

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 cooperation 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.



**D6 PALESTINIAN PROCLAMATION OF INDEPENDENCE I - PALESTINE ARAB  
HIGHER COMMITTEE, 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.



## **D7      TEMPORARY STATUTE OF THE ALL-PALESTINE GOVERNMENT, GAZA, 1 OCTOBER 1948**

*[Following a meeting on 23 September 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 government of All-Palestine. Members were: Ahmad Hilmi Abdul-Baqi (Prime Minister), Jamal Husseini (Foreign Minister), Awni Abdul Hadi (Social Affairs), Michele Abokorios (Treasurer), Raja'i Husseini (Defence), Hussein Al-Khalidi (Health), Awni Freij (Economy), Amin Akil (Agriculture), Yousef Sahioun (Public Affairs), Akram Zuheir (Education), Ali Hassan (Justice), Anwar Nuseibeh (Government Secretary). The following resolutions were declared at the final session of the National Council Conference in October 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:

1. Accepting the resignation of the cabinet.
2. 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.
3. To order the execution of laws presented by the cabinet and ratified by the National Council.
4. 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.



## **D8 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