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**GENERAL  
ASSEMBLY**

**ASSEMBLEE  
GENERALE**

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AD HOC COMMITTEE ON THE PALESTINIAN QUESTION

REPORT OF SUB-COMMITTEE 1

Rapporteur: Prof. E. RODRIGUEZ FABREGAT (Uruguay)

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1. The Ad Hoc Committee on the Palestinian Question decided at its nineteenth meeting on 21 October 1947 to establish two sub-committees. The Chairman, by virtue of the authority conferred on him by the Ad Hoc Committee on 22 October 1947, appointed the following countries as members of Sub-Committee 1: Canada, Czechoslovakia, Guatemala, Poland, Union of South Africa, Union of Soviet Socialist Republics, United States of America, Uruguay and Venezuela.
2. The terms of reference of the Sub-Committee were set out in document A/AC.14/29 as follows:
  - "1. To draw up a detailed plan for the future government of Palestine in accordance with the basic principles of the unanimous recommendations and the majority plan of the Special Committee on Palestine;
  2. To incorporate this plan in the form of recommendations;
  3. To consider the exercise of administrative responsibility in Palestine during the transitional period, including the possibility of the application of Chapter XIII of the Charter; and
  4. To consider methods by which recommendations of the Ad Hoc Committee on the Palestinian Question under paragraph 1 above would be put into effect."
3. The Sub-Committee held its first meeting on 23 October 1947 and elected Mr. K. Pruszyński, the representative of Poland, as Chairman and Professor E. Rodríguez Fabregat, the representative of Uruguay, as Rapporteur.
4. A representative of the United Kingdom and a representative of the Jewish Agency for Palestine were invited to sit with the members of the Sub-Committee in order to furnish them with such information and assistance as might be required. These representatives attended all meetings of the Sub-Committee and furnished valuable advice and assistance to the Sub-Committee in its work.
5. A representative of the Arab Higher Committee was also invited to sit with the members of the Sub-Committee when the question of boundaries was raised to furnish such information and assistance as might be required. The Arab Higher Committee, however, stated that there was no reason for it to change the attitude it had previously announced in the Ad Hoc Committee, namely, that it was prepared to assist and give information only regarding the third item of the agenda providing for the termination of the Mandate and the independence of Palestine as a unitary State.

6. The Sub-Committee has held 32 meetings in all. It adopted as the basis for its work the principles of the unanimous recommendations and the majority plan of the Special Committee on Palestine. In accordance with its terms of reference it considered the question in great detail in order to prepare a comprehensive and workable plan for the future government of Palestine and to provide for its effective implementation.
7. In order to facilitate its work the Sub-Committee created a number of working groups composed of several representatives or, in some cases, of only one member. Most of the Working Groups consulted with other members of the Sub-Committee, with experts of the United Kingdom and of the Jewish Agency for Palestine, and with the technical experts of the Special Committee on Palestine and of the Secretariat.
8. The working groups established, and their composition, were as follows:
- (a) Working Group on the Holy Places, under the charge of Mr. K. Lisicky (Czechoslovakia).
  - (b) Working Group on Citizenship, under the charge of the Rapporteur, Professor E. R. Fabregat (Uruguay).
  - (c) Working Group on International Conventions and Financial Obligations, under the charge of Mr. J. G. Granados (Guatemala).
  - (d) Working Group on Economic Union, under the charge of Mr. J. G. Granados (Guatemala).
  - (e) Working Group on Boundaries, under the charge of the Chairman, Mr. Pruszyński (Poland) and the Rapporteur, Professor E. R. Fabregat (Uruguay).
  - (f) Working Group on Implementation. This Working Group was composed of Mr. L. B. Pearson (Canada), Mr. J. G. Granados (Guatemala), Mr. S. Tsarapkin (Union of Soviet Socialist Republics) and Mr. H. V. Johnson (United States of America).
  - (g) Working Group on the City of Jerusalem, under the charge of Mr. K. Lisicky (Czechoslovakia).
9. The report of the Working Group on Holy Places was adopted by the Sub-Committee with only slight variations from the recommendation of the United Nations Special Committee on Palestine.
10. The text of the Sub-Committee's recommendations on citizenship, which was adopted after the submission of the report of the Working Group on Citizenship, is substantially the same as that of the original text of the Special Committee on Palestine, with the additional provision that no Arab residing in the area of the proposed Arab State and no Jew residing in the area of the proposed Jewish State shall have the right to opt for citizenship in the other State.

11. The recommendation adopted with respect to International Conventions differs from the recommendation of the Special Committee on Palestine in that it provides for the reference of disputes about their applicability and continued validity to the International Court of Justice. The recommendation respecting Financial Obligations provides for the creation in Palestine of a Court of Claims to settle any disputes between the United Kingdom and either State respecting claims not recognized by the latter.
12. The report of the Working Group on Economic Union accepted the recommendations of the Special Committee on Palestine for the establishment of Economic Union but adopted some technical modifications. These modifications were made with a view to strengthening the powers of the Joint Economic Board, while at the same time ensuring the widest measure of autonomy to the future States. While the text of the Report of the Special Committee on Palestine provided for a Treaty between the two new States to establish the Economic Union of Palestine, the Sub-Committee's recommendation provides that the Economic Union shall be brought into effect by means of an undertaking to be entered into by each of the States. Certain provisions were also added to ensure that the Economic Union would operate in a non-discriminatory manner.
13. The Working Group on Boundaries accepted the boundaries of the Special Committee on Palestine in principle, but examined them in considerable detail with a view to reducing, so far as was reasonably possible, the size of the Arab minority in the Jewish State, and to take into account considerations of security, communications, irrigation and possibilities of future development. The Arab sections of Jaffa were excluded from the Jewish State and created as an Arab enclave. The boundary changes recommended by the Sub-Committee result in a reduction of the Arab population in the Jewish State estimated to be between 78,000 and 81,000, depending on whether the Karton quarter of Jaffa, which is inhabited by both Arabs and Jews, is included in the enclave of Jaffa. The final decision on this question, as well as on details of other boundary questions, is left to a demarcation commission which will fix the exact boundary lines on the spot. A number of other rectifications were made in the boundary lines recommended by the Special Committee on Palestine in accordance with

the above considerations. The new boundary lines as recommended by the Sub-Committee appear on the map which is Annex I to the recommendations.

14. The most difficult problem facing the Sub-Committee was that of the implementation of the Plan of Partition with Economic Union. The Working Group on Implementation held 13 meetings. Taking into account the statements made by the representative of the United Kingdom in the Ad Hoc Committee of its intention to plan for an early withdrawal of its troops and administration from Palestine, the Working Group agreed on 10 November 1947 to the outline of a plan for implementation. This plan provided for the termination of the Mandate and the withdrawal of the armed forces of the Mandatory Power by 1 May 1948 and the creation of independent Arab and Jewish States by 1 July 1948. The implementation of the General Assembly resolution was to be entrusted to a Commission of 3-5 members appointed by the General Assembly but acting under the guidance of the Security Council.

15. The representative of the United Kingdom made a statement in a meeting of Sub-Committee 1 on 13 November 1947 amplifying his previous statements. With respect to the withdrawal of the military forces of the Mandatory Power from Palestine, he stated that it was planned that the evacuation should be completed by 1 August 1948. While British troops remained in occupation in any part of Palestine they would maintain law and order in those areas, but they would not enforce a settlement either against Arabs or Jews. With respect to civil administration, he stated that his Government reserved the right to lay down the Mandate at any time after it became evident that the Assembly's decision was not acceptable to both Jews and Arabs. The British civil administration would not necessarily be maintained throughout the intervening period until the completion of the military evacuation.

16. A number of questions were put to the United Kingdom representative by members who wished to know what would be the attitude of the Mandatory Power in specific circumstances should a plan of partition be adopted and put into effect. In response to a question whether the Mandatory Power would accept the recommendations of the General Assembly in regard to Palestine, the representative of the United Kingdom stated that, if the General Assembly by a two-thirds majority approved any resolution, his Government would not take any action contrary to it. Subject to the general reservation that the Mandatory Power must retain sufficient control in areas still under military occupation to ensure the safety of British troops and their orderly withdrawal, the representative of the United Kingdom indicated in response to specific questions that the Mandatory Power would not obstruct the task of the Commission appointed to implement partition, nor, subject to that reservation, would it obstruct the establishment of Provisional Councils of Government for the Jewish and Arab States, the recruitment and organization of the militias of the States, the work of the Committee in charge of demarcation of boundaries, and the recommendations in regard to immigration and land regulations for the territory of the future Jewish State. Since the Mandatory Power might not continue to maintain civil administration in Palestine throughout the intervening period, it was possible that it might not be in a position actually to hand over all the functions of administration to the Commission, the Provisional Councils of Government, and the Joint Economic Board, but it would not in any way obstruct those bodies in assuming those functions in the territory evacuated by it, as and when the evacuation occurred. While he could not categorically reply in the affirmative, he encouraged the Sub-Committee to believe that the Mandatory Power would instruct the Administration of  
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Palestine to facilitate the task of the Commission, giving to it any kind of data deemed necessary by the Commission. With respect to the taking over of civil administration by the Commission, the Provisional Councils of Government and the Joint Economic Board in those areas where the civil administration had been withdrawn but which were still under British military occupation, he could not say what the situation might be, as he did not have any instructions on that subject, but he would report the question to his Government. He did not know the date on which withdrawal would commence nor the stages by which it would proceed, nor what was meant by an area of occupation, and consequently could not say whether there would be unoccupied areas where the Commission would be able to work on its arrival in Palestine, but he would endeavour to obtain further elucidation from his Government.

17. In the light of this additional statement by the representative of the United Kingdom, the Working Group unanimously agreed upon a plan of implementation including provisions for the termination of the Mandate and the withdrawal of the armed forces of the Mandatory Power on a date to be agreed by the Commission and the Mandatory Power with the approval of the Security Council, but in any case not later than 1 August 1948. The independent Arab and Jewish States and the Special International Regime for the City of Jerusalem would come into existence two months after the evacuation of the armed forces of the Mandatory Power but in any case not later than 1 October 1948. During the transitional period the United Nations Commission, consisting of five members appointed by the General Assembly, would be entrusted with the administration of Palestine under the guidance of the Security Council, and would take the measures necessary to implement the recommendations of the General Assembly. Until the termination of the Mandate the Mandatory Power was to maintain order and direct the main public services to the extent that these had not yet been placed fully or partially under the direction of the Commission, the Provisional Councils of Government and the Joint Economic Board, respectively. The Commission and the Mandatory Power were to co-operate with each other in the carrying out of their respective functions. There was to be a progressive transfer from the Mandatory Power to the Provisional Councils of Government and the Joint Economic Board, respectively, of responsibility for all the functions of government, including that of maintaining law and order in the areas which the Mandatory Power had evacuated. During the transitional period the Provisional Councils of Government, acting under the Commission, would have full authority in the areas under their control including authority over



matters of immigration and land regulations. After the termination of the Mandate the whole administration would be in charge of the Provisional Councils of Government and the Joint Economic Board acting under the Commission. The Provisional Council of Government of each State was to recruit an armed militia from the residents of that State to maintain internal order. If by 1 April 1948 a Provisional Council of Government could not be selected, or could not carry out its functions, in either of the States, the Security Council would take such action as it deemed proper with respect to that State.

18. The Plan of Implementation agreed upon by the Working Group was adopted by the Sub-Committee with a few minor modifications.

19. The report of the Working Group on the City of Jerusalem providing for a Special International Regime in relation with the Trusteeship Council, rather than for an International Trusteeship as recommended by the Special Committee on Palestine, was accepted by the Sub-Committee. Proposals to divide Jerusalem into the areas of the Old City, to be governed under an International Regime, a Jewish enclave, and the Arab sections to form part of the Arab State, were not accepted. The boundaries recommended by the Special Committee on Palestine for the area of the City of Jerusalem were retained except for a minor extension. These appear on the map which is Annex II to the recommendations of the Sub-Committee. Specific provision was made to permit the establishment of special town units, consisting respectively of the Arab and Jewish sections of new Jerusalem which should continue to form part of the Municipality of Jerusalem. A number of provisions were elaborated to give clearer definition to the nature of the International Regime.

20. The Sub-Committee also adopted a number of other amendments to various portions of the text of the recommendations of the Special Committee on Palestine that were not referred to any Working Group. These amendments were adopted with a view to elaborating or giving greater clarity and precision to the details of the plan for partition and economic union. It was made clear that each proposed State, irrespective of the other, could become independent, and could be admitted to the United Nations, if it fulfilled the necessary conditions. A provision was also adopted in accordance with unanimous recommendation No. X of the Special Committee on Palestine inviting the renunciation of capitulations with respect to the future States and the City of Jerusalem.

21. The Sub-Committee considered a number of proposals relating to immigration, including the recommendations of the majority of the Special

Committee on Palestine, the revision of that text proposed by the Working Group on Implementation, the draft resolution of the Delegate of Uruguay, and other suggestions made in the Sub-Committee. In view of the situation created by the adoption of a shorter period of transition than was envisaged in the Report of the Special Committee, the Sub-Committee considered that the revised text of the Working Group on Implementation, as incorporated in Section A, paragraph 2, and Section B, paragraph 5, of Part I of the plan adopted by the Sub-Committee was acceptable, and would, moreover, satisfy the urgent requirements of the problem which the Special Committee had recognized, and which the Sub-Committee fully appreciated.

22. The detailed plan in the form of specific recommendations for the future government of Palestine and the methods of implementing the plan are embodied in the draft resolution submitted to the Ad Hoc Committee. All the recommendations and the draft resolution were adopted unanimously with the exception of the paragraph relating to the composition of the special police force for the City of Jerusalem, the text of which was adopted by a vote of 6 in favour, 1 against, with 2 abstaining.

23. Sub-Committee I therefore recommends to the Ad Hoc Committee on the Palestinian Question the adoption of the following draft resolution embodying a Plan of Partition with Economic Union:

**DRAFT RESOLUTION**

**THE GENERAL ASSEMBLY**

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

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

Having received and examined the Report of the Special Committee, including a number of unanimous recommendations and a plan of partition with economic union approved by the majority of the Special Committee;

**CONSIDERS**

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

**TAKES NOTE OF**

The declaration by the Mandatory Power to plan to complete its evacuation of Palestine by 1 August 1948;

**RECOMMENDS**

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

**REQUESTS**

- (a) the Security Council to take the necessary measures as provided for in the Plan for its implementation;
- (b) that the Trusteeship Council be informed of the responsibilities envisaged for it in this plan;

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

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

**AUTHORIZES**

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

**PLAN OF PARTNERSHIP WITH ECONOMIC UNION**

**PART I. FUTURE CONSTITUTION AND GOVERNMENT OF PALESTINE**

**A. TERMINATION OF MANDATE, PARTITION AND INDEPENDENCE**

1. The Mandate for Palestine shall terminate at a date to be agreed on by the Commission of five members referred to in paragraph B-1 below and the Mandatory Power with the approval of the Security Council, but in any case not later than 1 August 1948.
2. The armed forces of the Mandatory Power shall be progressively withdrawn from Palestine, the withdrawal to be completed on a date to be agreed by the Commission and the Mandatory Power with the approval of the Security Council, but in any case not later than 1 August 1948.

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

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

3. Independent Arab and Jewish States and the Special International Regime for the City of Jerusalem, set forth in Part III of this Plan, shall come into existence in Palestine two months after the evacuation of the armed forces of the Mandatory Power has been completed but in any case not later than 1 October 1948. The boundaries of the Arab State, the Jewish State, and the City of Jerusalem shall be as described in Parts II and III below.

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

B. STEPS PREPARATORY TO INDEPENDENCE

1. There shall be a Commission appointed by the General Assembly of five members representing Guatemala, Iceland, Norway, Poland and Uruguay.
2. The administration of Palestine during the transitional period shall be entrusted to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council.

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

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

3. On its arrival in Palestine the Commission shall proceed to carry out measures for the establishment of the frontiers of the Arab and Jewish States and the City of Jerusalem in accordance with the recommendations of the General Assembly on the partition of Palestine.
4. The Commission, after consultation with the democratic parties and other public organizations of the Arab and Jewish States, shall select and establish in each State as rapidly as possible a Provisional Council of Government. The activities of both the Arab and Jewish Provisional Councils of Government shall be carried out under the general direction of the Commission.

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

5. Subject to the provisions of these recommendations, during the transitional period the Provisional Councils of Government, acting under the Commission, shall have full authority in the areas under their control, including authority over matters of immigration and land regulation.
6. The Provisional Council of Government of each State, acting under the Commission, shall have full responsibility for the administration of that State in the period between the termination of the Mandate and the establishment of its independence.
7. The Provisional Councils of Government of both the Arab and Jewish States, after their formation, shall proceed, under the supervision of the Commission, to the establishment of administrative organs of government, central and local.

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

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

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

The election regulations in each State shall be drawn up by the Provisional Council of Government and approved by the Commission. Qualified voters for each State for this election shall be persons over eighteen years of age who are: (a) Palestinian citizens residing in that State and (b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.

Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States, respectively.

Women may vote and be elected to the constituent assemblies.

During the transitional period no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Commission.

10. The Constituent Assembly of each State shall draft a democratic Constitution for its State and choose a provisional Government to succeed the Provisional Council of Government appointed by the Commission. The Constitutions of the States shall embody chapters 1 and 2 of the Declaration provided for in C below and include inter alia, provisions for:

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

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

(c) Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in

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any other manner inconsistent with the purposes of the United Nations.

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

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

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

12. During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the Mandate, the Mandatory Power in Palestine shall maintain order and direct the main public services, to the extent that these have not yet been placed fully or partially under the direction of the Commission, on the Provisional Councils of Government and the Joint Economic Board, respectively. The Commission shall assist the Mandatory Power in the carrying out of these functions. Similarly the Mandatory shall co-operate with the Commission in the execution of its functions.

13. With a view to ensuring that there shall be continuity in the functioning of administrative services and that on the termination of the Mandate the whole administration shall be in charge of the Provisional Councils and the Joint Economic Board, respectively, acting under the Commission, there shall be a progressive transfer, from the Mandatory Power to the Provisional Council of Government and the Joint Economic Board, respectively, of responsibility for all the functions of government, including that of maintaining law and order in the areas from which the forces of the Mandatory Power have withdrawn.



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

The measures taken by the Commission, within the recommendations of the General Assembly, shall become immediately effective unless the Commission has previously received contrary instructions from the Security Council.

The Commission shall render periodic monthly progress reports, or more frequently if desirable; to the Security Council.

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

#### C. DECLARATION

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

##### General Provision

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

#### Chapter 1

##### Holy Places, Religious Buildings and Sites

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

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

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

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

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

#### Chapter 2

#### Religious and Minority Rights

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all.
2. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex.
3. All persons within the jurisdiction of the State shall be entitled to equal protection of the laws.
4. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.
5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or eleemosynary bodies of any faith or to discriminate against any representative or member of them on the ground of his religion or nationality.
6. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority, respectively, in its own language and its cultural traditions.

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

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

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

8. No expropriation of land owned by an Arab in the Jewish State (by a Jew in the Arab State)\* shall be allowed except for public purposes unless the land, suitable for agricultural purposes, has remained uncultivated and unused for not less than one year after written notice of utilization thereof has been given; and upon an order made by the Supreme Court of the respective State approving the expropriation on the grounds of absence of sufficient reasons for the non-utilization thereof. In all cases of expropriation full compensation as fixed by the Supreme Court, shall be paid previous to dispossession.

### Chapter 3

#### Citizenship, International Conventions and Financial Obligations

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

2. International Conventions.

(a) The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.

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

3. Financial Obligations

(a) The State shall respect and fulfil all financial obligations of whatever nature assumed on behalf of Palestine by the

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

Mandatory Power during the exercise of the Mandate and recognized by the State. This provision includes the right of public servants to pensions, compensation or gratuities.

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

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

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

#### Chapter 4

##### Miscellaneous Provisions

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

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

#### D. ECONOMIC UNION AND TRANSIT

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

## The Economic Union of Palestine

2. The objectives of the Economic Union of Palestine shall be:
  - (a) A customs union.
  - (b) A joint currency system providing for a single foreign exchange rate.
  - (c) Operation in the common interest on a non-discriminatory basis of railways, interstate highways, postal, telephone, and telegraphic services, and ports and airports involved in international trade and commerce.
  - (d) Joint economic development, especially in respect of irrigation, land reclamation and soil conservation.
  - (e) Access for both States and for the City of Jerusalem on a non-discriminatory basis to water and power facilities.
3. There shall be established a Joint Economic Board, which shall consist of three representatives of each of the two States and three foreign members appointed by the Economic and Social Council of the United Nations. The foreign members shall be appointed in the first instance for a term of three years; they shall serve as individuals and not as representatives of States.
4. The functions of the Joint Economic Board shall be to implement either directly or by delegation the measures necessary to realize the objectives of the Economic Union. It shall have all powers of organization and administration necessary to fulfil its functions.
5. The States shall bind themselves to put into effect the decisions of the Joint Economic Board. The Board's decisions shall be taken by a majority vote.
6. In the event of failure of a State to take the necessary action the Board may, by a vote of six members, decide to withhold an appropriate portion of that part of the customs revenue to which the State in question is entitled under the Economic Union. Should the State persist in its failure to co-operate, the Board may decide by a simple majority vote upon such further sanctions, including disposition of funds which it has withheld, as it may deem appropriate.
7. In relation to economic development, the functions of the Board shall be the planning, investigation and encouragement of joint development projects, but it shall not undertake such projects except with the assent of both States and the City of Jerusalem, in the event that Jerusalem is directly involved in the development project.
8. In regard to the joint currency system the currencies circulating in the two States and the City of Jerusalem shall be issued

/under the

under the authority of the Joint Economic Board which shall be the sole issuing authority and which shall determine the reserves to be held against such currencies.

9. So far as is consistent with 2 (b) above, each State may operate its own central bank, control its own fiscal and credit policy, its foreign exchange receipts and expenditures, the grant of import licences, and may conduct international financial operations on its own faith and credit.

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

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

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

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

- (a) The expenses of the customs service and of the operation of the joint services;
- (b) The administrative expenses of the Joint Economic Board;
- (c) The financial obligations of the Administration of Palestine consisting of:

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

14. After these obligations have been met in full, the surplus revenue from the customs and other common services shall be divided in the following manner: Not less than five per cent and not more than ten per cent to the City of Jerusalem; and the residue shall be allocated to each State by the Joint Economic Board equally except that the share of either State shall not exceed the amount of that State's contribution to the revenues of the Economic Union by more than approximately four million pounds in any year.

/The amount

The amount granted may be adjusted by the Board according to the price level in relation to the prices prevailing at the time of the establishment of the Union. After five years, the principles of the distribution of the joint revenues shall be revised by the Joint Economic Board on a basis of equity.

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

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

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

#### Freedom of Transit and Visit.

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

#### Termination, Modification and Interpretation of the Undertaking.

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

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

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

#### E. ASSETS

1. The movable assets of the Administration of Palestine shall be allocated to the Arab and Jewish States and the City of Jerusalem on an equitable basis. Allocations should be made by the United Nations Commission referred to in Section B, paragraph 2, above. Immoveable assets shall become the property of the government of the territory in which they are situated.

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

#### F. ADMISSION TO MEMBERSHIP IN THE UNITED NATIONS

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

### PART II. BOUNDARIES

#### THE ARAB STATE

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

The boundary rejoins the Tiberias sub-district boundary at a point on the Nazareth-Tiberias road southeast of the built-up area of Tur'an; thence it runs southwards at first following the sub-district boundary and then

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

/passing between



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

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

The boundary of the hill country of Samaria and Judea starts on the Jordan River at the Wadi Malih southeast of Beisan and runs due west to meet the Beisan-Jericho road and then follows the western side of that road in a northwesterly direction to the junction of the boundaries of the sub-districts of Beisan, Nablus, and Jenin. From that point it follows the Nablus-Jenin sub-district boundary westwards for a distance of about three kilometres and then turns northwestwards, passing to the east of the built-up areas of the villages of Jalbun and Faqqu'a, to the boundary of the sub-districts of Jenin

and Beisan at a point northeast of Nuris. Thence it proceeds first northwestwards to a point due north of the built-up area of Zir'in and then westwards to the Afula-Jenin railway, thence northwestwards along the district boundary line to the point of intersection on the Hejaz railway. From here the boundary runs southwestwards, including the built-up area and some of the land of the village of Kh.Lid in the Arab State to cross the Haifa-Jenin road at a point on the district boundary between Haifa and Samaria west of El Mansi. It follows this boundary to the southernmost point of the village of El Buteimat. From here it follows the northern and eastern boundaries of the village of Ar'ara, rejoining the Haifa-Samaria district boundary at Wadi'Ar, and thence proceeding south-southwestwards in an approximately straight line joining up with the western boundary of Qaqun to a point east of the railway line on the eastern boundary of Qaqun village. From here it runs along the railway line some distance to the east of it to a point just east of the Tulkarm railway station. Thence the boundary follows a line half-way between the railway and the Tulkarm-Qalqiliya-Jaljuliya and Ras el Ein road to a point just east of Ras el Ein station, whence it proceeds along the railway some distance to the east of it to the point on the railway line south of the junction of the Haifa-Lydd and Beit Nebala lines, whence it proceeds along the southern border of Lydda airport to its southwest corner, thence in a southwesterly direction to a point just west of the built-up area of Sarafand el 'Amar, whence it turns south passing just to the west of the built-up area of Abu el Fadil to the northeast corner of the lands of Beer Ya'Aqov. (The boundary line should be so demarcated as to allow direct access from the Arab State to the airport.) Thence the boundary line follows the western and southern boundaries of Ramle village, to the northeast corner of El Na'ana village, thence in a straight line to the southernmost point of El Barriya, along the eastern boundary of that village and the southern boundary of 'Innaba village. Thence it turns north to follow the southern side of the Jaffa-Jerusalem road until El Qubab, whence it follows the road to the boundary of Abu Shusha. It runs along the eastern boundaries of Abu Shusha, Seidun, Hulda to the southernmost point of Hulda, thence westwards in a straight line to the northeastern corner of Umm Kalkha, thence following the northern boundaries of Umm Kalkha, Qazaza and the northern and western boundaries of Mukhezim to the Gaza District boundary and thence runs across the village lands of El Mismiya, El Kabira and Yasur to the southern point of intersection, which is midway between the built-up areas of Yasur and Batani Sharqi.

From the southern point of intersection the boundary lines run northwestwards between the villages of Gan Yavne and Barqa to the sea at a point half way between Nabi Yunis and Minat el Qila, and southeastwards to a point west of Qastina, whence it turns in a southwesterly direction, passing to the east of the built-up areas of Es Sawafir Esh Sharqiya and Ibdis. From the southeast corner of Ibdis village it runs to a point southwest of the built-up area of Beit 'Affa, crossing the Hebron-El Majdal road just to the west of the built-up area of Iraq Suweidan. Thence it proceeds southwards along the western village boundary of El Faluja to the Beersheba sub-district boundary. It then runs across the tribal lands of 'Arab el Jubarat to the boundary between the sub-districts of Beersheba and Hebron at a point in the southwest corner of the lands of Dura village. Thence it continues southeastwards to the point where the Hebron-Beersheba sub-district boundary crosses the Hebron-Beersheba road. It then follows the Hebron-Beersheba boundary eastwards to a point north of Ras Ez Zuweira, only departing from it so as to cut across the base of the indentation between vertical grid lines 150 and 160.

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

The northern boundary of the Arab section of the coastal plain runs from a point between Minat el Qila and Nabi Yunis passing between the built-up areas of Gan Yaven and Barqa to the point of intersection. From here it turns southwestwards, running across the lands of Batani Sharqi, along the eastern boundary of the lands of Beit Daras and across the lands of Julis, leaving the built-up areas of Batani Sharqi and Julis to the westwards, as far as the northwest corner of the lands of Beit Tima. Thence it runs east of El Jiya across the village lands of El Barbara along the eastern boundaries of the villages of Beit Jirja, Deir Suneid and Dimra. From the southeast corner of Dimra the boundary passes across the lands of Beit Hanun, leaving the Jewish lands of Nir-Am to the eastwards. From the southeast corner of Beit Hanun the line runs southwest to a point south of the parallel grid line 100, then turns northwest for two kilometres, turning again in a southwesterly direction and continuing in an almost straight line to the northwest corner of the village lands of Kirbet Ikhza'a. From there it follows the Gaza sub-district boundary to the southern-most point of the village of Abasar, whence it runs in a straight line parallel to the coast to the Egyptian frontier.

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

#### THE JEWISH STATE

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

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

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

#### THE CITY OF JERUSALEM

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

#### PART III. CITY OF JERUSALEM

A. The City of Jerusalem shall be established as a corpus separatum under a Special International Regime and shall be administered by the United Nations.

/(a) The

The Trusteeship Council shall be designated to discharge the responsibilities of the administering authority on behalf of the United Nations.

D. The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which to be Abu Dis; the most southern Bethlehem; the most western Ein Karim (including also the built-up area of Motsa) and the most northern Shu'fat, as indicated on the attached sketch-map (Annex 2).

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

1. Government Machinery; Special Objectives.

The administering authority in discharging its administrative obligations shall pursue the following special objectives:

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

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

2. Governor and Administrative Staff.

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

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

3. Local Autonomy

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

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

4. Security Measures

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

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

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

5. Legislative Organization

A legislative council elected by adult residents of the City irrespective of nationality on the basis of universal and secret suffrage and proportional representation shall have powers of legislation and taxation. No legislative measures shall, however, conflict or interfere with the provisions which will be set forth in the Statute of the City, or shall any law, regulation, or official action prevail over them. The Statute will grant to the Governor a right of vetoing the bills inconsistent with the provisions referred to in the preceding sentence. It will also empower him to promulgate temporary ordinances in case the Council fails to adopt in time a bill deemed essential to the normal functioning of the administration.

6. Administration of Justice

The Statute shall provide for the establishment of an independent

/Judiciary

Judiciary system including a court of appeal. All the inhabitants of the City shall be subject to it.

#### 7. Economic Union and Economic Regime

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

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

#### 8. Freedom of Transit and Visit; Control of Residents

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

#### 9. Relations with the Arab and Jewish States

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

#### 10. Official Languages

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

#### 11. Citizenship

All the residents shall become ipso facto citizens of the City of Jerusalem unless they opt for citizenship of the State of which they have been citizens, or if Arabs or Jews, have filed the notice of intention to become citizens of Arab or Jewish states respectively according to Part I, section B, paragraph 9 of this Plan.

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

#### 12. Freedoms of Citizens

1. Subject only to the requirements of public order and morals, the  
/inhabitants

inhabitants of the City shall be ensured the enjoyment of human rights and fundamental freedoms, including freedom of conscience, religion and worship, language, education, speech and press, assembly and association, and petition,

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

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

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

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

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

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

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

### 13. Holy Places

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

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

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

4. No taxation shall be levied in respect of any Holy Place, religious /building



building or site which was exempt from taxation on the date of the creation of the City.

14. Special Powers of the Governor in Respect of the Holy Places, Religious Buildings and Sites in the City and in any Part of Palestine.

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

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

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

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

D. Duration of the Special Regime

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

PART IV. CAPITULATIONS

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