not eliminated, there will be in the Middle East neither a lasting peace nor true security.

The October war, like those that took place earlier, is an unavoidable consequence of the policy of aggression and fait accompli pursued by Israel in defiance of principles and decisions by the international organizations and of the law of nations. Since the spoliation of the Palestinian people and its expulsion from its fatherland, Israel had, not ceased expanding, taking advantage of the active complicity and economic, technological and military support of the imperialist countries and above all of the US.

This collusion came to light recently in the mobilization of unprecedented financial and material means, a massive use of specialized mercenaries and the unleashing of a political campaign pursued in union by all the enemies of the Third World's emancipation.

Beyond its policy of war and territorial expansion, Israel also aims, in the framework of the imperialist strategy, at destroying all the possibilities of development by the peoples in the area. At this juncture, marked by the rise of the movements of national liberation and decolonization, Zionism thus appears as a serious resurgence of the colonial system and its methods of domination and economic exploitation.

In spite of the complicity binding Israel and international imperialism, which puts at its disposal the most refined means for the pursuit of its aggressive designs, the Arab nation has never abandoned its national goals nor has it backed down before the imperatives of its struggle. Far from weakening its national will, the set-back and trials have only stimulated and strengthened it.

In October 1973, the Egyptian and Syrian armed forces, together with the Palestinian resistance supported by other Arab forces, inflicted severe blows on the Israeli aggressors.

The Arab peoples and their Governments gained in this fight a sharp awareness of their responsibilities and their material and human means. This awareness resulted in practical solidarity which showed its efficiency and which forms a new dimension in the process of Arab liberation.

The expansionist character of Israel policy has become clear to all. Israel's alleged friendship with the African peoples has been unmasked and alone in Africa, the colonialist and racist regimes of South Africa, Rhodesia and Portugal lend it their support.

Israel's policy has likewise been openly condemned by other non-aligned nations.

The diplomatic isolation of Israel has today become a reality. It is significant in this respect that certain European Governments, which traditionally have been won over to the Israeli viewpoint, are beginning to wonder about the foundations of an adventurous policy which has raised grave risks for international peace and co-operation.

The cease-fire, put into force more than a month ago, still keeps running into the Israeli side's manoeuvres and obstruction. The cease-fire is not yet peace and peace presupposes, if it is to be achieved, a certain number of conditions. Among these are two which are paramount and unchangeable:

1. Evacuation by Israel of the occupied Arab territories and first of all Jerusalem.
2. Re-establishment of full national rights for the Palestinian people.

So long as these two conditions have not been met, it will be illusory to expect in the Middle East anything but a continuation of unstable and explosive situations and new confrontations.

There is no doubt that the Arab nation will never agree to engage its future in an equivocal way with the sole basis being vague promises and secret dealings...

Peace can be achieved only in full light, far from all manoeuvres and scheming and on the basis of the principles spelled out in this declaration. Thus the Arab countries, kings and chiefs of State believe that any serious and constructive co-ordination of their policies must take place on this basis.

If the conditions of a just peace are not available and if the Arab efforts in favour of peace run into refusal from Israel and its allies, the Arab countries will be forced to draw all the consequences and to continue, in the long-term perspective, their liberation struggle by all means and in all fields.

Determined to accomplish their duty, ready for sacrifices and abnegation, the Arab nation will not cease intensifying its struggle.



**LEAGUE OF ARAB STATES, SECRET RESOLUTIONS, SUMMIT CONFERENCE,  
ALGIERS, 4 DECEMBER 1973**

*[A few days earlier, the Arab League summit conference in Algiers issued a declaration (see document above, dated 28 Nov. 1973); on 4 Dec., the Lebanese newspaper Al-Nahar published the following text of the secret resolutions adopted in Algiers.]*

*a. The Current Goals of the Arab Nation*

The Conference resolves that the goals of the current phase of the common Arab struggle are:

1. The complete liberation of all the Arab territories conquered during the aggression of June 1967, with no concession or abandonment of any part of them, or detriment to national sovereignty over them.
2. Liberation of the Arab city of Jerusalem, and rejection of any situation which may be harmful to complete Arab sovereignty over the Holy City.
3. Commitment to restoration of the national rights of the Palestinian people, according to the decisions of the Palestine Liberation Organization, as the sole representative of the Palestinian nation. (The Hashemite Kingdom of Jordan expressed reservations.)
4. The Palestine problem is the affair of all the Arabs, and no Arab party can possibly dissociate itself from this commitment, in the light of the resolutions of previous Summit Conferences.

*b. Military*

In view of continuation of the struggle against the enemy until the goals of our nation are attained, the liberation of the occupied territories and the restoration of the national rights of the Palestinian people, the Conference resolves:

1. Solidarity of all the Arab States with Egypt, Syria and the Palestinian nation, in the common struggle for attainment of the just goals of the Arabs.
2. Provision of all means of military and financial support to both fronts, Egyptian and Syrian, to strengthen their military capacity for embarking on the liberation campaign and standing fast in face of the tremendous amount of supplies and unlimited aid received by the enemy.
3. Support of Palestinian resistance by all possible measures, to ensure its active role in the campaign.

*c. Economic*

Considering the significance of the economy in the campaign against the enemy, and the need to use every weapon at the disposal of the Arabs, as well as to concentrate all resources to enhance fighting capacity, the Conference resolves:

1. To strengthen economic ties among the Arab States, and empower the Arab Economic Council to set up a plan of operations to that end.
2. To continue the use of oil as a weapon in the campaign, in view of the resolutions of the oil Ministers and the link between the revocation of the ban on oil exports to any country and the commitment of that country to support the just cause of the Arabs. To establish a committee, subordinate to the oil Ministers, which will follow up the implementation of these resolutions and those of the oil Ministers with regard to the percentage of the cut in oil supply, so as to arrive at coordination between this committee and the committee of Foreign Ministers of the oil-producing countries in respect of the development of the positions of other countries vis-à-vis the Arab cause.
3. To strengthen, as is vital, the steadfast attitude within the occupied territories, and assure it.
4. To make good war-damages of the Arab States, and to heighten the spirit of struggle and the combat capacity of the countries involved in the confrontation.

*d. Political*

Political activity complements the military campaign, and is regarded as its continuation, all as part of our struggle against the enemy. As a direct result of the positions of foreign States toward the just struggle of the Arabs, the Conference resolves:

1. In Africa:
  - (a) To strengthen Arab-African cooperation in political affairs and enlarge Arab diplomatic representation in Africa.
  - (b) To sever all the diplomatic, consular, economic, cultural and other relations with South Africa, Portugal and Rhodesia of those Arab States which have not yet done so.
  - (c) Completely to ban Arab oil exports to those three States.
  - (d) To take special measures to continue the regular supply of Arab oil to sister States in Africa.
  - (e) To strengthen economic, financial and cultural cooperation with sister-States in Africa, and widen its scope on the bilateral plane as well as on that of the regional Arab and African organizations.
  - (f) To establish an Arab-African financial organization, which will share in the plans for economic and social development and the supply of technical aid to the countries of Africa. The Arab Economic Ministers will lay down the rules of the organization and the amount of its capital.
  - (g) To give instant aid to African peoples suffering from the effects of natural catastrophe and drought.
  - (h) To increase material and diplomatic support of the struggles of Arab liberation movements.
  - (i) As a means to hasten implementation of these resolutions and the establishment of constant cooperation between the Arab and African States, to instruct the General Secretariat of the Arab League to take the operational steps and to be in contact with the General Secretariat of the Organization of African Unity and the Seven States' Committee connected with it, with a view to holding periodic conferences at the various levels, as well as at the top echelon, between Arab and African States.
2. In the Non-Aligned Countries
  - (a) To work for implementation of the resolutions of the Algiers Conference respecting the non-aligned States, as concerns the boycotting of Israel in political, economic and military mat-

ters, and to instruct Algeria, in its capacity as chairman of the Conference, to convene a special high-echelon meeting for the application of the said resolutions.

- (b) To work for ensuring of the continuation of support by these nations for the Arab struggle against Zionism, using every possible means.
- 3. In the Moslem Countries
  - (a) To attempt to convince Moslem States which maintain relations with Israel to sever political, economic and cultural ties.
  - (b) To attempt to increase the degree of coordination between these nations and the Arab struggle in all spheres.
- 4. In Western Europe
  - (a) To demand that the countries of the Common Market persist in and further develop the political stance initiated in their statement of 6 November 1973.
  - (b) To demand that the countries of Western Europe cease their military and economic support of Israel.
  - (c) To ensure that these countries lift their embargo on the export of arms to the Arab States.
  - (d) To ensure that pressure is applied on the USA to cease providing the enemy with aid.
- 5. In Asia
 

To continue the efforts directed at Asian States which maintain relations with Israel, so that political, economic and cultural ties with Israel shall be severed, and to adopt a position of additional support of those Arab States in Asia whose territories are occupied.
- 6. In the USSR and Countries of East Europe
 

To continue the contact with these countries, for the following ends:

  - (a) Continued support on their part for the Arab cause in all spheres.
  - (b) Supply of arms to the Arab States and fronts to enable the Arabs to confront the enemy as equals, quantitatively as well as qualitatively.
  - (c) Success in persuading Romania to sever its political and economic relations with Israel.
- 7. People's Republic of China
 

To continue Arab contacts with the People's Republic of China, and ensure its continued support for the Arab cause and its supply of all possible aid.
- 8. USA
  - (a) To take action so that the US Government will change its position of identification with Israel; to warn it of the dangers inherent in the pursuit of its present policy as regards its interests in the Arab region.
  - (b) To intensify efforts to make it clear to the American people and the various media that the Arab cause is justified, as well as pointing out the danger to the interests of the American people and to world peace and security inherent in US identification with Israel.

#### *e. Arab Information*

The Conference discussed the subject of Arab information abroad, and the need to strengthen it at the present stage, and coordination between Arab delegations in overseas capitals, as well as the need to benefit from their experience in this sphere. Resolutions were as follows:

1. To participate at the present time in an Arab propaganda fund, which will serve the need of the aftermath of the 6 October war, in the amount of \$5 millions, each Arab country to share in this sum according to its ability; and also to participate in a permanent annual fund amounting to \$3 millions, each State proportionally to its share in the budget of the Arab League Secretariat.
2. To recommend to the General Secretary of the League that the measures already taken in several foreign capitals be amplified, by setting up information committees of the Arab ambassadors in foreign capitals, which would plan Arab information activity and follow up its results; it would thus be a function of the League offices everywhere to take part in the ambassadors' committee, in implementation and in financing
3. The Arab States concerned will supply the information material required to cope with events at the proper times.

*f. Arab Summit Conference*

Arab Summit Conferences will be held regularly every April, and special meetings if necessary, should a majority of the member States agree, and at the instance of one or more members or of the General Secretary.

*g. Follow-up Mechanisms*

1. The following agencies will take steps to implement the Summit resolutions as well as follow them up, according to their competences:
  - (a) Council of the League
  - (b) Economic Council
2. The Foreign Ministers will organize delegations to visit countries and international organizations under a plan which they will draw up, disseminate information about the Arab problem, clarify the Arab position, and seek support in our struggle, on the basis of the Summit resolutions.

*h. Arab Relations*

Fully comprehending the magnitude of the responsibility resting upon all the Arab States, and to mobilize all Arab power and potential, the Conference resolves to make every effort to cleanse the inter-Arab air and remove any differences of opinion between the Arab States.

*Special Resolution*

The Algiers Conference, which carried out its task in an atmosphere of brotherhood and unity, and had at its disposal all the elements of success, is happy to express its deepest thanks to the Popular Democratic Republic of Algeria, its President, its Government and people, for housing the Conference and preparing it, as well as ensuring all the conditions required for the success of its work. It also wishes to express its thanks to the President of Algeria, Houari Boumediene, for his sincere efforts prior to the Conference, while we were on the field of valour and sacrifice, and for the achievements attained under his wise and intelligent direction.

*Presence of the Moslem Republic of Mauritania*

The Conference welcomed the desire of Makhtar Walad Dauda, President of the Moslem Republic of Mauritania, to join the Arab League. The Conference, agreeing that this should take place, wishes Mauritania continued advancement and success.



**UN SECURITY COUNCIL, RESOLUTION 344, NEW YORK, 15 DECEMBER 1973**

*[The UNSC met in closed session on the eve of the opening of the Geneva Peace Conference, in an effort to ensure a UN role in the Conference. A draft resolution was adopted by a vote of 10:0 and four abstentions (France, USSR, UK, US). China did not take part in the vote.]*

The Security Council,

*Considering* that it decided by its resolution 338 (1973) of 21/22 October 1973 that talks among the parties to the Middle East conflict for the implementation of resolution 242 (1967) of 22 November 1967 should be held under "appropriate auspices";

*Noting* that a peace conference on the Middle East situation is to begin shortly at Geneva under the auspices of the United Nations,

1. *Expresses* the hope that the conference will make speedy progress towards the establishment of a just and durable peace in the Middle East;

2. *Expresses* its confidence that the Secretary-General will play a full and effective role at the peace conference, in accordance with the relevant resolutions of the Security Council and that he will preside over its proceedings, if the parties so desire;
3. *Requests* the Secretary-General to keep it suitably informed of the developments in negotiations at the peace conference in order to enable the Council to review the problems on a continuing basis;
4. *Requests* the Secretary-General to provide all necessary assistance and facilities for the work of the conference.



**UN SECRETARY-GENERAL KURT WALDHEIM, ADDRESS AT THE OPENING  
MEETING OF THE GENEVA PEACE CONFERENCE, GENEVA, 21 DECEMBER 1973**

It is a great honour for me to open this historic Conference and to welcome the representatives of the participating Governments. It is also a source of gratification to me that this unique event is taking place under the auspices of the United Nations. The Palais des Nations has housed many historic meetings, but none have been of more potential importance, both to the Governments concerned and to the international community as a whole, than this Conference on peace in the Middle East.

I am certain that I am speaking on behalf of all the participants in the Conference when I also take this opportunity to thank sincerely the Federal and Cantonal authorities of Switzerland for their valuable assistance. We are indeed most grateful for their unflinching and generous co-operation in making the necessary arrangements possible.

There is no need to remind the distinguished representatives of the Governments here assembled of the concern of the international community for the success of our deliberations. This concern was emphasized most recently by the Security Council when it expressed the hope that the Conference would make speedy progress towards the establishment of a just and durable peace in the Middle East. The United Nations has been seized of the various aspects of the Middle East conflict for more than a quarter of a century and has devoted an immense amount of time and effort both to keeping the peace and to the search for a just and lasting settlement.

On 11 October of this year, five days after bitter fighting had broken out once again in the Middle East, I appealed to the Governments concerned to look urgently to the possibility of turning the tragic conflict into a starting point for a new effort at a real settlement. Similar appeals were made by numerous Governments. Now, two months later, this new effort is taking shape here in Geneva. None of us, I know, underestimates the difficulties of the task ahead, but the very fact of this Conference, and the willingness of the Governments concerned to respond to this new effort to find a just and lasting settlement, is a source of encouragement and hope for all mankind.

The basis for this meeting was laid down in Security Council resolution 338 of 22 October 1973. That resolution called upon the parties for an immediate cessation of all firing and a termination of all military activity. It called upon the parties to start immediately the implementation of Security Council resolution 242 in all its parts, and it decided that negotiations should begin at once between the parties concerned under appropriate auspices aimed at establishing a just and durable peace in the Middle East.

In subsequent resolutions on 23 and 25 October, the Council confirmed its decisions on an immediate cessation of all kinds of firing and of all military action, called for United Nations observation of the cease-fire and decided to set up a United Nations Emergency Force. The United Nations Military Observers and the Force were immediately put into the field, and they continue to exert their best efforts to keep the peace.

On 11 November the representatives of Egypt and Israel, under the auspices of the Commander of UNEF, met at KM Marker 101 on the Cairo-Suez road and signed the six-point agreement which had been communicated to the Secretary-General on 9 November by the Secretary of State of the United States. In subsequent meetings the modalities for the implementation of five of the six points were agreed upon by the parties and were put into effect with the assistance of UNEF and the International Committee of the Red Cross. It is gratifying that in this way the humanitarian aspects of the six-point agreement have been largely fulfilled.

I am aware of the outstanding humanitarian problems relating to the Middle East question as a whole. The Commander of UNEF, in close co-operation with the International Committee of the Red Cross, is making persistent efforts to find solutions to some of these problems, and I myself have taken initiatives in an effort to resolve others. It is my earnest hope that through such efforts and through the proceedings of this Conference rapid progress may be made in this regard.

On the implementation of one point of the agreement, namely, the question of the return to the October 22 position in the framework of agreement on the disengagement and separation of forces under the auspices of the United Nations, the parties have not so far reached accord, although detailed exploratory discussions have been held. I hope that through its deliberations this Conference may make progress on this important matter, as well as embarking on the next step envisaged in resolution 338, namely, the negotiations aimed at establishing a just and durable peace in the Middle East.

The presence of the Secretary-General of the United Nations here today reflects the deep concern of the international community in the Middle East question. It also symbolizes the willingness of the Organization to be of assistance whenever the parties require it. I want to assure all of the parties here present that in that spirit I and my staff, both at United Nations Headquarters and in the Middle East, stand ready to be of assistance in any way that may seem useful to them. We have, I believe, amply demonstrated this readiness to act promptly in the critical events of recent months.

Before concluding, may I express appreciation to all the Governments which, by their spirit of co-operation and their desire to make progress on this most complex and crucial question, have made possible the convening of this Conference today. The Conference has a unique opportunity to come to grips with a most difficult, dangerous and complex international problem. If this opportunity is not seized, the world will inevitably be confronted once again with a dangerous and highly explosive situation in the Middle East. Unless progress can be made, the cease-fire and the United Nations peace-keeping arrangements already in operation in the area will remain fragile, and there will be an ever-present danger that fighting will break out again.

This Conference presents a historic challenge to its participants not only because the eyes of the world are upon it, but because the situation in the Middle East, with all its manifold implications, urgently demands the statesmanship, courage, patience and vision of each and all of the participants. I know that these qualities are not lacking in this room. I am sure that all the participants share a sense of urgency and will not fail to seize the opportunity to build a lasting structure of peace in the area. It is an opportunity which may not recur for a very long time. I wish this Conference all success in its noble task.

I call upon the representative of the USSR, Gromyko.



**SOVIET FOREIGN MINISTER ANDREI GROMYKO, ADDRESS AT THE OPENING MEETING OF THE GENEVA PEACE CONFERENCE, GENEVA, 21 DECEMBER 1973**

Mr. Secretary-General, distinguished colleagues. It is with a deep feeling of satisfaction that the Soviet Union welcomes the convening of this conference. A first, but important, step has been taken on the road to the political solution of one of the most acute international problems. For a quarter of a century now it has been a constant source of tension, not only in the Middle East but also far beyond its boundaries.

From time to time, and we are all witnesses to that, the tension in this area turns into open armed conflict. Every time that happens, the fate of the whole world is in jeopardy. That was so six years ago, as it was quite recently in October this year, when the military activities, although they did not last long, were marked by extreme violence.

There can hardly be any doubt that further sanguinary military clashes in the Middle East will take place in the future as well unless we eradicate the main tensions prevailing there. Anyone must inevitably come to that conclusion who has even a slight knowledge of the actual situation and approaches the question objectively.

The intolerable situation in the Middle East created because of the policy of Israel cannot continue. We should like to hope that the participants in the Conference will recognize this, that they came here with the firm intention of laying the foundation for a just settlement.

There is no alternative to such a settlement which would be acceptable to the peoples of the area, to the peoples of the world as a whole. This is irrefutably demonstrated by the whole course of events, including those which have happened recently. It is now quite clear to all that the Arab States will never reconcile themselves to the loss of the territories which were taken away from them in 1967. The Soviet Union has full understanding of their position, and supports it. The Arab countries have the support of the overwhelming majority of the States of the world in their righteous struggle. They have on their side the strengthening solidarity of the Arab world.

It is hopeless to think that the occupied territories can be kept by force. The need for another, a realistic approach to the problems of war and peace in the Middle East, of which the Soviet Union has always spoken, cannot be deferred.

The overwhelming majority of the States of the world have very definitely shown, in one form or another, that they will not tolerate the perpetuation of a source of tension in the Middle East. Not to take this into account would be to go against the expressed will of the peoples.

Also conducive to a lasting settlement of the situation in the Middle East are the positive movements towards détente in the world as a whole that have been achieved in recent years. In many parts of the world a number of important international problems have been solved, including some which had seemed unapproachable. It is sufficient to recall the termination of the war in Viet-Nam, the settlement of acute and important post-war problems in Europe, and the important turn towards normalization and the improvement of relations among States with different social structures on the basis of peaceful co-existence through the conclusion of international treaties and agreements.

A real indicator of the positive changes that have taken place in the Middle East, too, was the initiative taken by the Soviet Union and the United States, which found its expression in the well-known decisions of the United Nations Security Council. In the light of all this, the continuing Middle East conflict, even though the military activities have stopped, seems an inadmissible anomaly.

We do not wish to say again whose responsibility it is. We know whose it is and we believe we are not the only ones who do. Now that the question of a settlement is no longer deadlocked, something else is more important: to determine what must be done in order to establish such a peace in the Middle East as would be lasting and just to all States and peoples in the area.

In the first place, it is the Soviet Union's firm conviction that a fundamental principle of international life must be unswervingly applied - the principle of the inadmissibility of the acquisition of territory by means of war.

That is the key to the whole problem. If the participants in the conference really wish to rid the Middle East area of the threat of new conflicts, it is necessary to remove the initial cause of the crisis - the occupation of Arab territories which has been continuing now for more than six years. These territories must be returned in full to their lawful owners. It is our conviction that, so long as Israeli forces are in these territories, there will be no peace in the Middle East.

Any document adopted by this conference must contain precise and clear obligations concerning the withdrawal of Israeli forces from the territories occupied in 1967.

Without the achievement of an agreement by the parties on this question of principle, we do not see how it would be possible to ensure a settlement which would satisfy the interests of the Arab States and Israel, and the interests of international security. On the other hand, if agreement was reached on this basis, the solution of many other aspects of the settlement would undoubtedly be greatly simplified.

At the same time it is necessary to ensure respect for and recognition of the sovereignty, territorial integrity and political independence of all the States of the Middle East, and of their right to live in peace. This also refers to Israel. Our position is clear and consistent from start to finish - peace and security for all the peoples of the area. This implies, of course, that justice will be ensured as regards the Arab people of Palestine. Their legitimate rights must be protected. It goes without saying that the Palestinian problem cannot be considered and decided without the participation of representatives of the Arab people of Palestine.

The contention that Israel is being deprived of the right to existence is of course advanced as one of the main arguments, if not the main argument, in favour of the occupation of other peoples' territory. It is an argument which does not stand up to criticism. Israel was recognized to possess that right by the very fact of the creation of that State by decision of the United Nations. Possession of that right was confirmed by the establishment in due course of diplomatic relations with Israel by many States, including the Soviet Union. The Arab neighbours of Israel have expressed their willingness to negotiate a settlement on the basis of the well-known resolutions of the Security Council, in which the principle is clearly expressed that all States involved in the conflict have the right to existence.

That right cannot be unilateral, however. It is inconceivable without respect for the sovereign rights of other States and countries. One cannot use one's right to existence to the detriment of the interests of others. Only obligations of a reciprocal kind, based on equality of rights, and a readiness to observe them rigorously, can ensure normal development of inter-State relations in the Middle East.

This is fully applicable to the principle of the integrity of frontiers. Just as in other parts of the world, reliable frontiers are, above all, peaceful frontiers which provide an assurance that they will not be violated. It is naive to believe that secure frontiers can be ensured by the seizure of alien territories. The only frontiers that are truly secure are legal frontiers that are recognized by those on both sides of them. In the specific circumstances of the Middle East, these are the demarcation lines that existed on 4 June 1967.

This is the Soviet Union's position on the most fundamental aspect of a settlement in the Middle East. It is fully in accordance with the letter and spirit of the decisions adopted by the United Nations since 1967. This applies, above all, to the well-known Security Council resolution 242 of 22 November 1967.

The Soviet Union, which firmly pursues a policy of securing a radical improvement of the situation in the Middle East, has not deviated from this position nor does it intend to do so.

We are convinced that the 1967 Security Council resolution we have mentioned continues to retain its full significance as a realistic and sound approach to the problems existing in the Middle East and to the settlement of those problems.

And we are not alone in this conviction. It is shared by virtually all States Members of the United Nations, which have frequently expressed a desire for the appropriate action both within the United Nations and outside it.

It is, of course, one thing to recognize resolutions in the word, but another to carry them out in deeds. If this had been done, the problem of a Middle East settlement would long since have been removed from the agenda. However, even as I speak, the smell of gunpowder and burning still hangs over Sinai and the Golan Heights and the pain of bloody wounds still wrings the hearts of thousands of Arabs as well as of Israelis.

The practical task of this Conference is to work out a concrete, realistic programme for implementing the above-mentioned Security Council resolution in all its parts. Such action is also required by the decisions which were taken by the Security Council during the recent military operations and in which a cease-fire in the Middle East was linked with the start of immediate negotiations with a view to a sound solution of the Middle East problem.

As we see it, the agreements on such a settlement that are reached between the parties concerned will be embodied in the appropriate documents at the Conference. It is important that these should be substantial documents and should be binding on all the parties that subscribe to them. In other words, they must have the force of law.

In this way a firm foundation would be laid for peaceful co-existence and good neighbourly relations between all States and peoples of the Middle East.

Obligations assumed by the parties under international law would be the best guarantee of their mutual security, which can be ensured only through trust and co-operation between States, through strict fulfilment of the treaties and agreements they have concluded, and not through seizure of the territories of others.

If it proves necessary to lend additional weight to such agreements, the Soviet Union, taking into account the wishes of the interested parties, is ready, together with appropriate other Powers, to assume the responsibilities involved. The Security Council of the United Nations can also make an important contribution in this connexion. What is vital is that the political settlement in the Middle East should be a truly solid one.

Other measures to achieve the same effect are also possible. I have in mind, in particular, the question of establishing demilitarized zones in certain sectors on a basis of reciprocity and the temporary deployment of international personnel in particular areas. All these matters would, of course, have to be the subject of separate negotiations and, what is most important, would have to be settled on terms which are mutually acceptable to the parties concerned.

It seems to me that, given agreement on the main problem to which we have referred, such matters would not constitute an obstacle to a general settlement.

Despite all its difficulties, the Middle East problem can be solved. We have said this before, and we reaffirm it now in this Conference. But we have also warned about something else: the conflagration of war in the Middle East could flare up at any moment. A dangerous situation continues to exist in the area. Further delays in achieving a peaceful settlement are fraught with great danger. We hope that all those present in this room are bearing this fully in mind.

The participants in this Conference bear a heavy responsibility. Their joint efforts can and must bring a dependable peace to the peoples of the Middle East. The Soviet Union has set itself, as one of the principal tasks, the task of helping to eliminate the hotbed of tension in the Middle East. We have supported and continue to support the Arab peoples in their efforts to establish a lasting and just peace in the Middle East area. At this Conference, too, we will do everything we can to help reach the necessary agreements so that such a peace will become a reality.

The Soviet Union is not hostile to the State of Israel as such. The policy of annexation and the flouting of the norms of international law and of United Nations resolutions - these are what have given rise to the general condemnation of Israel, by us among others. Israel has even come to this Conference without having implemented resolutions 338 and 339 of the Security Council. The situation can change when Israel confirms its readiness to arrive at an honourable and mutually acceptable settlement by deeds. The important and immediate task now is to decide the question of an effective withdrawal of troops.

The establishment of a genuine peace is in accordance with the fundamental interests of all the States of the Middle East. Enjoying the advantages of a peaceful life, their peoples could switch their efforts from hostility, which squanders human and material energies on both sides, to solving the problems of social and economic progress.

This would benefit other States and peoples which, because of certain circumstances, are experiencing the negative consequences of the Middle East conflict. These consequences are now being felt and quite perceptibly - both by countries in the immediate vicinity of the Middle East and by those which are situated many thousands of kilometres away from the area. International economic co-operation, trade and navigation - to mention only this aspect - would all be in a much better state.

One can only imagine the extent to which the entire international atmosphere would become more healthy and progress would be made towards the relaxation of tension as a result of the elimination of the Middle East conflict. This would have a most beneficial effect on the situation throughout the whole Mediterranean basin, in Europe, Asia and indeed throughout the whole world.

The peoples of the Middle East and indeed of the whole world expect practical measures aimed at ensuring a stable peaceful settlement in this area. The Soviet Union will do everything in its power to ensure that the work of the Conference proceeds in this direction and that it is businesslike and constructive.



**US SECRETARY OF STATE HENRY KISSINGER, ADDRESS AT THE OPENING  
MEETING OF THE GENEVA PEACE CONFERENCE, GENEVA, 21 DECEMBER 1973**

Mr. Secretary-General, distinguished Foreign Ministers, delegates.

Mr. Secretary-General, as one of the Co-Chairmen of this Conference, let me express my gratitude to the United Nations and to you personally for providing such excellent facilities for the Conference, for convening it, and for doing us all the honour of presiding at this historic moment.

We are convened here at a moment of historic opportunity for the cause of peace in the Middle East, and for the cause of peace in the world. For the first time in a generation the peoples of the Middle East are sitting together to turn their talents to the challenge of a lasting peace.

All of us must have the wisdom to grasp this moment - to break the shackles of the past, and to create at last a new hope for the future.

Two months ago what we now refer to as the fourth Arab-Israeli war was coming to an end. Today, there is the respite of an imperfect cease-fire, but the shadow of war still hangs over the Middle East. Either we begin today the process of correcting the conditions which produced that conflict, or we doom untold tens of thousands to travail, sorrow and further inconclusive bloodshed.

When the history of our era is written, it will speak not of a series of Arab-Israeli wars, but of one war broken by periods of uneasy armistices and temporary cease-fires. That war has already lasted twenty-five years. Whether future histories will call this the era of the twenty-five year Arab-Israeli war, or the thirty year war, or the fifty year war, rests in large measure in our hands. And above all, it rests in the hands of the Israeli and Arab Governments, not only those whose distinguished representatives are seated around this table, but also those who are absent and who we all hope will join us soon.

We are challenged by emotions so deeply felt - by causes so passionately believed and pursued - that the tragic march from cataclysm to cataclysm, each more costly and indecisive than the last, sometimes seems pre-ordained. Yet our presence here today - in itself a momentous accomplishment - is a symbol of rejection of this fatalistic view. Respect for the forces of history does not mean blind submission to those forces.

There is an Arab saying, *Eli Fat Mat*, which means that the past is dead. Let us overcome old myths with new hope. Let us make the Middle East worthy of the messages of hope and reconciliation that have been carried forward from its stark soil by three great religions.

Today there is hope for the future, for the conflict is no longer looked upon entirely in terms of irreconcilable absolutes. The passionate ideologies of the past have, in part at least, been replaced by a recognition that all the peoples concerned have earned, by their sacrifice, a long period of peace.

From two recent trips through the Middle East I have the impression that people on both sides have had enough of bloodshed. No further proof of heroism is necessary; no military point remains to be made. The Middle East - so often the source of mankind's inspiration - is challenged to another act of hope and reconciliation significant not only for its own peoples but for all mankind.

What does each side seek? Both answer with a single word: peace. But peace has of course a concrete meaning for each. One side seeks the recovery of sovereignty and the redress of grievances suffered by a displaced people. The other seeks security and recognition of its legitimacy as a nation. The common goal of peace must be broad enough to embrace all these aspirations.

For the United States, our objective is such a peace. We cannot promise success, but we can promise dedication. We cannot guarantee a smooth journey towards our goal, but we can assure you of an unswerving quest for justice.

The United States will make a determined and unflagging effort. President Nixon has sent me here because for five years he has endeavoured to build a new structure of international peace in which ties with old friends are strengthened, and new and constructive relationships replace distrust and confrontation with adversaries.

But world peace remains tenuous and incomplete so long as the Middle East is in perpetual crisis. Its turmoil is a threat to the hopes of all of us in this room. It is time to end this turmoil.

The question is not whether there must be peace. The question is how do we achieve it. What can we do here to launch new beginnings?

First, this Conference must speak with a clear and unequivocal voice: the cease-fire called for by the Security Council must be scrupulously adhered to by all concerned. Prior to last October the United States did all it could to prevent a new outbreak of fighting. But we failed because frustration could no longer be contained.

After the fighting began we, in concert with the Soviet Union, helped bring an end to the hostilities by sponsoring a number of resolutions in the Security Council. The six-point agreement of 11 November consolidated the cease-fire. It helped create the minimal conditions necessary for carrying forward our efforts here. All these resolutions and agreements must be strictly implemented.

But regardless of these steps, we recognize that the cease-fire remains fragile and tentative. The United States is concerned over the evidence of increased military preparedness. A renewal of hostilities would be both foolhardy and dangerous. We urge all concerned to refrain from the use of force, and to give our efforts here the chance they deserve.

Second, we must understand what can realistically be accomplished at any given moment.

The separation of military forces is certainly the most immediate problem. Disengagement of military forces would help to reduce the danger of a new military outbreak; it would begin the process of building confidence between the two sides.

Based on intensive consultations with the leaders of the Middle East, including many in this room today, I believe that the first work of this Conference should be to achieve early agreement on the separation of military forces, and I believe too that such an agreement is possible.

Serious discussions have already taken place between the military representatives of Egypt and Israel at Kilometre 101. It is important to build promptly on the progress achieved there. And on the Jordanian and Syrian fronts a comparable base for the lessening of tensions and the negotiation of further steps towards peace must be found. Progress towards peace should include all parties concerned.

Third, the disengagement of forces is an essential first step - a consolidation of the cease-fire and a bridge to the "peaceful and accepted settlement" called for in Security Council resolution 242. Our final objective is the implementation in all of its parts of this resolution. This goal has the full support of the United States.

Peace must bring a new relationship among the nations of the Middle East - a relationship that will not only put an end to the state of war which has persisted for the last quarter of a century, but will also permit the peoples of the Middle East to live together in harmony and safety. It must replace the reality of mistrust with a new reality of promise and hope. It must include concrete measures that make war less likely.

A peace agreement must include these elements among others: withdrawals, recognized frontiers, security arrangements such as demilitarized zones, guarantees, a settlement of the legitimate interests of the Palestinians and a recognition that Jerusalem contains places considered holy by three great religions.

Peace will require that we relate the imperative of withdrawals to the necessities of security, the requirement of guarantees to the sovereignty of the parties, the hopes of the displaced to the realities now existing.

Fourth, we believe there must be realistic negotiations between the parties. Resolution 338 provides just such a process. It is on the parties that the primary responsibility rests. The United States intends to help facilitate these talks in every feasible way, to encourage moderation and the spirit of accommodation. We are prepared to make concrete suggestions to either side if this will help promote practical progress. But we must always remember that while a Middle East settlement is in the interest of us all, it is the people of the area that must live with the results. It must, in the final analysis, be acceptable to them.

Peace, in short, cannot last unless it rests on the consent of the parties concerned. The wisest of realists are those who understand the power of a moral consensus. There is a measure of safety in power to prevent aggression, but there is greater security still in arrangements considered so just that no one wishes to overthrow them.

As we open this Conference we take a momentous step. We are challenging a history of missed opportunities, of mutual fear and bottomless distrust. Our backdrop is a war that has brought anguish and pain, a war that has been costly to both sides, that has brought neither victory nor defeat, that reflected the failure of all our past efforts at peaceful solutions.

Mr. Secretary-General, fellow delegates, President Nixon has sent me here with the purpose of affirming America's commitment to a just and lasting peace.

We do not embark on this task with false expectations. We do not pretend that there are easy answers. A problem that has defied solution for a generation does not yield to simple remedies.

In all efforts for peace the overriding problem is to relate the sense of individual justice to the common good. The great tragedies of history occur not when right confronts wrong, but when two rights face each other.

The problems of the Middle East today have such a character. There is justice on all sides, but there is a greater justice still in finding a truth which merges all aspirations in the realization of a common humanity. It was a Jewish sage, who speaking for all mankind, expressed this problem well: "If I am not for myself, who is for me, but if I am for myself alone, who am I?"

Fellow delegates, in the months ahead we will examine many problems. We will discuss many expedients. We will know success - and I dare say we shall experience deadlock and perhaps occasionally despair.

But let us always keep in mind our final goal:

We can exhaust ourselves in manoeuvres or we can remember that this is the first real chance for peace the Middle East has had in three decades.

We can concentrate on our resentments or we can be motivated by the consciousness that this opportunity, once past, will not return.

We can emphasize the very real causes of distrust, or we can remember that if we succeed our children will thank us for what they have been spared.

We can make propaganda or we can try to make progress.

The American attitude is clear. We know we are starting on a journey whose outcome is uncertain and whose progress will be painful. We are conscious that we need wisdom and patience and good will. But we know, too, that the agony of three decades must be overcome and that somehow we have to muster the insight and courage to put an end to the conflict between peoples who have so often ennobled mankind.

So we in the American delegation are here to spare no effort in the quest of a lasting peace in the Middle East, a task which is as worthy as it may be agonizing. If I may quote the words of a poet: "Pain that cannot forget falls drop by drop upon the heart until in our despair there comes wisdom through the awful grace of God."



**EGYPTIAN FOREIGN MINISTER ISMAIL FAHMY, ADDRESS AT THE OPENING MEETING OF THE GENEVA PEACE CONFERENCE, GENEVA, 21 DECEMBER 1973**

Mr. Secretary-General, we are meeting today under the auspices of the United Nations, and we are indeed pleased to meet under the chairmanship of the Secretary-General of the United Nations. Your presence symbolizes the interest of the Organization in the question of the Middle East, which has been the concern of the United Nations since its inception. We would wish to thank you and all your colleagues, and we are sure that the United Nations will follow with keen interest our deliberations. I would appreciate it, if and when our work departs -and heaven forbid that it should - from the principles enshrined in the Charter, if you and the United Nations would fulfil your duty and put us back on the path prescribed by the Charter, resistance when faced with wrongs perpetrated against them. Legitimate grievances never fail to generate increasing resolve to do away with injustice. We in Egypt have had to face along the centuries many kinds of wrongs inflicted upon us. Each time we have resisted and suppressed them and have emerged in the end triumphant. No sacrifices were too great and no sufferings unbearable when nations pursuing such a noble cause worked with determination for justice and genuine peace. Such are the teachings of history. This we must remember when all of us look ahead and delve into the future.

When applying these lessons to the Middle East, one hardly needs to point out the tragic events that have taken place since the Palestinians were denied their national rights over their country and driven by force from their own land, a land to which they and we eternally belong. This area has since then continuously suffered from the militaristic and expansionist policy of Israel and from its unrelenting efforts to conquer and annex ever more territory, thus seriously endangering the independence, and infringing upon the territorial integrity, of the countries in the area.

The conflict in the Middle East is not and never has been a struggle that arose because its peoples hold different beliefs. For centuries these peoples, irrespective of their creed or religion, lived peacefully side by side. They could have continued living in peace, enjoying the immense opportunities which God and nature have bestowed on this good earth, had it not been for the wedge that was driven by force and in the alleged name of religion into their midst for the sake of domination, exploitation and racist practices. I do not wish, however, to dwell on this well-known matter, but merely want to say that only when warlike acts and aggression cease to be the maxim of Israel, which is

trying to convince the world that its very existence can be built on military rashness and supremacy, only then can a just peace at last be envisaged for the region.

As a result of the events which took place on 6 October, the Israelis must, we hope, have decided to relinquish this maxim and to change their course towards real peace, durable peace and just peace. So far as Egypt is concerned, my presence here symbolizes our deep desire to restore to our ravaged and embattled region a durable and just peace. This Conference is an historic event on which all the hopes of the world are focused. It would be a real tragedy if the wisdom of those most directly concerned - or even of those only indirectly linked with the future of the Middle East - should fail to seize this unique opportunity to come to grips with the basic issues involved and find genuine solutions which could form the foundation of a lasting peace leading to an era of enlightened accomplishment rather than tragic disillusion.

This Conference is, as I have said, both historic and unique in the sense that it represents the culmination of the manifold efforts and endeavours which all nations and statesmen of the world have exerted with the aim of bringing to an end a struggle which has lasted only too long. As for the Arab countries, they have come to this Conference ready and prepared to lay the cornerstone of the edifice of peace in the Middle East.

This Conference is unique in nature because, if Israel does not comprehend the deeper significance of our work here, the chances of repeating such an historic gathering will be very remote indeed. The net result will then be, no doubt, the recourse to other means in order to liberate our lands and to restore the legitimate rights of the Palestinians who have lived under appalling conditions for more than a quarter of a century. This Conference is, furthermore, unique and, if I may say so, unparalleled, since for the first time in history a conference dealing with the Middle East has amongst its participants the Soviet Union and the United States, that is, the two global Powers which shoulder responsibilities unprecedented in history for the maintenance of international peace and security. I take their participation as being a good omen, and the fact that they are represented here by their Foreign Ministers is added evidence of their wish to guarantee that a peaceful and just settlement will prevail in the Middle East.

For Egypt and, I am sure, for the world as a whole, this is an historic event of a highly political significance. Consequently, I hope we all agree that a durable and just peace cannot emerge in our region unless it conforms with certain basic norms and principles constituting what I should like to call "the essentials for peace in our area". In this connexion I am sure that all of us here, including the super-Powers, fully realize that a just and durable peace in the Middle East cannot be built on the basis of the following:

- (i) expansion by force by one country against another;
- (ii) the acquisition of foreign territories by force;
- (iii) the threatening of international and recognized boundaries under any pretext or argument;
- (iv) the infringement of the sovereignty of States and the violation of their territorial integrity;
- (v) the denial of the inalienable rights of the Palestinians to self-determination and to live in peace.

As for us, Mr. Secretary-General, we are sincerely and hopefully looking forward to achieving a durable and just peace. To our minds, nothing less should emerge from this historic gathering; otherwise we would produce a most unusual document which public opinion in our countries and in the world at large would never accept, but rather oppose and reject. Such a peace would be as vulnerable and fragile as the present cease-fire and as shaky and dangerous as were the conditions which, for the last 25 years or so, have persisted in the Middle East as a result of the failure to implement the many relevant resolutions adopted by the different organs of the United Nations.

Mr. Chairman, my presence here is a true and faithful continuation and implementation of the policies and the strategy laid down by President Sadat. In fact, as you may recall, he proposed on 14 February 1971 a programme for achieving peace based on the full implementation of Security Council resolution 242 (1967). Again, on 16 October of this year, he proposed that a peace conference be convened at the United Nations: such a conference was to lay down the modalities and establish the guarantees for building peace in the area based on respect for the legitimate rights of the people living therein.

Egypt's determination to work for peace equals its resolve to see that, in one way or another, its land, the Arab lands and those of our neighbours, are liberated, and that the Palestinians enjoy their legitimate right to live in peace and dignity. This, in fact, represents what Egypt has been endeavouring to achieve since 5 June 1967, and up to 6 October 1973. Indeed, Egypt worked unremittingly for peace. These efforts were recognized and welcomed by all the countries of the world, whether in Africa, Asia or Europe, by the Soviet Union and even by the United States. My

President, and with him the Egyptian people, are on record as declaring that they have done their best to attain a durable and just peace by peaceful means. Alas, all these efforts were met by a persistent cry and determination to retain Arab territories unlawfully and by the use of force. Then the hour of 6 October 1973 struck, as a result of which we hope that the Israeli Government has now realized that Israeli security does not lie in retaining geographical trophies or in achieving military supremacy, but that it would best be safeguarded if it undertakes to live in peace with its neighbours. We hope, furthermore, that Israel now also understands that Egypt and, for that matter, all the Arab countries cannot be conquered by force or allow their lands to remain occupied. Nor will the Arab world accept the continued inhumane treatment of the Palestinians or agree that Jerusalem, the city of peace, should remain under the banner of the conqueror. Territories are the heritage most jealously guarded and defended by a people. They are handed from generation to generation. They are part of its history and prompt a profound sense of pride and thus of nationhood. Loss of territory deeply affects them and provokes a strong resolve to regain by all possible means what is theirs by right. Peoples do not bargain or barter over their territories, and the Arab nation is no exception. To expect the Arabs to give up part of their lands is tragically to misread their determination to the contrary. To insist that this be done would wreck all hopes for this Peace Conference to achieve what it has set out to do.

For all of us, coming to this Conference is a major step on the road to peace. We realize that this Conference would never have materialized if it were not for the multiple efforts of all countries of the world and their resolve to see to it that peace is at last restored to the region. Egypt is attending this Conference with the full determination to do its best in a businesslike manner to achieve a just and lasting peace. In doing so, however, we will never overlook the following basis essentials for peace in our area:

1. the total withdrawal of Israeli forces from the Arab territories occupied since 5 June 1967;
2. the liberation of the Arab city of Jerusalem and non-acceptance of any situation which may be injurious to the complete Arab sovereignty over the holy city;
3. the exercise by the Palestinians of the right to self-determination and to live in peace and dignity;
4. the right of every State in the area to enjoy territorial inviolability and political independence;
5. that there be international guarantees by the major Powers or the United Nations or both, as an added safeguard to international peace and security in the area.

These essentials for peace are in conformity with and fully reflect the decisions taken at the recent Arab summit in Algiers. Egypt, for its part, is fully prepared to honour all its other obligations emanating from Security Council resolution 242 (1967) both in letter and in spirit.

Mr. Secretary-General, I hope that I have made clear the basic philosophy of my Government, and that I have conveyed to you and the members around this table the extent to which we in Egypt are prepared to co-operate in establishing a just and durable peace. We realize that this cannot be achieved through Egypt's will and determination alone. Peace needs an equally profound desire and determination by all those concerned with this conflict, and in particular the United States and the Soviet Union, to take upon themselves a unique responsibility unprecedented in history. Durable and just peace in the Middle East must be maintained without ambiguities, in conformity with international law and basic principles enshrined in the Charter of the United Nations, and reflected in the resolutions and decisions of the world organization, which are in fact the true expression of the opinion and the hopes of the peoples of the world. Egypt has come to this conference to sustain the rights of the Arab nations and to obtain by peaceful means the restitution of all Arab territories occupied since June 1967 and the restoration of the inalienable rights of the Palestinians. Thank you.



**JORDANIAN FOREIGN MINISTER ZEID EL-RIFAI, ADDRESS AT THE OPENING MEETING OF THE GENEVA PEACE CONFERENCE, GENEVA, 21 DECEMBER 1973**

Mr. Secretary-General, as we come to this Peace Conference, it might be in order to recall the words of Rebindranath Tagore: "Give me the supreme faith of love, this is my prayer, the faith of the life in death, of the victory in defeat, of the power hidden in the frailness of beauty."

Indeed, Mr. Chairman, it is this victory of right over wrong, of justice over injustice, and of peace over war which the delegation of the Hashemite Kingdom of Jordan is coming to seek at this Conference.

It has been a long time, too long, since we started our search for peace in the Palestine area. The Middle East crisis of today, which earlier was known as the question of Palestine, is a tragedy the like of which humanity has never witnessed on such a large scale.

From the days of the First World War, when the Jews in Palestine were no more than 56,000 people who owned no more than 2 per cent of the total area of Palestine, to the days when they increased immensely and rapidly through emigration from various other lands, and expanded in Arab Palestine through invasion and occupation, the struggle between the Israeli invader and the Arab indigenous people has weighed heavily on the human conscience.

The tide, however, never stopped at any limit. The resolution on the partition of Palestine adopted by the United Nations in 1947 was overshadowed by the delineation of the Armistice lines in 1949 as a result of Israel's military gains. Thus, while the Jewish State, in the partition of 1947, was given 56 per cent of the total area of Palestine, it was able to occupy 77.4 per cent of this total area and, in its ambitious expansionist policy, Israel followed its own time-table for the acquisition of Arab territory. In 1967, twenty years after its establishment, Israel swept over all of Palestine plus large areas of three neighbouring Arab States. Today its armed forces stand on the banks of the Jordan river, on the plains of Damascus, and west of the Suez. By force or arms, Israel reached that extent.

Is it the sword that shall win? Is it the force of arms, as Israel's leaders put it, that shall determine the issue? Can Israel establish its future in the Arab ocean through continued adventures?

Throughout the twenty-five years of its life, Israel has failed to win the slightest degree of love or acceptance by its Arab neighbours. It has always been looked upon as an authority of terror and aggression, the conduct of which is always characterized by defiance and arrogance. The seeds of oppression which it planted in the Arab soil grew with hatred. It is not the intention of my delegation to speak at this opening stage of the Conference on other aspects and episodes involved in the Israeli expansionist policy in its various phases. It will take a long time to speak of the expulsion of the native Arab population, of the eradication of their roots, of the suppression of those who were left behind, of the repressive measures taken against them, of the large-scale deportation of Arab inhabitants, of the confiscation and expropriation of land and property, of the desecration of holy place and venerated shrines, and of the change of historical and cultural heritage. It is not time to speak of the damage, destruction and murder that was committed against the Arab people and homeland at the hands of Israel. But it is time, no doubt, to ask - at the outset of this Conference - how long will this Israeli armed aggression and occupation be allowed to continue and to remain?

Should the Arabs always have to wage war in order to restore right and justice? Should we always suffer in order to live in peace? Those piles of resolutions which were adopted at the United Nations by its various organs stand witness to the failure of the international community to heed the call of justice. The fact, the naked fact, remains that Israel's armed occupation of Arab territory constitutes an act of continued and escalating aggression which the world has watched in silence.

It is from this position, the position of recourse, as a last resort, to rebellion against tyranny, that the Arabs had to take up arms. The fighting which broke out in our area at the Egyptian and Syrian fronts on 6 October last was a gallant effort by the Arab forces, dedicated to making peace a reality. The

economic measures taken by other Arab countries were another resolute expression of the demand for compliance by Israel with the conditions of peace.

The sacred heritage which has come down to our people through history and the well-established civilization which we safeguard motivate us continuously to avoid exposing this legacy to danger and destruction. Israel does not seem to share this concern with us. Could it be because it does not belong to our environment? Could it be because it is a stranger in our homeland?

The measures Israel took, despite the universal will of mankind, to alter the status of the Holy City of Jerusalem and to change life and tradition in it are a grave violation which neither history nor the future would forgive or tolerate.

How could Israel be introduced into the Arab region and live in permanent peace with the Arab surroundings as long as it insists on being foreign and hostile?

The peace, Mr. Chairman, which we would conclude with Israel is one that would restore to the Arab people their occupied land; one that would return to the legitimate inhabitants their inalienable rights; and one that would ensure security against Israeli attacks for its Arab neighbours.

Mr. Chairman, we meet today, as directly concerned parties, under appropriate auspices, with the aim of establishing a just and durable peace through the implementation of Security Council resolution 242 of 22 November 1967 in all its parts.

In fact, the Government of the Hashemite Kingdom of Jordan has never failed on any single occasion to call for the implementation of resolution 242 as a way to achieve peace. This has been our steady position since the adoption of this resolution. Whether at the General Assembly of the United Nations, or the Security Council, or whether with the Special Representative of the Secretary-General, Jordan has maintained this stand.

We sincerely believe that the delay in the implementation of this resolution, which primarily requires withdrawal of Israeli armed forces from all Arab territories occupied in 1967 and back to the lines from which they advanced, caused, indeed, a delay in starting the process of establishing peace.

Resolution 242 (1967), the implementation of which has become the fundamental demand of the whole community of nations and all individual States and regional organizations, emphasized clearly at the start of its preamble and in the first operative part, the inadmissibility of the acquisition of territory by war and the demand for Israel's withdrawal from the territories it occupied as a result of the 1967 military operations.

Neither in international law nor in sound logic can a state of occupation by armed attack be acceptable or permissible. Nor could such a state be allowed to continue simply because the occupying authority insists on imposing its own will. Six and a half years have passed at the expense of peace and tranquillity in the Middle East. There was no reason for failure to achieve peace during that period except the refusal of Israel to comply with the pronouncements of the United Nations, with the rule of law, and with the prerequisites of peace.

We ought to declare unequivocally that time will continue to lapse vainly unless Israel commits itself to complete withdrawal from all the Arab territories it has occupied since 5 June 1967. And this includes Syrian occupied territory, since the absence of Syria from this Conference should not in any way prejudice its right to full withdrawal of Israeli forces from all its occupied territory, and since the position of my Government is that the principle of withdrawal is indivisible.

This, Mr. Chairman, is the only way to proceed if we, at this Conference, are to reach a peaceful settlement.

My Government believes that there are major issues in the construction of peace which should be decided upon in this Conference. These issues are as follows:

*First*, Israel's complete withdrawal from all Arab territories which it has occupied since 5 June 1967. A programme of implementation and a time-table for this withdrawal should be drawn up and agreed upon.

*Second*, international boundaries of the States of the area must be recognized and respected, as well as the territorial integrity, sovereignty and independence of these States.

*Third*, wherever there are no international boundaries between an Arab State and Israel, such boundaries are to be established by agreement and on the basis of the inadmissibility of the acquisition by force.

*Fourth*, the right of every State in the area to live in peace within secure and recognized boundaries, free from threats or acts of force, must be pledged and guaranteed.

*Fifth*, the legitimate rights of the Arab people of Palestine must be fulfilled in accordance with the resolutions of the United Nations, and the Palestinian refugees must exercise their right of repatriation and/or compensation in accordance with law and justice.

*Sixth*, Arab Jerusalem is an inseparable part of Arab occupied territory. Therefore, Israel is to relinquish its authority over it. Arab sovereignty must be restored in the Arab sector of the city. The Holy Places of all the three divine religions must be preserved, protected and respected, and free access for all the followers of these three religions must be secured and maintained.

Mr. Chairman, when Israel was established by the United Nations in 1947 and was admitted to the membership of the United Nations in 1948, it made a declaration that it "unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the day it becomes a Member of the United Nations".

With such an undertaking, Mr. Chairman, Israel failed to honour its first obligation of membership under the Charter of the United Nations, which stipulates that "all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State".

For the last six and a half years, Israel has been violating the sovereignty, independence and territorial integrity of three Arab States, namely Egypt, Jordan and Syria, and has, for the last twenty-five years, been violating the legitimate rights of the Arab people of Palestine.

Today, we come, as directly involved parties and most concerned with the problem, to try to arrive at a settlement through peace.

My Government's attitude towards the deliberations and conclusions of this Conference is that an over-all settlement of the problem before us and the major issues related to it is a collective responsibility of all the parties directly concerned. Questions of withdrawal, boundaries, Palestinian rights, refugees, obligations of peace and the status of Jerusalem are all of common concern and a collective responsibility. My delegation, therefore, is not prepared to conclude any partial settlement on matters that we feel are of a joint interest with our Arab brothers at this Conference.

Sir, faithful to our obligations towards the United Nations, and noting that the only recognized documents before us today are Security Council Resolutions 242 of 22 November 1967 and 338 of 22 October 1973, my Government is pleased to have the Secretary-General of the United Nations, Dr. Waldheim, preside over the opening meeting of this Conference.

May I also be allowed, Mr. Chairman, to acknowledge on this occasion, with sincere appreciation and high admiration, the effective and noble role which both the United States of America and the Soviet Union have played to bring this Conference into being. Needless to say we are also grateful to have had the chance to convene our Peace Conference in Switzerland, the land of peace, beauty and human dignity.

And as we meet today, we know that the eyes of the world are turning towards us. Here on the European continent the voice of right is echoing stronger and stronger. On the free soil of Africa our African brothers are boldly knocking at the gates of peace. Great Asia is backing our efforts with all its weight and dignity. Every patriot, every refugee, and every free man is wishing us success in our

work. Let us, therefore, give, in the present test, the lofty principles of mankind the seriousness, sincerity and devotion they deserve. Let us give to the Middle East, the torch of civilization and the cradle of prophets, the peace which it has missed for many decades.

Thank you, Mr. Chairman.



**ISRAELI FOREIGN MINISTER ABBA EBAN, ADDRESS AT THE OPENING MEETING  
OF THE GENEVA PEACE CONFERENCE, GENEVA, 21 DECEMBER 1973**

Mr. Secretary-General, distinguished Prime Minister, Foreign Ministers, Gentlemen. There has never been an Arab-Israel peace conference before. Instead there have been many wars, for which the price has been paid in thousands of lives and in a region's long agony. Today at last a new opportunity is born. No wonder that this Conference opens under the burden of an immense expectation. Millions of people across the world are hoping that we shall somehow succeed to break the cycle of violence, to give a new purpose and direction to Middle East history, and to bring a halt to the spreading contagion of force.

We have no way of knowing whether this opportunity will be fulfilled or wasted. The answer lies in the intentions of many governments and peoples in the Middle East - and beyond. Israel for its part is resolved to seize the chance.

Now, the agreed purpose of this Conference is to negotiate peace between States whose relations until now have been scarred by a fierce enmity which has exploded again and again into war. The assault launched against us by Egyptian and Syrian armies on 6 October was only the most recent link in a chain of violence extending with tragic results across the entire life of Israel as a modern State. To achieve its aim, therefore, this Conference must reverse the whole tide of recent history. It is not going to be an easy task, nor at best can its fulfilment be rapid. We shall have to reconcile a sense of urgency with a capacity for patience. And yet, when all the calculations of prudence and caution and realism are duly made, our heart and imagination inspire a positive hope. We cannot ignore experience but nor are we committed to its endless reiteration. So Israel comes to Geneva in the conviction that there is room for innovation, initiative and choice.

We must be well aware of the particular complexity of our task. There is nothing in any degree similar to the Arab-Israel conflict. The crisis of the Middle East has many consequences, but only one cause. Israel's right to peace, security, sovereignty, commerce, international friendship, economic development, maritime freedom, indeed its very right to live, has been forcibly denied and constantly attacked. All the other elements of the conflict are consequences of this single cause. In no other dispute has there ever been such a total denial, not only of the sovereign rights of a State but even of its legitimate personality. And the emotional assault on Israel has gone much beyond the political context. It sweeps all human solidarities aside. It is nourished by a copious literature with official endorsement that gives support to Nazi anti-Jewish myths. It nourishes a conspiratorial theory of Jewish history. It explodes into the mutilation of Israeli soldiers in the field, the murder and torture of Israeli prisoners, and it has culminated most recently in Syria's sadistic refusal to carry out the Geneva Convention on the treatment of prisoners of war. Out of this kind of ferocious hatred springs the kind of assault on humane values that was enacted in Munich last year, in Rome airport five days ago and with weary regularity in other places between, before and since. When sportsmen in the shelter of the Olympic flag are bound hand and foot and calmly shot in the head, one by one, when passengers in a civil aircraft are methodically blown up and burned, to fragments, do we not come face to face with the mentality and ideology which produced the gas chambers and the gallows of Auschwitz?

It is from this tradition that we must seek to break away. The prospects for this Conference to succeed depends in the last analysis on whether the Arab nations and Israel want to reach an objective understanding of each other. Now, we have no trouble or reluctance in understanding what Arab nationalism is all about. It is the moving story of a people's liberation from external servitudes. It is an effort to build a bridge between past glories and future hopes. The success of the Arab nationalist enterprise is reflected

in the existence of 19 States, occupying 12 million square kilometres, in which 100 million Arabs live under their sovereign flags, in command of vast resources. The world, including Israel, has come to terms with Arab nationalism. The unsolved question is whether Arab nationalism will frankly come to terms with the modest rights of another Middle Eastern nation to live securely in its original, and only, home.

For this to happen it will, I suggest, be necessary for political and intellectual leaders in the Arab world to reject the fallacy that Israel is alien to the Middle East. Israel is not alien to the Middle East: it is an organic part of its texture and memory. Take Israel and all that has flowed from Israel out of Middle Eastern history and you evacuate that history of its central experiences. Israel's historic, religious, national roots in the Land of Israel are a primary element of mankind's cultural history. Nothing - not even dispersion, exile, martyrdom, long separation - has ever disrupted this connexion. Modern Israel is the resumption of a primary current in the flow of universal history. We ask our neighbours to believe that it is an authentic reality from which most of the other elements in Middle Eastern history take their birth. Israel is no more or less than the Jewish people's resolve to be itself and to live, renewed, within its own frame of values, and thus to contribute its particular shape of mind to the universal human legacy.

That is what Israel is all about, and all this is much too deep and old and strong to be swept away. I ask Arab leaders and thinkers when they reflect on Israel, to ponder a French historian's definition of nationhood: "A nation is a soul, a spiritual principle. To share a common glory in the past, a common will in the present; to have done great things together; to want to do them again - these are the essential conditions of being a nation."

When to all this memory you add the special tragedy of Jewish homelessness, you will understand why Israel faces the other Middle Eastern nations in the perfect consciousness of its own legitimacy. It will neither disappear nor apologize for itself, nor compromise its sovereign destiny nor surrender its name and image, nor be swallowed up in something else. Within the framework of its own legitimate existence it seeks reconciliation and peace.

It seems to me that the effort to resist the existential truth about Israel as inseparable from Middle Eastern destiny lies at the root of every other discord. We ought to remember that the war against Israel is a little older than the State of Israel itself. If we want to know the authentic answer to the question "How did it all begin?", we could go to the library downstairs and look up the documents and find the report of the United Nations Partition Commission of 20 April 1948. I quote:

*"Arab opposition to the plan of the General Assembly has taken the form of organized efforts by strong Arab elements both inside and outside Palestine, to prevent its implementation and thwart its objectives by threats and acts of violence.... Powerful Arab interests, both inside and outside Palestine, are defying the resolution of the General Assembly, and are engaged in a deliberate effort to alter by force the settlement envisaged therein."*

That is the report.

How little has changed since then. Can we not describe today's condition in these sentences without changing many words? The pendulum of military advantage swings this way and that. The tide of political struggle ebbs and flows. One thing alone has been constant - the volcanic atmosphere in which the Middle East lives, with only a few years between each eruption and each succeeding lull. And so in the twenty-sixth year, as in the first, we woke up one morning to find the Arab forces moving against us from south and north. Nobody believes that if those massive armoured thrusts had gone forward as their commanders wished, they would have come to a voluntary halt, at any particular line. The distinguished Egyptian writer, Muhammad Hasainin Heikal, has put it very clearly in "Al-Ahram" of 19 October:

*"If the Arabs succeeded by force of arms in liberating the lands conquered in June 1967, what is to prevent them in the next stage from liberating the whole of Palestine itself by force of arms?"*

What indeed? And so in October 1973, as in May 1948, the issue for Israel became no less than the survival of life and home, of national future, of personal destiny, of all that had been built and cherished and defended, in common action, for 25 years.

And yet with all the similarity between 1948 and 1973, there has been one ominous transformation. All of us around these tables must be aware of it. Small Middle Eastern countries can now use arms in such quantities and of such destructive force as would have been available only to the greatest military Powers one generation ago. And therefore the Golan and Sinai are strewn with young bodies of Israelis and Arabs, and the burnt-out hulks of armoured vehicles and trucks. Two thousands tanks were destroyed in the one, single month of October. For the price of them the countries of the Middle East could have had 20,000 tractors to bring fertility to their lands.

It may be that one thing has changed for the better, namely that a mutual understanding of the sterility of war and the sterility of political deadlock has become sufficiently alive to bring all of us here to Geneva - Israel, Egypt and Jordan. We come with a mandate from our Governments to seek peace. We also have a common mandate from bereaved mothers and widows and orphans to bring 25 years of insanity to an end. The pathos of it all is that this Peace Conference could have been convened six years ago, after the 1967 war, or indeed at any time since the 1948 war ended with the 1949 armistice agreements. A peace negotiation is what Israel has been proposing all the time. We could have had this moment, without all those graves, without all that blood.

The question now is whether we can break out of past deadlocks into a new vision and a new hope. Well, a common interest in bringing the war to an end has already brought Egypt and Israel together in three agreements. We have accepted a cease-fire in pursuance of Security Council resolution No. 338, of 22 October. On 7 November, we signed a six-point agreement for stabilizing the cease-fire. The Egyptian and Israeli senior officers who concluded that agreement met face to face and pursued their discourse in a civilized atmosphere at Kilometre 101, until 10 December. Now Egypt and Israel, together with Jordan, have agreed on the procedure and terms of reference for a peace conference.

These three decisions are the bridge across which we wish to make a transition from belligerency to peace. It is especially vital that the cease-fire continue to be observed by land and air and sea.

I propose that Egypt and Israel pledge themselves at this Conference to observe the cease-fire on the basis of reciprocity. I give that pledge on Israel's behalf. Surely the maintenance of the cease-fire is an indispensable condition before any useful negotiation.

Beyond these transitional steps we should have a clear conception of our objective. Israel's aim at this Conference is a peace treaty defining the terms of our co-existence in future years. Since the purpose of this Conference is peace we must have an understanding of what that term involves. Peace is not a mere cease-fire or armistice. Its meaning is not exhausted by the absence of war. It commits us also to positive obligations which neighbouring States owe to each other by virtue of their proximity and of their common membership in the international community. Above all, a durable peace must create a new human reality. It does not rest on the cold formalism of documents alone. Nations at peace are not separated from each other by hermetically sealed boundaries guarded by international police forces. Indeed the emphasis on the interposition of police units in so much of the public debate on the Middle East is a confession that the peace that is envisaged is not authentic or stable or real. The ultimate guarantee of a peace agreement lies in the creation of common regional interests, in such degree of intensity, in such multiplicity of inter-action, in such entanglement of reciprocal advantage, in such mutual human accessibility, as to put the possibility of future war beyond any rational contingency.

Let us all atone for 25 years of separation by working towards a co-operative relationship similar to that which European States created after centuries of conflict and war. It may take time to achieve that full objective. But does not every serious architect design a vision of the finished structure before anybody begins to face the prosaic difficulties of construction? At any rate, our vision must be one of sovereign States, the Arab States and Israel, each pursuing its national life within its own particularity while co-operating with its neighbours in a broader regional devotion.

The peace treaties that we want to negotiate and conclude should provide for the permanent elimination of all forms of hostility, boycott and blockade. The peace settlement must be the product of mutual agreement and not of external pressure, or of intimidation of one party by the other. It is only by freely accepting national and international responsibility for the peace that the signatory Governments can ensure its stability. Our peace agreements should of course provide for the renunciation of the use of force in our relations with each other. They should contain specific and unequivocal recognition of each other's political independence, integrity and sovereignty.

They should prohibit any hostile action, including terrorist action, conducted from the territory of one of the signatories against the territory and population of the other. They should formally proclaim the permanent end of the conflict and the renunciation of all claims or acts arising from belligerency. They should ensure that all international conventions which each of the signatories has signed should be applicable to the other signatory without any of the reservations entered by Arab Governments in the past into such international obligations. Nations at peace with each other do not seek to impede the movement of each other's ships or aircraft, or forbid them the normal civilities of air transit and maritime passage. Governments establishing peaceful relations after long years of conflict invariably define their intentions with respect to formal relations with each other in the economic, commercial, cultural and political domains. With the establishment of peace it would become normal for Israel and the Arab States to take their places jointly in regional development organizations.

There is also need for attitudinal change. Bertrand Russell wrote that "all wars originate in classrooms". Long years of conflict have given successive generations of our people a distorted vision of each other. The transition to peace should have its effects in educational systems, expelling all the images and stereotypes which nations at war invoke both as causes and consequences of their hostility. A peace settlement should unlock the arteries of our region's communications.

Now, these aims may seem very remote and visionary today, but they do not go beyond what Governments have usually accomplished in their transition from hostility to peace. In fact, I have never come across any peace agreement which does not include everything that I have listed here. The three Governments represented at this Conference all accepted these aims when they endorsed Security Council resolution 242, of which the main provisions are the establishment of a just and lasting peace, the mutual acknowledgement by all States in the area of each other's sovereignty, integrity, independence and right to security. Another provision of that resolution is the elimination of all forms of belligerency, agreement on secure and recognized boundaries to which forces would be withdrawn in the context of a peace settlement. Israel adheres to what it said on this subject in its communications to you, Mr. Secretary-General, in August 1970.

We shall seek to know from the Arab participants in this Conference whether they share our understanding of the obligations, rights and prohibitions involved in a peace agreement. If we can reach a harmonious understanding on this point, we shall still face many complexities but there will be a stronger probability, than otherwise, of agreement and compromise.

Of course, the peace treaty to be negotiated with each neighbouring State should contain an agreement on boundaries. The decisive test for Israel will be the defensibility of its new boundaries against the contingency of attacks and blockades, such as those threatened and carried out in 1967 and 1973. The experience of October 1973 confirmed our view that the permanent boundaries must be negotiated with the utmost precision and care. If those armoured thrusts had begun from EI Arish or northern Gaza, or from the Golan Heights itself, then the first assault might well have been the last. Peacemakers do not reconstruct vulnerable, inflammatory situations. They try to correct them. Therefore there cannot be a return to the former armistice lines of 1949-1967, which proved to be inherently fragile and which served as a temptation to an aggressive design of encirclement and blockade, from which Israel broke out in 1967 after weeks of solitude and peril.

In this matter as in others there must be a basic readiness on all sides to make such concessions as do not threaten vital security interests. Israel does not seek acceptance of any of its positions as a prior condition of the negotiation, just as we should not be asked to seek acceptance of any prior condition

as a condition of negotiation. Having heard Arab positions and stated our own, we should at an appropriate stage seek to bring our policies into compromise. Security arrangements and demilitarized areas can supplement the negotiated boundary agreement, without, of course, replacing it.

But for Israel the overriding element in the peace discussion is that of security. It is true that we have again come out successfully from a military assault, this time with every conceivable advantage on the other side - advantage in numbers, in quantity of weapons, in initiative and total surprise. But despite this success the mood in Israel is sombre, for we come up again and again against the predicament of human vulnerability. The losses sustained in 1973 compound the sacrifices of 1948 and 1956 and 1967 and all the attritions and infiltrations in between. And Israelis always contemplate these losses against the cruel background of the European holocaust, which took millions of our kinsmen away to their deaths. Now there is no other national experience even remotely similar to this. Too much of Jewish history is occupied by the simple ambition of being Jewish and yet staying alive, and usually this reconciliation has not been achieved. The only people to suffer such massive annihilation of its human resources and the only sovereign State to live for 25 years without a single month of peace - how does anyone expect such a people and such a State not to claim respect for a particularly intense concern for individual and collective survival.

The attainment of peace will make it possible to resolve the problem of refugees by co-operative regional action with international aid. We find it astonishing that States whose revenues from oil exports surpass 15,000 million dollars a year were not able to solve this problem in a spirit of kinship and human solidarity. In the very years when the Arab refugee problem was created by the assault on Israel in 1947 and 1948, 700,000 Jewish refugees from Arab and Moslem lands and from the debris of Hitler's Europe were received by Israel and integrated in full citizenship and economic dignity. There have been other such solutions in Europe, in the Indian sub-continent, in Africa. The Arab refugee problem is not basically intractable: it has been perpetuated by a conscious decision to perpetuate it. But surely a peace settlement will remove any political incentive which has prevented a solution in the past. At the appropriate stage Israel will define its contribution to an international and regional effort for refugees resettlement. We shall propose compensation for abandoned lands in the context of a general discussion on property abandoned by those who have left countries in the Middle East to seek a new life.

I presume that our negotiation with Jordan - I believe that it will define the agreed boundaries and other conditions of co-existence between two States occupying the original area of the Palestine Mandate - Israel and the neighbouring Arab State. The specific identity of the Palestinian and Jordanian Arabs will be able to find expression in the neighbouring State - I hope, in peaceful co-operation with Israel.

We declare our opposition to any explosive fragmentation of the area between three States in the region between the desert and the sea, where there are after all two nations, two languages, two cultures, and not three.

Today the bridges and the borders are open, and Arabs to the west and east of the Jordan - indeed, from all over the Arab world - move freely in and out of Israel, back and forth, into every part of the region. In a peace settlement with agreed boundaries we should strive to preserve and develop these conditions of human contact and accessibility. Separate political sovereignties need not rule out a large measure of economic and social co-operation. We aspire to a community of sovereign States in the Middle East, with open frontiers and regional institutions for co-operation.

We are deeply aware that Israel's capital, Jerusalem, now united forever, is the cradle of two other religious traditions, and the home of their Holy Places. Israel does not wish to exercise exclusive jurisdiction or unilateral responsibility in the Holy Places of Christendom and Islam - Holy Places should be under the administration of those who hold them sacred. We would be willing to discuss ways of giving expression to this principle as well as of working out agreements on free access and pilgrimage.

Israel would support a proposal to discuss a disengagement agreement with Egypt as first priority, when the Conference meets after the inaugural phase. On other possible agenda items we shall give

our views at a later stage. Today I shall only refer to some urgent issues of which the solution is compelling, both on human grounds and in the interests of the Conference itself.

The absence of Syria from the opening session is regrettable, but frankness and indignation compel me to state that Syria, in our judgment, has not yet qualified for participation in a peace conference because it continues to inflict a perverse injury on prisoners-of-war and their agonized and distraught families, in contravention of the Geneva Convention. This violation of human decencies continues unchecked. Syria is not to be trusted in the honourable treatment of prisoners-of-war and there are precedents much too harrowing for me to narrate. But we know that helpless prisoners-of-war are shackled and then murdered in cold blood. We have reported 42 such cases to the International Committee of the Red Cross. We know that prisoners are tortured and maimed, beaten and dishonoured. By withholding lists and refusing Red Cross visits, the Syrian Government creates wide circles of anguish and uncertainty amongst hundreds of families and thousands of citizens. Lists of Syrian prisoners have been presented by Israel to Red Cross Committees, and Red Cross visits do proceed regularly. The obligations of States under the Third Geneva Convention are unconditional and may not be made dependent on any other claim or request. Nevertheless, Israel has agreed, simultaneously with prisoner release, to the return of thousands of Syrian civilians to the territory east of Golan captured in the October war and even to handing over to the United Nations Emergency Force of two positions occupied between 22 and 24 October.

We would also emphasize the urgency for Egyptian action in reply to our queries on additional missing prisoners and on the repatriation of the bodies of soldiers fallen in action. In general, whenever we talk of this issue of prisoners, surely the time has come to banish the savageness which has marked the treatment of Israelis in Arab hands and to adapt the life of our region to the principles of international civility.

We want to substitute the idea of international civility for the present atmosphere of Middle Eastern life today. Too much of international life is left under the hijacker's philosophy. The slogan of the hijacker is "Do what I tell you, or else". This is said by terrorists to pilots of aircraft, by some oil-producing States to European and other Governments, by some Arab Governments to States whose relations with Israel they wish to weaken, by boycott committees to commercial companies. Now this slogan "Do what I tell you or else" is not the best prescription for Middle Eastern stability. It gets some immediate results but it is bound in the last resort to encounter resistance. What we seek is a transformation of all the concepts and attitudes which govern international relations in our region.

For many years, the Middle Eastern conflict has been a constant theme of public debate. The eyes of the world are upon this meeting, but I do hope that in the next stages of its work the Conference will develop compact, reticent procedures to discuss each component of the dispute. We do not rule out agreed stages of progress towards the final settlement, but the Conference should not be satisfied as an ultimate result with anything less than a permanent, overall peace.

The distinction between a public debate in the General Assembly and a peace conference is crucial. In the case of a public debate there is an attempt to solve problems by adjudication; in a peace conference, by agreement. We hope for restraint by Governments outside the area who may think that they know the exact point of balance at which the interests of the parties should be reconciled. Our free agreement is essential because in the last resort nobody outside Israel is called upon - or is ever likely - to risk any life or blood for Israel's survival. Whenever there is that kind of sacrifice, we shall have to face it alone. We ask therefore for respect for our solitude of responsibility, that is to say, for our judgment of what the basic minimal conditions for Israel's security and survival are. We intend to preserve that domain of ultimate decision with traditional tenacity. This issue is especially sensitive. We have accepted the joint initiative of both co-chairmen as a reflection of the real balance of forces at work. We understood from Foreign Minister Gromyko's speech that in his view Israel's legitimacy and right to security are not under any doubt. As we read the Algiers Declaration, however, that declaration puts both of those things in doubt. The word "peace" does not exist in that declaration at all, nor does the word "Israel", and there is an ominous reference to "the enemy". That is why the Algiers Declaration is really not the sort of declaration that can guide a peace conference.

But while we have accepted the joint initiative of both co-chairmen, we cannot ignore that one of them identifies himself exclusively with our adversaries and has felt no balancing necessity to concern itself with Israel's welfare or destiny. This has been the case in the arms race as well. There is therefore no symmetry here, even if the imbalance is less marked than in the broader multilateral arena. The true remedy then is to allow maximum opportunity for the parties themselves to achieve dialogue and to come to agreed solutions.

In conclusion, Mr. Secretary-General, while the components of the problem are complex, everything comes back in simple terms to the intentions that we bring with us to this table. Israel, Egypt, Jordan, Syria, Lebanon - and in the final resort all of these should be participants - are relatively new as sovereign States, but Arab and Jews are very old as peoples. Both of us have always had the gift of memory, neither of us has ever been very good at forgetting. In this generation we have been made more aware of our divisions than of our common humanity but there are some ideas and recollections that are common to us both. There is one cave at Machpelah in which our common ancestors, the Patriarchs and the Matriarchs, are laid to rest.

Our common ancestor, Abraham, shocked all his contemporaries by breaking the idols and suggesting something new. That is what we now have to do, to smash the idolatries of war and hate and suspicion, to break the adoration that men give to their traditional attitudes and above all to their traditional slogans, to strike out towards a horizon, uncertain, but better than the terrible certainties that face us if we stay behind.

Our Holy Book puts it simply (spoken in Hebrew and English): "Nation shall not lift up sword against nation, neither shall they learn war any more." But it is put with equal simplicity in your Holy Book (spoken in Arabic): "If they incline to peace, then turn towards it and put your trust in God".

Thank you.



**UN SECRETARY-GENERAL WALDHEIM KURT WALDHEIM, STATEMENT ON THE CONCLUSION OF THE GENEVA PEACE CONFERENCE, GENEVA, 22 DECEMBER 1973**

*[A consensus was reached at the conference and the following statement was read by the UN Sec.-Gen. summing up the conclusions about future work.]*

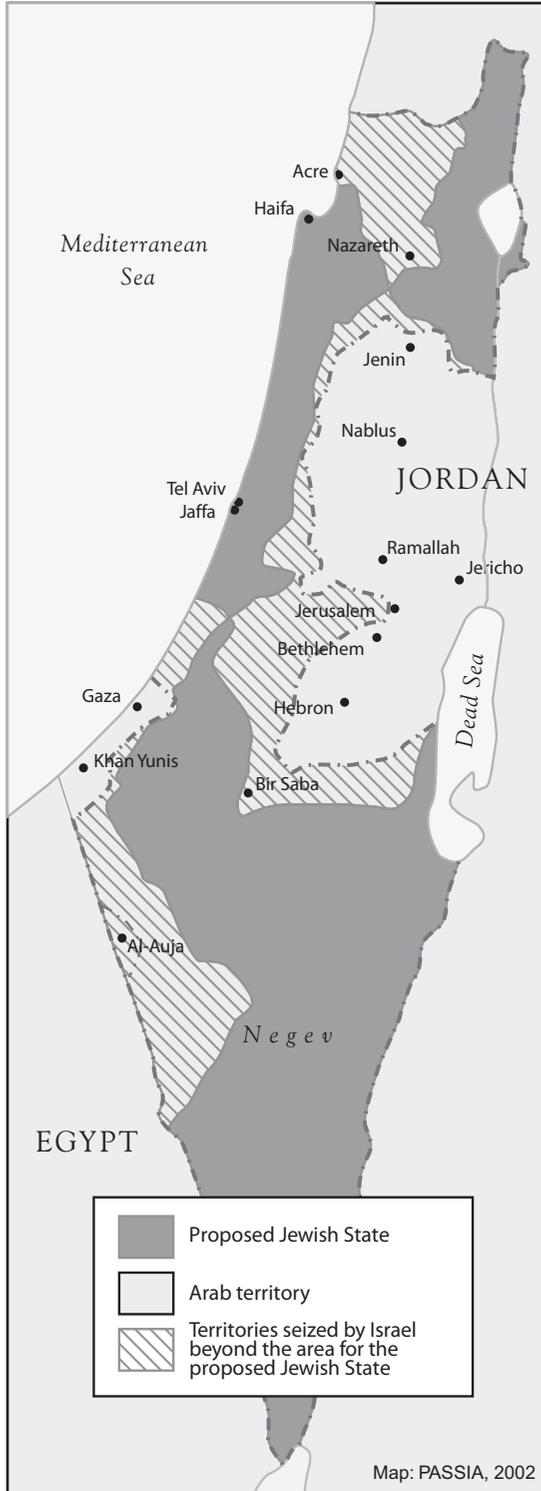
After both formal and informal deliberations, the Conference reached a consensus to continue its work through the setting up of a military working group, as well as other working groups which the Conference may wish to establish at some future date. The military working group will start discussing forthwith the question of disengagement of forces. The working groups will report their findings and recommendations to the Conference, which is continuing on at least the ambassadorial level. The Conference at the Foreign Ministers level will reconvene in Geneva as needed in the light of developments.





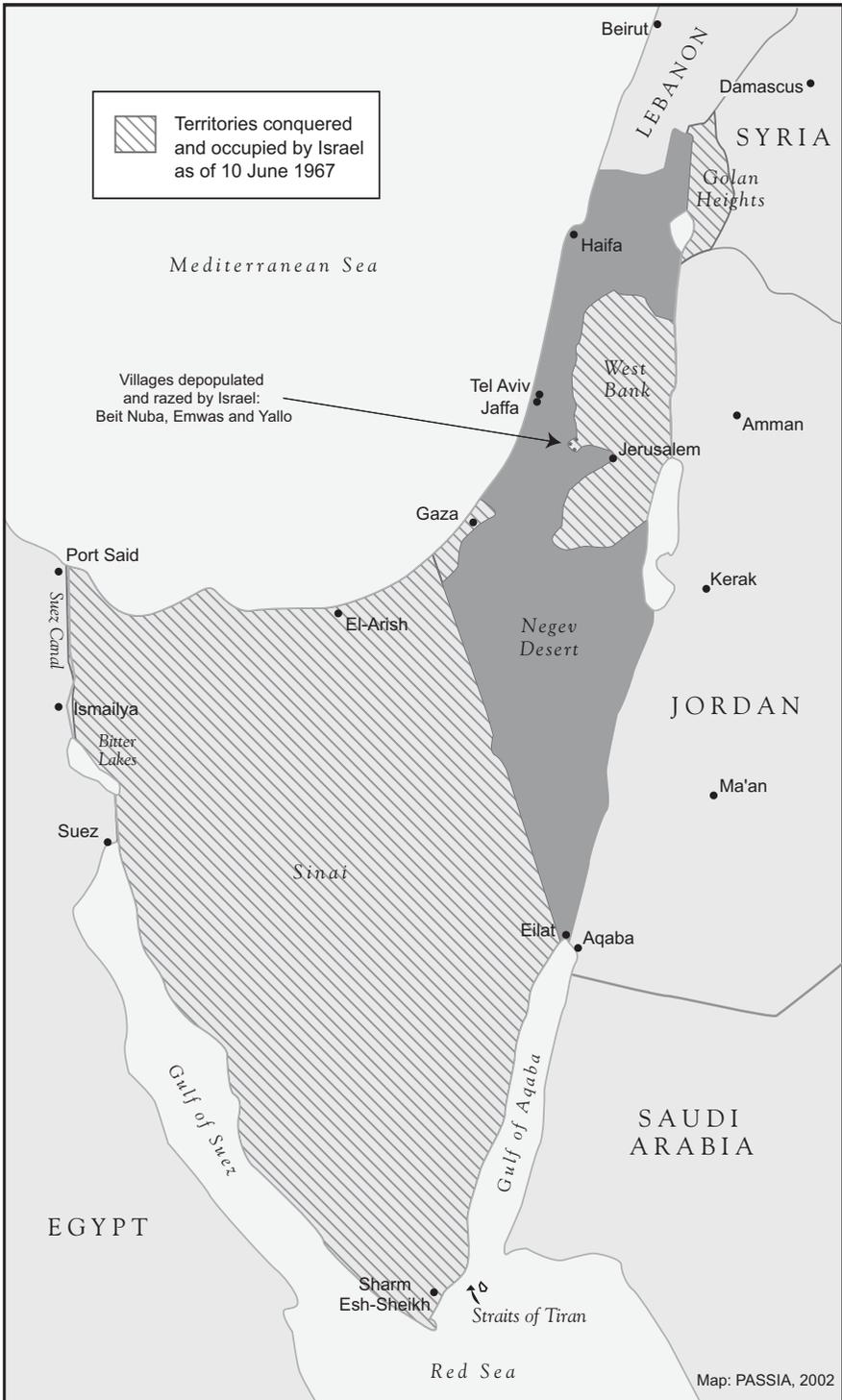
# Map 1

## Armistice Lines, 1949



# Map 2

## The Near East after the June War, 1967

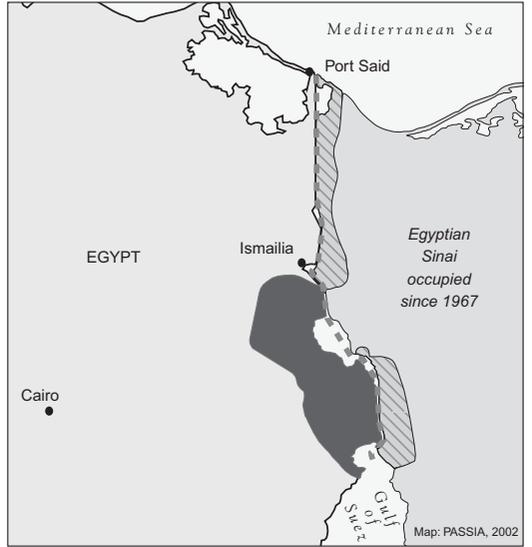


# Map 3

## The October War, 1973



The Egyptian Front at the Cease-Fire of 26 October 1973



The Syrian Front at the Cease-Fire of 22 October 1973

