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UNITED NATIONS PALESTINE COMMISSION

Communication from the Jewish Agency for Palestine

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Palestine

The following letter has been received from the Jewish Agency for Palestine:

"6 February 1948.

The United Nations Palestine Commission United Nations  
Lake Success, New York  
Gentlemen:

The General Council of the Jewish Community in Palestine (Vaad Leumi) transmitted to us a memorandum on the present position of security in Jerusalem. The memorandum contains material which, we feel, deserves urgent consideration, and proposals which the Commission may deem proper to place before the Security Council of the United Nations for suitable action.

While in matters of administration and supervision the Trusteeship Council is obviously the body which is to exercise authority in respect of the City of Jerusalem, there can be no doubt that in the matter of implementation, as well as in the matter of restoring and preserving peace in the City at the present juncture, the Commission and the Security Council must be looked to for guidance and help. We, therefore, set out below the memorandum in full, although its subject matter may in part already have been touched upon in submissions made by us to the Commission.

The cardinal difference between the City of Jerusalem and the rest of Palestine in respect of future arrangements for security, which this Memorandum presses, and which would call for special action with regard to the City, will we are certain, have the Commission's attention.

Yours sincerely,  
(Sgd.) Arthur Lourie  
Director"

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"MEMORANDUM  
of the  
GENERAL COUNCIL OF THE JEWS OF PALESTINE (Vaad Leumi)

1. The Resolution on the Partition of Palestine passed by the General Assembly of the United Nations on November 29, 1947 envisaged the establishment of the City of Jerusalem with its surrounding towns and villages as a corpus separatum, to be placed under the administration and supervision of the U.S. Trusteeship Council, to be demilitarised, its neutrality declared and preserved, and its Holy Places protected and its internal law and order maintained by means of a Special Police Force, the members of which shall be recruited outside of Palestine.
2. In the meantime, it was stated and understood that the Security Forces of the Mandatory Power undoubtedly adequate and sufficient, would undertake the protection of the Holy Places and the maintenance of internal law and order.
3. Yet, Jerusalem, the Holy City for the three great monotheistic faiths, has become the scene of internecine strife, studiously fomented by Arab politicians, who hope to frustrate the Resolution adopted by the U.N. General assembly by staging a war in the capital of Palestine, the seat of its Central Administration. Sniping attacks on Jewish in the outlying parts of the city have become a daily occurrence, and certain sectors of the town, in which a commercially weak Jewish minority faces the surrounding Arab population, have been cut off from supplies and help to be provided by the rest of the Jewish community. Assassination has been rife and has inevitably entailed reaction by the Jewish defence forces. Up till January 31st, a total of some 200 persons are officially reported to have been killed and at least 400 persons are known to have sustained injuries.
4. The immunity of medical personnel from attack has been totally disregarded by Arab gangs. Ambulances on their errands of mercy have come under heavy fire, doctors going to visit patients have been killed or injured, a well known Jewish physician in a Government Hospital for Contagious Diseases treating mainly Arab patients was brutally shot dead in full view of his Arab colleagues within the hospital grounds. The road to the Hadassah Hospital with a complement of 700 beds, has been rendered to unsafe to use, nurses have been killed or maimed whilst on their way to work. On the other hand, Government Hospitals are totally unable to cope with the increased flow of appeals for their help as their staff is depleted through the absence of Jewish doctors and nurses who are faced with death while going on their duty inside the hospital grounds.
5. In keeping with its special character Jerusalem houses within its confines a large number of educational institutions, centres of Jewish religious learning and the Hebrew University. Many of these have become inaccessible through persistent attacks on vehicles going there when students lost their lives or sustained grave injuries. Rabbinical colleges are subject to incessant sniping from neighbouring Arab houses, a Jewish children's home has been taken under concentrated fire, and even children coming home from school have had to take shelter from a hail of bullets directed against them, while attacks on a Jewish Home for Invalids and a Jewish Home for the Aged had to be repulsed by Jewish defence forces.
6. The unique religious importance of Jerusalem for the three great religions is gravely jeopardized by the actions of Arab gangs. Shrines held in universal veneration by Jews the world over, such as the Western (Wailing) Wall and Rachel's Tomb have become inaccessible. The conclusions of the Commission set up by the Council

of the League of Nations on January 14th, 1930, which were enacted in the form of the Palestine (Western or Wailing Wall) Order in Council 1931, to wit:

‘To guarantee to the Jews free access to the Western Wall for the purpose of devotions at all times’

have been grossly violated. Jews have no opportunity whatsoever of approaching this shrine for the purpose of devotion by holding services before it. No attempt has been made by Government to ensure free access for Jews to the Western Wall, nor have any persons blocking this statutory access been brought to account. Arab snipers went so far as to make the Haram-esh-Sherif (Temple Area) a centre of their activities and have fired on Jewish guards near the Western Wall, knowing well that Jews would not respond to this provocation out of respect for the sanctity of the site.

The ancient Jewish cemetery on the Mount of Olives has repeatedly been desecrated in the vilest manner, Funerals have come under heavy fire on numerous occasions and members of the Jewish Burial Society performing the last rites have lost their lives. The road to the cemetery is so densely lined with Arab sniping nests that the bodies of Jews killed in disturbances could not be laid to rest until after considerable delay. On two separate occasions 26 and 27 Jews respectively, mostly victims of Arab assassination, lay in the mortuaries without burial for a week.

The Jewish community within the Walls of the Old City of Jerusalem has been practically marooned after armed Arabs have taken up positions at all entrances to the Old City. Food can only be sent at great hazards, and army escorts are very sparingly provided. 1500 Jewish inhabitants of the Old City are under threat of starvation. Jews who are residents of the Old City and whose places of work are outside the Old City are unable to return to their homes. Government has unofficially suggested to those besieged inside to move out.

7. One of the salient features of the present situation in Jerusalem is the attitude of the British security forces which may be described as ‘benevolent neutrality in favour of the Arabs’. At the outset of the disturbances, when the riots of Arab gangs could easily have been brought under control, police and troops claimed that they had been given strict orders not to shoot. These orders seem to preclude every form of effective intervention on the part of the security forces, even when faced with murderous mobs. On the other hand mass arrests of members of the Jewish defence organisation have been going on all the time. Over 100 Jews have been taken into ‘safe custody’ in the Jerusalem district and there are reports of instances where the Police have forced Jews to leave their defensive

8. Since the beginning of January, Arabs were allowed to erect barricades manned by armed men at the approaches to and inside the Gates of the Old City, with snipers posted on the ancient City Walls and in the surrounding buildings. Police and Army authorities approached in this matter made it clear that they considered it their duty to take great care not to offend or annoy the Arabs. At the same time they informed the Jewish Community that the risks of taking persons and provisions under Army Escort through the Gates were too great, and suggested that even the liaison officer of the Community to the Military Forces inside the Old City should be equipped with a pass from the Arab Higher Committee which they undertook to obtain for him. Convoys of food and other supplies are eventually arranged by the Army with ‘permission’ of the Arabs. The ‘neutrality’ of the Army amounts to ‘non-resistance’ against any Arab encroachment on the status quo, while so far as the Jews are concerned, it means cramping them within the exact four corners of the status quo existing at such time as the Army marches in or takes over any position.

9. Besides failing to discharge the elementary duty of providing security, the Administration in Jerusalem is virtually in a state of disintegration. The General Post Office has ceased functioning, postal and telephone services are severely curtailed, and many other Government offices have stopped serving the public. Arab Constables detailed to guard these offices desert with their arms. Government has even shown itself unable to protect its Jewish employees, some of whom have been murdered while on their way to work. Though officially threatened with instant dismissal for absence from work, Jewish officials had no other choice left but to stay away from their offices until Government was prevailed upon to open some offices inside Jewish zones. Supplies to Jerusalem are insufficient and there is an increasingly acute food and fuel shortage in the town, caused by the appalling insecurity on the roads that lead to the Capital.

In these circumstances we feel entitled to call the attention of the United Nations Palestine Commission to the situation at present prevailing in the Jerusalem area and to ask for their early intervention.

10. It may even be claimed that the Jerusalem area is already now subject to the supervision of the Trusteeship Council by virtue of Articles 75, 77, 79, 82 and 85 of the Charter of the United Nations, though not in the same sense in which the City of Jerusalem would eventually come under that supervision. The said Articles stipulate that such territories as are being held now under Mandate are to come under the Trusteeship system by means of individual agreements between the Mandatory Power and the United Nations as approved by the U. N. General Assembly.

In the present case the Mandatory Power has already waived its right to exert influence on the terms of the Trusteeship by virtue of the [statement](#) to the U. N. made by the Representative of the Mandatory Power, on November 13th, 1947. Consequently the [Resolution](#) adopted by the General Assembly on November 29th, 1947 might be regarded within the meaning of Article 85 of the Charter as adequate authority for a temporary Trusteeship, in the ordinary sense, of the Jerusalem area.

In its [statement of November 13th, 1947](#) the Mandatory Power declared that it was planning for the complete withdrawal from Palestine by August 1st 1948, and this statement was subsequently modified by the declaration in Parliament of the Secretary of State for the Colonies of H. M. Government on December 11th, 1947 that the Mandate would be relinquished some time in advance of the complete withdrawal, the date envisaged being May 15th, 1948. The Jerusalem area is included within the area of the Mandate which H. M. Government proposes to surrender by that date. It would therefore appear that in pursuance of the passing of the said [Resolution](#) by the General Assembly on November 29th, 1947, the Trusteeship area has in the meantime come under the moral and political supervision of the Trusteeship Council. The delay in the complete evacuation of the said territory is a mere technical obstacle in the way of the assumption of a temporary Trusteeship administration on the part of the Trusteeship Council.

11. Be that as it may, a demilitarized City of Jerusalem would be the prey of contending forces, and the United Nations Palestine Commission might at once request the Security Council to install the Special Force under a temporary Commander, to be responsible to the Commission, so that law and order may be maintained and the Holy Places protected.

12. Alternatively, in view of the strained situation, the speedy appointment of the Governor of the City of Jerusalem and the establishment of the Special Police Force provided in the said Resolution of the General Assembly of November 29th, 1947 appears to us imperative. The said police force should be ready to take over its functions upon the withdrawal of the forces of the Mandatory Power. In those areas which have been allotted to the Jewish and Arab States respectively, security forces constituted of members of the local population as a militia are to take over the responsibility for the maintenance of law and order in their regions. On the other hand, it is not the local population, but the Trusteeship Council that has to take over the administration and the responsibility for security in the Jerusalem area. It is therefore submitted that the Trusteeship Council should speed up the preparations for the establishment of security forces for the City of Jerusalem.

In view of the great importance which this area has for the three great monotheistic faiths, the intervention of either the Security Council or the Trusteeship Council for maintenance of law and order cannot be delayed.”