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UNITED NATIONS PALESTINE COMMISSION

FIRST MONTHLY PROGRESS REPORT
TO THE SECURITY COUNCIL

The United Nations Palestine Commission herewith renders to the Security Council its First Monthly Progress Report as provided for in paragraph 14, Section B, Part I of the resolution of the General Assembly on the Future Government of Palestine (document A/516).

1. Establishment of the Commission

The resolution on the Future Government of Palestine, as adopted by the General Assembly at its one hundred twenty-eighth meeting on 29 November 1947, provided, in paragraph 1, Section B, Part I, that "A Commission shall be set up consisting of one representative of each of five Member States." This Commission was charged with direct responsibility for implementing the measures recommended by the General Assembly.

2. Members of the Commission

The General Assembly elected the following Member States to the Commission and their representatives on the Commission were subsequently designated as indicated:

| | |
|----------------|------------------------------|
| Bolivia | Mr. Raul Diez de Medina |
| Czechoslovakia | Mr. Karel Lisicky |
| Denmark | Mr. Per Federspiel |
| Panama | Dr. Eduardo Morgan |
| Philippines | Senator Vicente J. Francisco |

3. Meetings of the Commission

(a) The Commission assembled for its first meeting at the interim headquarters of the United Nations at Lake Success on Friday, 9 January 1948, at 11.00 a.m.

(b) At its first meeting the Commission elected the following officers:

| | |
|------------------------------------|---------------|
| Mr. Karel Lisicky (Czechoslovakia) | Chairman |
| Mr. Raul Diez de Medina (Bolivia) | Vice-Chairman |

(c) The Commission, in the course of its first meeting, also adopted the following resolution:

"The United Nations Palestine Commission

"Resolves

"That the Secretary-General of the United Nations, on behalf of the Commission, promptly extend to the Mandatory Power in Palestine, an invitation to designate such representatives as it may determine, who shall be available to the Commission for such authoritative information and other assistance as the Commission may require in the discharge of its functions under the Resolution of the General Assembly on the Palestine Question. Similar invitations shall be extended for the same purpose to the Arab Higher Committee and the Jewish Agency."

(d) The text of this resolution was communicated by the

/Secretary-General

Secretary-General on 9 January to the Government of the United Kingdom, as the Mandatory Power, to the Arab Higher Committee, and to the Jewish Agency for Palestine. The invitation extended by the resolution was promptly accepted by the Government of the United Kingdom and by the Jewish Agency for Palestine, both of which designated representatives to assist the Commission. The representative designated by the Government of the United Kingdom was Sir Alexander Cadogan. The representative designated by the Jewish Agency for Palestine was Mr. Moshe Shertok. As regards the Arab Higher Committee, the following telegraphic response was received by the Secretary-General on 19 January:

"ARAB HIGHER COMMITTEE IS DETERMINED PERSIST IN REJECTION PARTITION AND IN REFUSAL RECOGNIZE UNO RESOLUTION THIS RESPECT AND ANYTHING DERIVING THEREFROM. FOR THESE REASONS IT IS UNABLE ACCEPT INVITATION"

No further communication has been addressed to or received from the Arab Higher Committee by the Commission. The Commission will, at the appropriate time, set forth in a separate document its views with regard to the implications of this refusal by the Arab Higher Committee.

(c) The Commission has held twenty-six meetings to date. In view of the fact that the Commission is essentially an executive rather than a deliberative body, and that it must undertake delicate negotiations with the interested parties, often involving information of the most confidential character, all of its meetings other than the first have been held in private. Press communiques and verbal briefings have been given after each private meeting, however, and the Commission itself has held one press conference.

4. Provisional Rules of Procedure

In the course of its fifth and sixth meetings on 14 January 1948, the Commission provisionally approved forty-one rules by which its procedure is governed. The Commission will revise its rules as and when necessary, in the light of experience.

5. Tasks Confronting the Commission in the Implementation of the Resolution of the General Assembly

(a) The Commission in this preliminary stage of its work has undertaken a thorough and detailed examination of the provisions of the General Assembly's resolution with particular reference to its implications and the tasks involved in implementing its recommendations. The Commission is fully conscious of the enormous responsibility entrusted to it and harbours no illusions concerning the formidable obstacles it must surmount even apart from Arab resistance.

(b) Among the major tasks involved in giving effect to the Assembly's recommendations are the following:

- (i) arranging for the progressive transfer of administrative authority from the Mandatory Power to the Commission and the establishment of Provisional Councils of Government;
- (ii) supervision of the functioning of the Provisional Councils of Government, including the maintenance of public order in the transitional period following the termination of the Mandate;
- (iii) delimitation of frontiers of the Arab and Jewish States and the City of Jerusalem;
- (iv) exercise of political and military control over the armed militia in each of the projected States, including selection of their high commands;
- (v) the preparatory work in connection with the establishment of the Economic Union, including the creation of the Preparatory Economic Commission and the maintenance of the economic services with which it will be concerned in the transitional period;
- (vi) negotiations on the allocation and distribution of assets;
- (vii) maintenance of administration and essential public services following the termination of the Mandate;
- (viii) preparation for the application of the United Nations Statute to the City of Jerusalem; and
- (ix) protection of Holy Places.

(c) The Commission is devoting detailed attention to ways and means of coping with each of the major tasks set forth in the preceding paragraph and the myriad problems related thereto. Toward this end, the Commission has established and is maintaining effective liaison with the Mandatory Power and with the Jewish Agency for Palestine. As previously indicated, the Commission's initial effort to establish liaison with the Arab Higher Committee failed. In its preliminary approach to these tasks and problems the Commission, with the assistance of the Secretariat, has thus far considered a wide range of matters, including:

questions relating to the termination of the Mandate;
withdrawal of British forces;

/relations

relations between the Mandatory Power and the Commission;
establishment of the frontiers of the Arab and Jewish States
and the City of Jerusalem;
establishment of Arab and Jewish Councils of Government;
relations with the Provisional Councils and establishment by
them of administrative organs of government;
control of immigration;
control of land regulations;
recruitment by the Provisional Councils of Government of armed
militia and their operations under the control of the
Commission;
elections of the Constituent Assemblies to be held by the
Provisional Councils of Government on the basis of election
regulations approved by the Commission;
drafting of democratic constitutions, Declarations, and
choice of Provisional Governments by the Constituent
Assemblies;
relations of the Commission with the Security Council;
economic aspects of the Commission's work;
the arrangements for the City of Jerusalem;
precedents concerning the creation of an international
force; and
allocation and liquidation of assets.

6. Significant Dates in Connection With the Implementation of the
Assembly's Resolution

In connection with the Assembly's resolution the Commission has
noted that the following dates are particularly significant:

1 February 1948: The resolution (paragraph 2, Section A, Part I)
recommends that the Mandatory Power "shall use its best endeavors"
to ensure the evacuation not later than this date of an area
situated in the territory of the Jewish State, including a seaport
and hinterland, adequate to provide facilities for substantial
immigration.

1 April 1948: By this date the Commission, following consultation
with democratic parties and other public organizations, shall have
selected and established in the Arab and Jewish States Provisional
Councils of Government, or failing to have established them in
either of the two States, or finding that they cannot carry out
their functions, the Commission must communicate this fact to the
Security Council

/"for such action

"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." (Paragraph 4, Section B, Part I of the resolution)

By this same date, if the Provisional Councils of Government have not entered into the Undertaking with respect to Economic Union and Transit, "the Undertaking shall be put into force by the Commission". (Paragraph 1, Section D, Part I of the resolution.)

29 April 1948: Ultimate date for approval by the Trusteeship Council of the detailed statute for the City of Jerusalem. (Section C of Part III of the resolution.)

1 August 1948: Ultimate date for termination of the Mandate and for the complete withdrawal from Palestine of the armed forces of the Mandatory Power. (Paragraphs 1 and 2, Section A, Part I of the resolution.)

Note: The date of 15 May 1948 has been officially communicated to the Commission by the representative of the Government of the United Kingdom as the ultimate date on which the Mandatory Power contemplates terminating the Mandate.

1 October 1948: Ultimate date for the establishment of independent Arab and Jewish States and the Special International Regime for the City of Jerusalem. (Paragraph 3, Section A, Part I of the resolution.)

Prior to 1 October, therefore, the Commission is obligated to exert every possible effort to bring about the following:

- (1) elections to the Constituent Assembly in each State (paragraph 9, Section B, Part I of the resolution);
- (2) the required Declaration to the United Nations by the Provisional Government of each proposed State before independence (paragraph 1, Section C, Part I of the resolution).

7. Consultations with the Representative of the Mandatory Power

(a) Sir Alexander Cadogan, the representative designated by the Mandatory Power, has appeared before the Commission at its sixth and sixteenth meetings on 14 and 21 January 1948, respectively.

/(b). In his

(b) In his review of the present situation in Palestine, on 14 January 1948, Sir Alexander stated that the Arabs had made it clear that "they proposed to resist with all the forces at their disposal the implementation of the partition plan". Moreover, since the first week in December the situation in Palestine had deteriorated rapidly. Violent conflict between the two communities had been intensified; courts and essential government services had been either unable to operate or were seriously crippled; there was but one month's supply of certain types of fuel oil in the country; there was general insecurity; communications were obstructed; the collection of public revenue was expected to drop sharply. Sir Alexander described the situation as one in which "generally speaking, there has been a very severe diminution in the functions and authority of Civil Government, and in view of recent developments, it would be optimistic to hope for any improvement in the future."

(c) The representative of the Mandatory Power informed the Commission at its sixteenth meeting on 21 January 1948, that "in the present circumstances the Jewish story that the Arabs are the attackers and the Jews the attacked is not tenable. The Arabs are determined to show that they will not submit tamely to the United Nations Plan of Partition; while the Jews are trying to consolidate the advantages gained at the General Assembly by a succession of drastic operations designed to intimidate and cure the Arabs of any desire for further conflict. Elements on each side are thus engaged in attacking or in taking reprisals indistinguishable from attacks... The Government of Palestine fear that strife in Palestine will be greatly intensified when the Mandate is terminated, and that the international status of the United Nations Commission will mean little or nothing to the Arabs in Palestine, to whom the killing of Jews now transcends all other considerations. Thus, the Commission will be faced with the problem of how to avert certain bloodshed on a very much wider scale than prevails at present."

(d) Mr. Fletcher-Cooke of the United Kingdom delegation elaborated on the above by further informing the Commission that:

"The view held by the Government of Palestine is that the arrival of the Commission will be the signal for widespread attacks by the Arabs both on the Jews and on the members of the Commission itself. In addition, some 62 per cent of the present Government staff in Palestine are Arabs, and there is no reason to believe that none of these will be willing or able to serve the Commission. The Arabs have made it quite clear and have told the Palestine Government that they do not propose to co-operate or to assist the Commission, and that, far from it, they propose to attack and impede its work in every possible way. We have no reason to suppose that they do not mean what they say."

8. Implications of Sir Alexander Cadogan's Statements With Regard to the Provisions of the Assembly's Resolution

(a) In the course of the two consultations on 14 and 21 January 1948, Sir Alexander gave the following information of especial significance to the implementation of the Assembly's recommendations by the Commission:

- (i) the withdrawal of British forces will have been completed by 1 August 1948;
- (ii) the United Kingdom Government has decided "to lay down the Mandate and terminate the Mandatory Administration at the latest on 15 May 1948, or earlier, if the necessary arrangements can be completed in time";
- (iii) the United Kingdom Government regards it "as essential that, so long as the Mandatory regime is retained, they must retain undivided control over the whole of Palestine. On the appointed day - that is, 15 May - their responsibility for the Government of Palestine will be relinquished as a whole. They cannot agree to relinquish it piecemeal. They are, however, prepared to agree to the Commission's arrival in Palestine shortly before the Mandate is terminated, in order that there may be an overlap of say, a fortnight, during which the Commission can take up its responsibilities";

(iv) the United Kingdom Government "will endeavour to give the Commission the benefit of their experience and knowledge of the situation in Palestine, subject always to their decision that they are unable to take part in the implementation of the United Nations plan. That is, of course, in accordance with the statement made originally to the General Assembly by the Colonial Secretary to the effect that we could not alone implement any plan not accepted by both sides; and that as regards joining in any implementation, that would depend on two conditions. The Commission will remember that one was the inherent justice of the plan, and the other was the degree of force requisite for its implementation".

(b) Point (a) (iii) of the statements by Sir Alexander set forth above has vital implications with regard to the provisions of the Assembly's resolution and the work of the Commission. The resolution (paragraph 2, Section B, Part I) provides that the "administration of Palestine shall, as the Mandatory Power withdraws its armed forces, be progressively turned over to the Commission...The Mandatory Power shall to the fullest possible extent co-ordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated". Under this policy of the Mandatory Government, there could be no progressive assumption of authority in Palestine by the Commission prior to the termination of the Mandate. This matter will be the subject of further discussion with the Mandatory Power.

(c) The Commission is now also engaged in discussions with the Mandatory Power concerning the necessity for the Commission's arrival in Palestine sufficiently in advance of the termination of the Mandate to permit it to perform its tasks. The Commission does not find satisfactory the suggestion that the Commission should not come to Palestine until approximately a fortnight before the termination of the Mandate, that is, 1 May 1948, if the Mandate is to be terminated on 15 May as at present indicated.

9. Consultation with the Representative of the Jewish Agency for Palestine

Mr. Moshe Shertok, the representative designated by the Jewish Agency for Palestine, appeared before the Commission at its eighth meeting on 15 January 1948, and at its twenty-second meeting on 27 January 1948. In connection with the Assembly's resolution, Mr. Shertok advanced, among others, the following views. The Jewish Agency for Palestine, on behalf of the Jewish people, will co-operate in the implementation of the Assembly's recommendations, although from their viewpoint the Assembly's solution is only a compromise solution. He stressed that public security is the paramount issue in Palestine today; that the Jewish community should receive the necessary international assistance in the arming and equipment of its militia during the transitional period; and that an international force for Palestine is highly essential. Jewish immigration, he emphasized, is the crux of the Palestine problem.

10. Questions Put to the Mandatory Power

(a) As of 19 January 1948, the Commission had handed to Sir Alexander Cadogan a number of written questions to which answers were desired from the Mandatory Power. These questions dealt with three basic problems, viz.,:

- (i) security, with particular reference to British plans concerning the evacuation of armed forces, and the disposition of arms, military equipment, and stores;
- (ii) immigration, with special reference to paragraph 2, Section A, Part I of the resolution, the quota policy, and Jewish immigrants detained at Cyprus; and
- (iii) the Commission's discharge of its administrative responsibilities, involving plans for the transfer of administrative authority to the Commission.

(b) Responses to the questions on security and the discharge of the Commission's administrative responsibilities have not been received from the Mandatory Power as of this date.

11. Questions and Answers Concerning Immigration

(a) At its sixteenth meeting on 21 January 1948, Sir Alexander Cadogan presented to the Commission the following answers of his Government to the four questions on immigration:

- (1) Question: What are the plans of the Mandatory Power regarding immigration prior to the termination of the Mandate

/and particularly

and particularly with respect to the present quota of 1500 Jewish immigrants per month?

Answer: "...it is my Government's intention to maintain its present policy in regard to Jewish immigration into Palestine, under which 1500 Jews are admitted monthly, until the termination of the Mandatory Administration."

(ii) Question: "What are the plans of the Mandatory Power with regard to the recommendation in paragraph 2, Section A of Part I of the Assembly's resolution which reads as follows:

"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."?

Answer: "His Majesty's Government have repeatedly made it clear that, so long as a mandatory regime is maintained, they must retain undivided control over the whole of Palestine. For this reason, it is not possible for my Government to comply with the recommendation concerning the evacuation of a Jewish port and hinterland, so long as the Mandate continues."

In addition to the above-quoted formal answer to this question, Sir Alexander Cadogan also informed the Committee that:

"His Majesty's Government in the United Kingdom have given the most careful consideration to the possibility of implementing this part of the Assembly's resolution. They felt compelled to reach their decision that they cannot fulfil the Assembly's recommendation, first, because its fulfilment would be contrary to their conclusion that it is impossible for them to lay down the Mandate piecemeal; secondly, because the opening of a Jewish seaport to the introduction of unlimited numbers of Jewish immigrants and possibly to the unregulated importation of arms, would undoubtedly produce a most serious deterioration of the security situation in Palestine with incalculable effects upon the maintenance of the Mandatory administration, the preparations for

the withdrawal of the British element in the administrative machine, and the evacuation of British troops and stores which is already proceeding."

(iii) Question: "Would ships carrying unauthorized Jewish immigrants be prevented from going to Tel-Aviv and landing there in the period between 1 February 1948 and the termination of the Mandate?"

Answer: "...yes, in accordance with my Government's decision that the existing immigration policy is to be maintained until the termination of the Mandate."

(iv) Question: "Does the Mandatory Power intend to transfer all Jewish immigrants presently detained in Cyprus to Palestine? If so, when and under what conditions?"

(Within the existing quota or otherwise? If within the quota, in what proportion?)"

Answer: "His Majesty's Government have already announced that they cannot permit Jewish illegal immigrants to remain on British territory after the withdrawal of their forces from Palestine. The arrangements for the removal of the illegal immigrants held in Cyprus are among the responsibilities which have hitherto fallen on the Government of Palestine and form one of the subjects on which my delegation is instructed to negotiate with the Commission. My Government will be willing to release from detention the ships PAN YORK and PAN CRESCENT for the purpose of their removal, concerning which the Commission may wish to negotiate with the Jewish Agency; that is to say, in regard to the use of the ships."

(b) In connection with question (ii) on immigration, the Commission observes that the provision of the Assembly's resolution regarding the evacuation by 1 February 1948, of an area for purposes of Jewish immigration (paragraph 2, Section A, Part I) is addressed directly to the Mandatory Power. The Commission is aware that this date is the first date mentioned in the Assembly's resolution and that aside from the substance of the provision some special significance may be attached to it for this reason alone. On this account the Commission has put considerable emphasis on this matter in its discussions with the Mandatory Power.

12. Economic Matters

(a) The Commission has made a preliminary study of the economic problems involved in the implementation of the Assembly's resolution. It has taken steps toward the establishment of the Preparatory Economic Commission of three members envisaged in paragraph 11, Section B, Part I, of the resolution. The Commission has also outlined a number of economic problems, including the setting up of the customs union, currency questions, and transport and communications, to be referred to the Preparatory Economic Commission which will draw up the necessary plans for action.

(b) The problem of the allocation and liquidation of the assets of the Palestine Administration is under consideration and the Mandatory Power has been requested to furnish the Commission with the necessary inventories. The Mandatory Power has also been requested to make its proposals for consultation with the Commission on this question as required by paragraph 2, Section E, Part I of the resolution.

(c) With regard to these and other important economic questions the Commission is progressing toward a more complete definition on the basis of which extensive negotiations will be opened with the Mandatory Power. The most urgent of these problems concern the negotiation of contracts to ensure adequate food supplies after the termination of the Mandate, the problem of communications services in the period after the termination of the Mandate, currency problems, and the maintenance of continuity of fiscal arrangements.

13. Security Considerations

(a) The information given to the Commission by the representative of the Mandatory Power and the representative of the Jewish Agency for Palestine coincided in substance on the following points:

- (i) the general insecurity in Palestine;
- (ii) the steady decline in the security position;
- (iii) the increasing deterioration in the civil administration.

(b) All information thus far available to the Commission leads to the conclusion that the situation in Palestine as regards both security and civil authority is more likely to worsen than to improve. The Commission envisages the possibility of a collapse of security and administrative services on the termination of the Mandate unless adequate means are made available to the

Commission for the exercise of its authority. Therefore, the Commission is devoting most serious attention to the various aspects of the security problem, with particular reference to the need for an international force in the implementation of the recommendations of the General Assembly. This matter has not been dealt with in this first Monthly Report, but will be the subject of a special report to the Security Council.

14. Conclusion

(a) This first Monthly Report to the Security Council covers in effect the preliminary and exploratory stage of the Commission's work. In this stage the Commission has gained working knowledge of the problem and a clear conception of the nature of the difficult tasks confronting it. The second stage of the Commission's work will be devoted to negotiations with Mandatory Power, and with representatives of the Jewish, and, as far as possible, the Arab communities in Palestine over the details of the matters involved in the implementation of the Assembly's recommendations.

(b) In view of the time-limits fixed in the resolution, and the nature of the tasks to be performed, the time available to the Commission, even under the most favourable circumstances, is extremely short. There is much preparatory work which the Commission may undertake at the headquarters, but the full implementation of the Assembly's recommendations requires the presence of the Commission in Palestine considerably in advance of the transfer of authority from the Mandatory Power to the Commission. The delimitation of boundaries, the undertaking by the Commission envisages the establishment of an expert body; preparations to ensure continuity in the maintenance of essential public services; the selection of Provisional Government and their activation; the creation of armed forces and negotiations with regard to Economic Union, can be effectively undertaken only when the Commission is present in Palestine. In view of the complicated and often highly technical nature of the problems incident to the implementation of the resolution, the limited time at the disposal of the Commission before the termination of the Mandate, the Commission attaches the greatest importance to the progress of its negotiations with the Mandatory Power.

/Signed:

Signed:

Mr. Karel Lisicky (Czechoslovakia), CHAIRMAN

Mr. Raul Diez de Medina (Bolivia), VICE-CHAIRMAN

Mr. Per Federspiel (Denmark)

Mr. Eduardo Morgan (Panama)

Senator Vicente J. Francisco (Philippines)

29 January 1948
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