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UNITED NATIONS PALESTINE COMMISSION

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Concerning "Palestine Administration".

The attached Memorandum by Mr. Stavropoulos was received in Air Pouch
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PALESTINE ADMINISTRATION

(Memorandum by C. Stavropoulos)

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PALESTINE COMMISSION ADVANCE GROUP

PALESTINE ADMINISTRATION

(Memorandum prepared by C. Stavropoulos)

A. MACHINERY OF GOVERNMENT

I. The organic law of Palestine is the Palestine Orders in Council 1922-47, made in pursuance of powers conferred by the Foreign Jurisdiction Act, 1890 of the United Kingdom and other powers enabling the United Kingdom Government in that behalf. The system of government is as prescribed by these Orders, which make provision regarding, inter alia, the powers and responsibilities of the High Commissioner, the Executive, the Legislative and Judicial system, the safeguarding of the civil rights of citizens and foreigners, and the physical boundaries of Palestine.

II. HIGH COMMISSIONER:

The High Commissioner performs his duties in accordance with (a) any Orders in Council applicable to Palestine, (b) Royal Instructions for the purpose of executing the Provisions of the Mandate, and (c) the laws of Palestine.

III. EXECUTIVE COUNCIL:

The High Commissioner is assisted by the Executive Council, corresponding to a cabinet of senior officials. The Executive Council consists today of the following:

President:	High Commissioner
Members:	Chief Secretary
	Attorney General
	Financial Secretary
	Jerusalem District Commissioner
	Civil Service Commissioner

The High Commissioner is obliged, by Article XIII of the Royal Instructions (1932), to consult the Executive Council in all matters of moment, and statutorially, certain powers are exercisable by the High Commissioner in Council and not by the High Commissioner of his sole authority.

IV. ADVISORY COUNCIL:

By the Palestine (amendment) Order in Council 1932, powers of legislation were conferred on the High Commissioner and provision was made for the establishment of an Advisory Council which the High Commissioner is bound to consult before the promulgation of any ordinances. The Advisory Council is a wholly official body over which the High Commissioner presides -- its members are the Executive Councillors, the Heads of major Government Departments and the District Commissioners. Today, its membership is as follows:

President

His Excellency the High Commissioner

Members

Chief Secretary	District Commissioner, Jerusalem District
Attorney-General	District Commissioner, Haifa District
Financial Secretary	District Commissioner, Galilee District
Civil Service Commissioner	District Commissioner, Lydda District
Inspector-General of Police	District Commissioner, Samaria District
Director of Medical Services	District Commissioner, Gaza District
Director of Public Works	Commissioner for Commerce and Industry
Director of Education	Postmaster General
Director of Agriculture and Fisheries	Director of Land Settlement
Director of Customs and Excise	Director, Department of Labour
General Manager, Railways	Director of Social Welfare

Lately, however, having regard to the impending termination of the Mandate, it was provided by the Palestine Order in Council, 1948, that the High Commissioner may in his sole discretion legislate by Order, i.e. without reference to the Advisory Council (Palestine Gazette No. 1650, supplement No. 2, 27 February 1948).

V. JUDICIARY:

The Judiciary is headed by the Chief Justice. The Supreme Court is constituted by the Chief Justice, according to whether it is sitting as a Court of Criminal Appeal, a High Court of Justice or Court of Civil Appeal, a Court of Admiralty or a Court of Criminal Assize. The Chief Justice is assisted by four puisne judges, of whom two are British and two Palestinian (one Arab and one Jew). The District Courts at Jerusalem, Haifa, Tel-Aviv, Jaffa and Nablus are constituted by four Presidents and 14 judges. Forty-four magistrates carry out the work of the Magistrates' Courts at 24 centres throughout the country. The Supreme Court has appellate jurisdiction in civil and criminal matters and is, also, sitting as a Court of Criminal Assizes, a court of first instance; sitting as a High Court of

Justice it has civil jurisdiction in a number of matters prescribed by the Courts Ordinance 1940. The District Courts are Courts of first instance in both civil and criminal matters and also hear appeals from the Magistrates' Courts. The Magistrates' Courts are wholly courts of first instance whose jurisdiction is prescribed by legislation. In addition, there are Land Courts with jurisdiction laid down in the Land Courts Ordinance 1921, Sharia Courts, which administer Moslem religious law, the Tribal Courts (Beersheba area), and the Military Courts established under the Defence Emergency Regulations 1945.

Prospects

The Chief Justice, British Judges and the British Registrar of the Supreme Court will leave on 15 May; after that date the Supreme Court will consist of only two Palestinian Judges, one Arab and one Jew, who may sit separately. Statutory arrangements have been made, as far as possible, for the continued operation of the Court. However, if the Court is to operate without hindrance the appointment of a neutral Chief Justice and of a neutral Registrar should be considered imperative. It is to be pointed out that the judicial system of this country is based on the existence of a Chief Justice. On the other hand, after 15 May the Acting Registrar will be an Arab. If the Arab Registrar leaves the service, as he is bound to do, the Arab Judge probably will not agree to work with a Jewish Registrar and as a result only the Jewish side of the Supreme Court will be working.

The Chief Justice is of the opinion that the District Courts and Magistrates' Courts, which are racially apportioned, will operate without hindrance. The Jerusalem Magistrates' Courts have been separated into Jewish and Arab sections. The Jewish section is located at the former Schmidt's Girls' College and the Arab section at the former Citadel Hotel near Jaffa Gate in Jerusalem.

While it may be considered certain that Jewish Courts will continue to function after the termination of the Mandate, it is difficult to reach a conclusion with regard to Arab Courts. However, it may be hoped that Magistrates' Courts will continue working even in the Arab territory, without accepting the authority of the Commission.

The Bill referred to in VI below provides for the cessation of Privy Council proceedings. Thus, the Palestine Supreme Court will be the Court of highest instance in this country.

The Sharia Courts have only financial connections with the Government; they will probably continue working outside the Commission. The same applies to the Tribal Courts. The jurisdiction of the Land Courts is administered by the District Courts. Military Courts, which lie outside the judiciary, will cease to exist on 15 May.

VI. LEGISLATION:

There are certain Acts of Parliament of the United Kingdom which are applicable to Palestine. His Majesty the King in Council also has power to legislate for Palestine by Orders in Council. In addition to the Palestine Orders in Council 1922-47 which have already been noticed, numerous other Orders in Council have been made. Among these Orders in Council are the Palestine Citizenship Orders in Council, the various Orders in Council applying to Palestine, the Emergency Powers (Defence) Acts of the United Kingdom and the Palestine (Defence) Orders in Council. A number of defence regulations were made during the war under the Emergency Powers (Defence) Acts. Under the Palestine (Defence) Orders in Council, regulations have been made and are in force to meet civil disturbances.

The bulk of legislation of Palestine is by Ordinances promulgated by the High Commissioner after consultation with the Advisory Council, and by Rules, Regulations and Orders made under Ordinances. Before a draft Ordinance is laid before the Advisory Council it is approved by the High Commissioner in Executive Council. In certain cases ordinances must be referred for the prior approval of the Secretary of State before introduction in the Advisory Council. In all cases the assent of His Majesty (who may exercise the power of disallowance) is required on promulgation of ordinances. Municipalities and local councils may, with the High Commissioner's consent, make by-laws under the provisions of the ordinances respectively constituting those bodies.

Under Article 46 of the Palestine Orders in Council 1922-47, both Ottoman Law and also the Common Law and Doctrines of Equity of the United Kingdom are in force in Palestine, subject to certain limitations. A Bill "to make provision with respect to the termination of His Majesty's jurisdiction in Palestine, and for purposes connected therewith" is being debated in the British Parliament, to be known, when passed, as "Palestine Act, 1948". The Bill provides for termination of British jurisdiction in Palestine on such date as His Majesty may, by Order in Council, declare to be the date on which the Mandate will be relinquished.

Clause 3 of the Bill repeals Acts of Parliament applying to Palestine, but leaves them to continue in force as part of the domestic law of Palestine. Thus all British legislation, although repealed insofar as Great Britain is concerned, continues in force in Palestine as part of the domestic law until repealed by the Successor Authority.

B. TABLE SHOWING THE ORGANIZATION OF THE PALESTINE ADMINISTRATION

LEGISLATIVE

BRITISH PARLIAMENT
KING-IN-COUNCIL
HIGH COMMISSIONER
HIGH COMMISSIONER-IN-COUNCIL
ADVISORY COUNCIL
MUNICIPALITIES AND LOCAL COUNCILS

JUDICIARY

PRIVY COUNCIL

SUPREME COURT

(Court of Criminal Appeal
(High Court of Justice
(Court of Civil Appeal
(Court of Admiralty
(Court of Criminal Assize

FIVE DISTRICT COURTS (Land Courts)
TWENTY-FOUR MAGISTRATES' COURTS

SHARIA COURTS

TRIBAL COURTS

MILITARY COURTS

EXECUTIVE

HIGH COMMISSIONER

EXECUTIVE COUNCIL

SECRETARIAT

(High Commissioner
(Chief Secretary
(Attorney-General
(Financial Secretary
(District Commissioners Jerusalem
(Civil Service Commissioner

(Chief Secretary
(Financial Secretary
(Civil Service Commissioner
(Administrative Under-Secretary
(Political Under-Secretary
(Local Government Secretary
(Economics: Principal Assistant
(Secretary

GENERAL ADMINISTRATION: Six Administrative Districts
16 Administrative Sub-Districts

DEPARTMENTAL
ADMINISTRATION: Thirty-five Departments:

- | | |
|---------------------------------|-----------------------------------|
| i. Accountant-General | xviii. Labour |
| ii. Administrator General | xix. Land Registration |
| iii. Agriculture and Fisheries | xx. Land Settlement |
| iv. Antiquities | xxi. Legal |
| v. Audit | xxii. Migration |
| vi. Broadcasting | xxiii. Police |
| vii. Civil Aviation | xxiv. Postmaster General |
| viii. Commerce and Industry | xxv. Press Censorship |
| ix. Co-operative Societies | xxvi. Printing and Stationery |
| x. Controller of Road Transport | xxvii. Prisons |
| xi. Custodian of Enemy Property | xxviii. Public Information Office |
| xii. Customs and Excise | xxix. Public Works |
| xiii. Education | xxx. Railways and Harbours |
| xiv. Food Controller | xxxi. Social Welfare |
| xv. Forests | xxxii. Statistics |
| xvi. Health | xxxiii. Survey |
| xvii. Income Tax | xxxiv. Town Planning |
| xxxv. Veterinary Service | |

C. SHORT REVIEW AND PROSPECTS OF SECRETARIAT, DISTRICT ADMINISTRATION AND DEPARTMENTS

Among the purposes of the Advance Party's visit to Palestine were "to make a preliminary study of the structure of the Palestine Administration" and "to consult with appropriate officials regarding the organization and functioning of public utilities (railways, postal service, telephone and telegraph, etc.)".

As a result, all higher officials and heads of Departments were interviewed.

Below are given the functions and establishment of each administrative unit. In each case the prospects with regard to the situation after the termination of the Mandate are added.

For convenience, after the Secretariat and the District Administration, all Departments have been arranged alphabetically.

1. CHIEF SECRETARY -- SECRETARIAT:

The Chief Secretary is the principal officer of the Government, through whose offices co-ordination of the manifold activities of Government is effected. He reports to the High Commissioner, and through him the High Commissioner's orders are transmitted. His office, the Secretariat, is thus the Headquarters of the Government. All departments come under the Chief Secretary.

The Secretariat officers are roughly divided as follows:

- Financial Secretary
- Civil Service Commissioner
- Under-Secretary for Administration
- Political Under-Secretary
- Secretary for Local Government
- Principal Assistant Secretary

The Financial Secretary is the Chief Adviser to Government on financial and economic matters. His office forms a part of the Secretariat organization. He is primarily responsible for the preparation of the Annual Budget.

The Economics Principal Assistant Secretary has the responsibility of advising on economic matters generally and the superintendence of particular branches of economic activity.

The Civil Service Commissioner is the Chief Advisor to Government on all questions relating to staff.

The Central Translation Bureau is a part of the Secretariat. It comprises the Chief Arabic Translator and the Chief Hebrew Translator and their staff.

The staff is 207, of which 99 are Arabs, 38 Jews, 43 British and 27 others.

PROSPECTS

It is presumed that on 15 May all British, Arabs and others will leave the service. There will remain, however, the Jewish staff, which comprises some able and experienced senior officials, among whom are Mr. Brin, Mr. Brown, Mr. Melamede and Mr. Bachrach.

The work of the actual Secretariat will presumably be performed by the Secretariat of the Commission, assisted by the remaining Jewish staff.

2. DISTRICT COMMISSIONERS

For purposes of general administration, Palestine is divided into six administrative districts: Jerusalem, Lydda, Haifa, Gaza, Samaria (Headquarters Nablus) and Galilee (Headquarters Nazareth). Each district is under the control of a District Commissioner who reports to the Chief Secretary. All District Commissioners, Deputy District Commissioners and all but two Assistant District Commissioners are British officers belonging to the unified Colonial Administrative Service. Each district is subdivided into a number of sub-districts, each normally in charge of an Assistant District Commissioner. Certain of them, as well as administrative subdivisions of district activity, are in charge of Palestine District Officers, either Arab or Jewish, according to the racial character of the area concerned. The District Commissioner is the representative of the Government in his district and he is responsible generally for all that goes on within it. He has no direct

specific authority over the local representatives of the professional and technical departments of the government, who report to their respective heads; but he maintains liaison with them, co-ordinates their activities in the interest of his district as a whole, and generally keeps a watchful outlook on everything.

Public security is an important part of the district administration. The District Commissioner is the revenue officer for his area. He and his assistants and District Officers collect and account for many of the taxes upon which the Government's budget depends. The District Commissioner has certain statutory functions in relation to the system of local government. The District Commissioners, Assistant District Commissioners and District Officers are the only coroners.

The staff is approximately as follows: out of a total of 817, 586 are Arabs, 176 Jews, 38 British and 17 others.

The service in purely Arab or Jewish areas is racially apportioned. In mixed areas such as Jerusalem, Haifa, Tiberias and Safad the staff is mixed. In each of the last two towns there are two Palestinian District Officers.

PROSPECTS

It is assumed that after 15 May this important service will be left with only approximately one-sixth of its present number of officers.

Whether Jewish staff will be able to perform its duty in mixed areas will depend on the security situation.

One of the first tasks of the Commission should be the readjustment of administrative boundaries, in accordance with the State boundaries as set out in the Resolution. It should also provide senior staff for the district administrators of the Jewish area and both senior and junior staff for the Arab area. The appointment by the Commission of District Commissioners in the Jewish area might be considered necessary owing to the existence within it of a strong Arab minority.

3. DEPARTMENTS

1. ACCOUNTANT-GENERAL

The Accountant-General is the Government's chief accounting officer and is charged with the oversight of revenue and expenditure, but does not advise on

financial policy. The financial and accounting operations of Government are under his general management. He is also the Currency Officer. The Accountant-General is the examiner of banks, and in this capacity supervises the administration of the Banking Ordinance. He and the Administrator General are the Commissioners for Stamp Duty.

There are sixteen Sub-Accountants situated in the following towns:

Jerusalem, Jaffa, Haifa, Acre, Nazareth, Nablus, Gaza, Beisan, Ramleh, Ramalla, Hebron, Safed, Beersheba, Tulkarm, Jenin and Tiberias.

The staff is 98, 57 of which are Arabs, 33 Jews, 2 British and 6 others.

(1st and 2nd Divisions)

PROSPECTS

It would be very difficult, if not impossible, to carry on the work. Besides the fact that Arab, British and others will leave on 15 May, the Accountant-General, together with 36 of his staff, is leaving towards the end of April for Cyprus where a clearance office is being set up to enable the present Government to complete the liquidation of its affairs and to prepare and present to the Commission a final statement of account. The work will last for more than three months. The Accountant-General suggests that there is nobody in his Department to take over the office during those months and that the offices are in a dangerous district lying between the Arab and the Jewish areas in Jerusalem (Municipality Building, Zone C).

In the Jewish area, he assumes, it will be possible to set up Sub-Accountants Offices wherever their services are required, using the necessary trained staff from existing personnel. As regards the setting up of an Accountant-General's Office, there will be some difficulty at the outset since the two senior Jewish officers are required for the clearance office in Cyprus. He suggests employing senior Jewish officers from other services trained in accounting matters. He has in mind Mrs. Lipkin, Assistant Commissioner of Income Tax; Margolis, Department of Agriculture; Kosloff, Accountant P.W.D.; and Haimson, Prisons.

It should be pointed out that all accounting and currency records will accompany the Accountant-General to Cyprus where they will be required in connection with the winding up of the Palestine Government Affairs.

11. ADMINISTRATOR GENERAL

The Administrator General's Department is divided into eight sub-departments:

(1) Bankruptcies and Liquidations;

Administering the Bankruptcy Ordinances 1936, and that part of the Companies Ordinance which deals with the liquidation of Companies.

(2) Company Registry.

Administering the Companies Ordinance, 1929.

(3) Registry of Partnerships and Business Names.

Administering the Partnership Ordinance, 1930 and the Business Names Ordinance.

(4) Registry of Trade Marks, Patents and Designs

Administering the Trade Marks Ordinance and the Patents and Designs Ordinance.

(5) Administration of Estates

Administering the Administrator General Ordinance, 1944.

(6) Accounts Branch

Dealing with the accounts of all sub-departments and with all questions of Establishment.

(7) Stamp Duty

The Administrator General is one or two Stamp Commissioners and adjudications under the Stamp Duty Ordinance are done by the Department.

(8) Public Trustees of Charities

Administering the Charities (Public Trustees) Ordinance.

All the powers of the High Commissioner under the various Ordinances cited above have been delegated to the Administrator General.

There are now some 475 bankruptcy files in action and some 25 company liquidation files in action.

There are approximately 1,700 public companies, 4,700 private companies and 350 foreign companies on the register. Of these, 23 Palestinian and 7 foreign companies are banking companies. Of the 7 foreign companies, 3 are not functioning.

There are 105 insurance companies, of whom 18 are Palestinian and 87 foreign.

There are 1,522 patents (2,858 originally granted) on the register, 6,096 (6,809 originally registered) trade marks and 146 (268 originally registered) designs.

There are 10,208 partnerships on the register and 4,867 business names.

There are over 200 estates in action, of which some 85 are of police personnel.

The Administrator General has some LP.50,000 on deposit with the Accountant-General. This sum is made up of small amounts due in bankruptcies, estates, etc.

The staff is 46, 17 of which are Arabs, 27 Jews and 2 British.

PROSPECTS

In the opinion of the Administrator General, Mr. Kantrovitch (Jewish), the Department can function quite normally even without the Arab employees who, in fact, have been already transferred to other departments. This applies even more to the branch office at Tel-Aviv. To avoid confusion, the handing over would need four to six months. The Administrator-General has been requested to go to Cyprus after the termination of the Mandate for the liquidation of the work. He volunteers to come here after Cyprus. He suggests that eventually the Department should remain as a unit under the Economic Union.

111. AGRICULTURE AND FISHERIES

The Department of Agriculture and Fisheries comprises an administrative section and agricultural, horticultural (including fruit inspection and plant protection) and fisheries section. The Department, with Headquarters in Mamilla Road, Jerusalem, maintains a Government farm at Acre with seed multiplication lands at Ha'emain, at Beit Qad, near Jenin and at Ashrafiya, near Beisan, as well as agricultural and/or horticultural stations in five districts: Jerusalem (Jericho-Ein Arroub-Jerusalem); Lydda (Sarafand); Galilee (Farwana, Farradiya, Kefrinan); Samaria (Nablus); and Gaza (Magdeal, Nakbar, El Baghl and Beersheba). It also administers the Kadoorie agricultural school (Jewish) at Mount Tabor. The staff is about 171, of which 82 are Arabs, 81 Jews, 7 British and one other.

This service has already ceased working as a Department, mainly because of insecurity of office buildings in Jerusalem. District offices and experimental stations are, however, functioning.

PROSPECTS

It would seem that the Arabs are anxious for the experimental stations and the farm at Acre to continue. The Municipality of Acre will take responsibility for the farm. However, although expenditure has been cut down, it may be that funds will be lacking soon. The smaller stations are mostly in Arab areas and will probably continue working under the local Councils.

iv. DEPARTMENT OF ANTIQUITIES

The Department of Antiquities is responsible for the administration of the Antiquities Ordinance 1929. It also administers the Archaeological Museum in Jerusalem (Rockefeller Endowment). In addition to the conservation of Antiquities, the Department undertakes research and the compilation of records and reports.

The staff is 99, of which 78 are Arabs, 9 Jews, 5 British and 7 others.

PROSPECTS

All but one of the British will leave the service. To preserve the Museum an autonomous board of trustees is in way of formation. The only excavation undertaken by the Department is in the Jordan Valley and will be completed before 15 May. There is nothing which can be done during an abnormal period.

v. AUDIT

The Audit Department comes directly under the Colonial Audit Department whose central establishment is in London. Except as regards terms of service and discipline, the Auditor is not under the authority of the Palestine Government. In addition to auditing the Government accounts, the Audit Department audits the accounts of the Municipalities and local Councils.

The staff is 96, of which 43 are Arabs, 46 Jews, 2 British and 5 others.

PROSPECTS

The Auditor is leaving for Cyprus on 16 or 26 April in order to prepare the final audit. He is taking with him 14 clerks and 2 senior officials. The work in Cyprus will last from 3 to 6 months. He suggests that the remaining staff can carry on under the Senior Examiner of Accounts, Mr. Stern, auditing the accounts of the Municipalities and the local Councils. They could also operate the expenditure and the receipts and stores branch. However, the general auditing should be entrusted to an appropriate European or American auditing company.

vi. BROADCASTING

This is an independent department under a Director. The broadcasting station is at Ramallah (Arab area); it has two transmitters -- one transmitting the Arab programmes for an average of five and a half hours daily on a wave length of 449 metres and the other transmitting the Hebrew programmes for an average of five and a half hours daily on a wave length of 527 metres. The English programmes, for

about three hours daily, are transmitted simultaneously on both transmitters. The transmitters are maintained and operated by a completely Arab staff under an Assistant Engineer. There are studios in Jerusalem and in Tel-Aviv. The offices of the Department are in Queen Melisande Lane, Jerusalem. The staff consists of about 150 people, 70 of which are Jews. Of these, about 30 are Producers, 20 are News Editors, 50 are Engineering Staff and 50 are Administrative Staff. In addition there are large numbers of artists on permanent contracts (such as studio orchestra musicians) and on temporary contracts (speakers, soloists, performers in plays, etc.).

PROSPECTS

Owing to the fact that the only existing two transmitters are situated in Ramallah, it is to be assumed that broadcasting will come to an end on 15 May. It is, of course, understood that if the Arab staff wanted to work for the Arab Higher Committee, they would be able to do so. It is also understood that the Jewish Agency is planning to provide a new transmitter to work in Tel-Aviv starting immediately after the termination of the Mandate. Taking into account that the Commission should be in a position to broadcast when needed, it should provide its own transmitter, to be installed in Jerusalem, probably at the King David Hotel, and appropriate personnel. This should be studied immediately by the competent department of the United Nations Secretariat. It should be pointed out that the Palestine Government does not wish to transfer from Ramallah to Jerusalem or Tel-Aviv the one of the two transmitters because this not only would constitute implementation of partition but would also lead to interruption of one of the two services, Arab or Hebrew.

vii. CIVIL AVIATION

The Director administers the civil airports at Lydda and Haifa and the marine airport at Kallia (Dead Sea). (Kalandia Airport comes under the RAF). He is generally responsible for ground organization and the operation of meteorological and wireless services and for ensuring that the provisions of international conventions regarding aviation, to which His Majesty's Government has acceded on Palestine's behalf, are observed. The meteorological service under his administration comprises 30 meteorological and 400 rain-fall stations.

The staff is 136; 46 of which are Arabs, 76 Jews, 8 British and 9 others.

PROSPECTS

The main problem is security. A large number of international airlines are using Lydda Airport and they would like to continue if security were ensured. Lydda Airport, however, lies in the middle of an Arab area, and only a strong protecting force or an agreement between the two parties, to respect the airport, may save it from destruction and ensure its continued operation. Air Vice-Marshal Storrer, who was until last week in charge of Civil Aviation, does not exclude such a possibility.

Should it be possible to operate the Airport in a normal way, the agreements with the various international airlines will have to be renewed.

A managerial staff should be provided by the Commission, consisting of:

Airport Manager
Assistant Airport Manager
Signals Officer
Five Control Officers

viii. DEPARTMENT OF COMMERCE AND INDUSTRY

The Department was created during 1945, absorbing the functions and the personnel of (a) War Supply Board, (b) Controller of Heavy Industries (c) Controller of Light Industries (d) Controller of Medical Supplies, (e) Controller of Fuel Oil Supplies, (f) Controller of Salvage, and (g) Price Controller. It comprises the import and export licensing section and the Price Control Section. The conditions obtaining in Palestine have of necessity considerably restricted the field of work. Price control has been completely abandoned.

The staff is 300, 88 of which are Arabs, 177 Jews, 14 British and 21 others.

PROSPECTS

In the opinion of the Director the service could carry on under the Assistant Commissioner, Lieber (Jewish), whom he considers very capable. It would, however, be of very little use during abnormal conditions.

ix. CO-OPERATIVE SOCIETIES

The Registrar of Co-operative Societies is responsible for the administration of the Co-operative Societies Ordinance, 1933. His main functions are the technical organization of co-operative societies among Arab co-operators and their education in the principles of running of co-operatives; the guidance of Arab societies up to the point where members would be competent to continue; the supervision of the

activities of Arab societies, including the audit of their accounts and the supervision of the activities of Jewish societies (the movement being strong in the community) and the provision of assistance to Jewish co-operators in remedying defects in existing societies and extending the movement on suitable lines.

There are approximately 1,400 Jewish societies and 240 Arab societies, of which 60 are not acting. The staff consists of 14 Arabs, and 11 Jews, racially apportioned.

PROSPECTS

The Acting Director, Mr. Bloomenfeld (Jewish) wishes to stay on. He is of the opinion that after the termination of the Mandate the Arab Societies will not be able to stand on their feet and will be dissolved. On the contrary, the Jewish Societies will continue. In case the Commission would not wish to operate the Service, the Jewish Societies will come under the Jewish Co-operative Advisory Council, which consists of 14 leading co-operators appointed by the High Commissioner. There is no such Arab body. The Arab Co-operators are approximately 10,000 and have a capital of over LP.20,000.

X. CONTROLLER OF ROAD TRANSPORT

The Department was set up during the war as a temporary one. Its activities and responsibilities were mainly those of the requisitioning of motor transport for purposes connected with the war effort, for maintenance of essential services and the payment of compensation therefor, and those connected with the importation and distribution of motor vehicles and tyres and the control measures designed to ensure the most effective and economical use of motor transport. The functions and responsibilities of the department have progressively increased as the supply position improved, and the various control measures became no longer necessary.

The present responsibilities are:

- (a) The allocation to essential users of motor vehicles imported from the United States and Canada, and
- (b) The operation of the departmental fleet of cars on behalf of the various Government departments.

This fleet consists of 18 passenger cars and 8 pickups, of which 14 cars and 3 pickups are stationed in Jerusalem and the remaining in the other towns throughout the country.

The staff of the Department is 26, 14 of which are Arabs, 8 Jews and 4 British. All drivers of Governmental cars are Arabs. The garage of Governmental cars is in an Arab district near Jerusalem Railway Station. It is an open-air garage surrounded by barbed wire and strongly guarded.

PROSPECTS

The only function of the department which is of continued interest is the upkeep of Governmental cars. It has not yet been decided how these cars will be disposed of. They may be left for the Commission. If, however, the cars remain in their present garage unguarded they will be stolen in no time. On the other hand it will be impossible to operate them from this garage by using Jewish staff.

xi. CUSTODIAN OF ENEMY PROPERTY

The staff is 106, of which 44 are Arabs, 43 Jews, 8 British and 11 others.

PROSPECTS

From the replies to the Chief Secretary's general Circular No. 9, which have been forwarded to the Advance Party, it appears that the following are willing to remain in the service:

1. The Custodian (British)
2. The Assistant Custodian (British)
3. Chief Clerk (Greek)
4. Another Greek clerk
5. 29 Jewish employees.

Thus this service will be in a position to continue its work.

xii. CUSTOMS AND EXCISE

The Director of Customs and Excise administers the Customs Ordinances 1929 and related legislation. The tariff is prescribed by the Customs Tariff and Exemption Ordinance, 1937 (the ordinance is available in a separate handbook printed in June 1944 with revised schedules). The Department is also in charge of the excise; duties are levied under the Property Ordinance on tobacco, liquors, salt, matches and cement of local production or manufacture. Boarding stations, places of entry, ports and their limits and other stations are appointed by the High Commission by order. The Directorate of the Department of Customs and Excise is at Haifa. There are collectors of Customs at Haifa, Jaffa, Jerusalem and a

Surveyor of Customs at Tel-Aviv. There are about 43 Customs offices in various parts of the country (see attached list). The Customs and Excise has a staff of about 749, 539 of which are Arabs, 165 Jews, 7 British and 35 other nationalities.

PROSPECTS

The Department is one of those that the Commission should endeavour to keep in operation, since customs and excise will be a main revenue. [However,] Customs and Excise may be collected only at such places as [situated inside the Jewish State, i.e.] Haifa, Tel-Aviv, Lydda Airport and Jerusalem. [Excise also may be collected from factories inside Jewish territory, such as Haifa, Athlit, Richon Le Zion, Tel-Aviv, Jerusalem and Petakh Tikvah.]

It is anticipated that except the Jewish staff all others will leave the service on 15 May.

xiii. EDUCATION

The Director of Education, by virtue of the Education Ordinance, 1933, exercises general supervision over the educational system of the country. The Arab Public School System, which makes provision for elementary, secondary and higher education, is directly administered by the Department. The Jewish Public School System is administered by Vaad Leumi, to which the Government makes an annual grant and whose budget is subject to approval by the Director of Education (vide the second paragraph of Article 15 of the Mandate). The Department is controlled by the Director, with a Deputy-Director, both British, Assistant Directors (Palestinian and British) a few British specialist officers and a Palestinian Inspectorate. There is a Board of High Studies consisting of about 40 official and non-official representatives of all branches of secondary and higher education and of the various communities. It conducts three public examinations, matriculation, intermediate and final. The Government Trade School (Arab) at Haifa and the Kadoorie Agricultural School (Arab) at Telkarm are run by the Education Department. The staff employed by the Department amounts to 1,768, approximately 1,740 of which are Arabs, 13 Jews and 15 British.

JEWISH EDUCATION: At present schools are running normally both in towns and settlements, except in the area of Jaffa and Tel-Aviv and some schools in Haifa occupied by Jewish refugees, which are closed. The Hebrew University is closed on account of its position, but some scattered classes are taking place in Jerusalem.

ARAB EDUCATION: The village schools are functioning normally with a very few exceptions in villages near which incidents have occurred. Town schools are also open, except in Haifa, where a combination of the nervousness of parents and the evacuation of families (I understand 30,000 Jews and Arabs have left the town) has emptied the schools. In Jerusalem attendance is about 80 per cent. Roughly 50 per cent. of the children have remained in boarding institutions. The Government Trade School at Haifa has closed. The considerable evacuation of families from Haifa and to a lesser degree from Jerusalem has had the effect of overcrowding schools, particularly in Nablus and the Samaria region.

ARRANGEMENTS FOR AFTER 15 MAY

ARAB SCHOOLS:

1. Government hopes to find money to maintain Government schools, i.e. the salaries of the teachers, until the end of the summer term on 15 June when the schools will close for the summer. The Department has distributed all its stores of school materials to the schools.

2. The Government boarding institutions will, however, close just before 15 May in time to get children home while the roads are open.

3. All Government school buildings will be vested as far as possible in the local authorities from 15 May. The large majority of schools are already vested in local authorities and steps are now being taken to transfer the remainder.

Local authorities will be asked to accept responsibility for maintaining these schools after 15 June, but will receive no funds from the Government for the purpose. In the normal course, these schools would be expected to reopen in mid-September.

4. No final decision has, however, yet been taken as regards the central boarding institutions which draw children from the whole country and whose functions are specialized. These are:

- (a) The Government Arab College, Jerusalem, providing post-matriculation courses leading to sub-university standard (London or Palestine Intermediate Examination).
- (b) The Women's Training College, Jerusalem, providing secondary education to Matriculation level followed by a Teacher Training year.
- (c) The Kadoorie Agricultural School, Talkarna, for agriculturalists (inspectors of the Department of Agriculture, etc.) and teachers of Agriculture in schools.

(d) The Trade School, Haifa, the only Arab institution in the country for technical training in Engineering, Building and Woodwork Trades.

(e) The rural Training College, Ramallah, for girls' village schools.

5. **PUBLIC EXAMINATIONS:** The Department will on 15 May transfer its responsibility for the administration of the external examinations of British universities and institutions to the British Council Representative in Palestine. The biggest of these examinations, the London Matriculation, is due next July. The examinations of the Palestine Board of Higher Studies (Palestine Matriculation and Intermediate), conducted in Arabic, Hebrew and English, will be brought forward to 30 March. It is also proposed to provide the Board (composed of Arabs, Jews and others) with a constitution and initial membership by legislation, so that the structure, so far held together by its British members, shall not disintegrate. It is hoped that the Government will provide both the British Council and the Palestine Board of Higher Studies with sufficient grants to run for twelve months.

6. **RENTED SCHOOL PREMISES:** Numbers of Government schools are in hired premises, e.g. all Government schools in Haifa. According to the terms of the Agreements the landlords have the right to refuse a transfer of the leases to others, but if this difficulty can be overcome it is proposed to transfer the remainder of the leases (in most cases to Muharram, i.e. November) to the local authorities concerned.

7. **SCHOLARSHIP SCHEME:** There are some 84 Government scholars attending universities mainly in the United Kingdom. Government has agreed, subject to the approval of the Commission, to lodge with the Crown Agents for the Colonies a sufficient sum to maintain all Government scholarships during the current academic year 1948-49. Thereafter, their continued maintenance up to the end of their Degree Courses will be a matter for negotiation with successor authorities.

Jewish Schools

Provision has been made in Draft Estimates for 1948-49 for the proportion of the Government block grant for the Vaad Leumi to cover the period up to 15 June. It should be remembered that the bulk of money expended on Jewish Education comes from Jewish sources.

PROSPECTS

JEWISH EDUCATION: We may expect the Vaad Leumi and the Jewish Local authorities to do all in their power to maintain their schools wherever possible. The Vaad Leumi structure should hold together or be absorbed in a Jewish Ministry for Education. It is understood the Jews propose to include in the Ministry an Arab section, officered by Arabs, with an Arab Board of Education. It is not thought that Arabs are likely to serve or recognize the Ministry in the foreseeable future. It is likely that Arab villagers will attempt to maintain their schools quite independently of any Jewish administration in areas which are relatively peaceful. Jaffa Municipality may do likewise. Unless there is control of the roads it seems unlikely that the University will re-open.

ARAB EDUCATION: The intense pride of Arab villagers in their schools, built mostly with their own money, means they will probably try and raise local funds to keep their schools running in the relatively quiet areas. The same will be true of the purely Arab Municipalities. Money may, however, be collected on a large scale for "national purposes" and they will find it difficult, in any case, to make up for the lack of central funds which have wholly maintained the schools up to now. If the salaries are just adequate as a living wage it is expected that a large number of teachers will be willing to continue teaching. On the other hand, it will be extremely difficult to reassemble the central boarding institutions. The trustees referred to above will have no income to maintain these institutions, except in the case of the Kadoorie Agricultural school with its small bequest and possible sale of produce.

It is to be expected that school buildings are to be requisitioned by local military authorities for military purposes.

xiv. DEPARTMENT OF FOOD CONTROL

The present functions of the Department are mainly procurement and distribution of food for a few essential foodstuffs such as cereals, sugar, etc.

The staff is 286, of which 141 are Jews, 85 Christians, 53 Moslems and 7 British.

Food control policy is directed from headquarters in Jerusalem. District Food Controllers are at Jerusalem, Lydda, Haifa, Galilee, Samaria and Gaza.

PROSPECTS

The Department could carry on in certain areas. It would need, however, a competent Director. Jewish staff is mostly technical or clerical, not administrative.

To ensure the continuity of food imports for at least two months after the end of the Mandate, the Food Controller will issue import licences in consultation with Arab and Jewish Chambers of Commerce and other bodies. Arrangements have been made to import supplies up to 15 May.

xv. DEPARTMENT OF FORESTS

The Department of Forests is responsible for the development of the extensive area of state domain under the Forests Ordinance, 1926. The activities of the Conservator comprise not only the conservation of natural growth and tree planting and control over the use of forest produce, but also general soil conservation measures in a broad sense. There are forest stations and nurseries in suitable areas throughout the country. The Conservator is Chairman of the Soil Conservation Board, which includes official and non-official members. The Department has its headquarters in Jerusalem and is divided into six divisions and into 22 ranges. The divisions are the following: Galilee, Haifa, Tiberias, Samaria, Southern Division and Coast Division. The staff is about 325, of which 280 are Arabs and 43 Jews.

PROSPECTS

Although the Arab staff will, temporarily at least, leave after 15 May, the Director suggests that the service can carry on without difficulty. The Director himself, being a Jew, wishes to carry on. Clerical staff is mainly Jewish, the Arabs being mainly forest keepers. The staff has already been racially partitioned, the Arabs in the Arab territory and the Jews in the Jewish territory.

xvi. HEALTH

(Already reported by Mr. Azcarate)

xvii. INCOME TAX DEPARTMENT

The Commissioner of Income Tax is responsible for the administration of this system of taxation. He administers the Income Tax Ordinance (No. 13 of 1947) and

the Company Profits Tax Ordinance (No. 12 of 1947). The revised estimated yields of these taxes in 1947 and 1948 are: Income Tax LP.2,250,000, Company Profits Tax, LP.500,000.

There is a Headquarters Office in Jerusalem and District Offices in Haifa, Nazareth, Nablus, Tel-Aviv, Jaffa, Jerusalem and Gaza. The function of assessment is exercised by five assessing officers in Haifa, Nazareth, Tel-Aviv, Jaffa and Jerusalem. About 70 per cent of the income tax is paid by Jews. The Director is of the opinion that the service should come under the Economic Union.

The staff is 245, of which 74 are Arabs, 169 Jews and 2 British.

PROSPECTS

There is already great difficulty in assessing and collecting income tax dues. There is a tendency to delay assessment and when income tax is assessed, nobody is willing to pay. The District Jerusalem Officers have been racially apportioned. In Haifa Arabs and Jews continue working together. During abnormal conditions the service will not work efficiently, although income tax might be assessed and even collected in the Jewish territory. There is little doubt that there will not be willingness to pay income tax to a central authority. The Director suggests that although among the Jewish staff there are many efficient technicians, there is no one of sufficient calibre to head the administration of the Department after 15 May, and that such a man should be provided.

xviii. LABOUR

The Labour Department was constituted during the War, its functions and duties being laid down in the Department of Labour Ordinance 1943. In general, the duties of the Director are to ensure that international obligations in regard to labour by which Palestine is bound are carried out. He is charged specifically with the administration of the number of ordinances affecting conditions of employment and the welfare of workers. He is also required to assist in the settlement of trade disputes and to collaborate with employers and workers in the prevention of incidents and the inculcation of education in matters of hygiene and safety. He advises the High Commissioner on the safeguarding and promotion of the general welfare of workers. In particular, the Director is charged with the promotion of Trade Unions in accordance with accepted principles.

The Department has three regional offices and an Inspectorate of four British Officers and a Jewish Inspector. The Director also administers the Explosives Inspectorate. The Deputy Director has been given special duties in connection with the resettlement and rehabilitation of ex-service personnel. The staff is 132, i.e. the Director, 11 Officers of the First Division, 84 Second Division Officers and 36 subordinate personnel. This staff is distributed in Jerusalem and 3 regional offices in Jerusalem, Jaffa, Tel-Aviv and Haifa respectively. The staff consists of 68 Arabs, 51 Jews, 13 British.

PROSPECTS

In the opinion of the Director the Service could continue operating after 15 May in the Jewish territory under the Jewish Intelligence and Research Officer, Mr. Schneider, but it would be impossible to operate the Service in the Arab territory.

Hostels of ex-servicemen and women which are available in requisitioned premises in Tel-Aviv, Jaffa and Haifa will be closed by 31 March 1948.

xix. LAND REGISTRATION

The Director of Land Registration deals with all matters relating to land registration, the Ghor Mudawara Land Agreement and the acquisition of immovable property for Government and the Forces, either by private treaty or the Land (Acquisition for Public Purposes) Ordinance, 1943. The staff is 160, 106 of which are Arabs, 60 Jews, 2 British and one other.

PROSPECTS

The Department has been decentralized and very little can be done if conditions are not normal. In view of the partition the registers have been photographed and the negatives are to remain in London with the Colonial Office until normal conditions are restored. Then a copy of the photographs will be handed over to each of the States. The Director suggests that a law should be enacted allowing transactions without registration until normal conditions prevail. There is danger that some of the registers may be destroyed.

xx. LAND SETTLEMENT AND IRRIGATION

The Department of Land Settlement comprises a group of activities. In the first place, the Director administers the Land (Settlement of Title) Ordinance, 1928. Operations under this legislation are designed to obtain an accurate record

of rights which under the complicated and unsatisfactory land system inherited from the Ottoman regime did not exist. Land settlement is carried out by survey and settlement parties in the field under the general direction of the Directors of Land Settlement and Surveys.

Secondly, the Director of Land Settlement is responsible for the administration of state domain. He presents and prosecutes Government claims in land settlement.

Thirdly, as Agent he has the management of the important Haifa Harbour Reclaimed Area Estate.

Fourthly, the Director of Land Settlement has important duties in relation to the administration of direct accession of immovable property and evaluation. He also deals with expropriation for public purposes, and he advises the Government on all land questions.

The Water Commissioner, who is Government's chief adviser on irrigation matters, and his staff form part of the Department. He carries out research into water resources and advises on the potentiality of development of those resources. He provides general supervision over hydrological schemes undertaken by Government; he administers the Draining (Surface Water) Ordinance, 1942. A booklet is published by the Department under the title "Water Measurements".

The Department deals with the various irrigation schemes. There are offices in Jerusalem, Haifa, Nazareth, Jaffa, and Ramallah. The staff is 306, 219 of which are Arabs, 61 Jews, 12 British and 14 others.

PROSPECTS

The opinion of the Director is that the service cannot work until normal conditions are re-established. In fact, the service, staffed mainly by Arabs, is closing down. A few of the functions will be handed over to local authorities, among them the taxation of land. *Urban Tax*

XXI. LEGAL DEPARTMENT

The Attorney General is the head of the Legal Department. He is the Chief Legal Advisor to the ~~Department~~ ^{Government}. He arranges for the conduct of "Crown" prosecutions and in his office all legislation except the by-laws of local authorities is drafted. He also organizes and supervises legal education in Palestine and

conducts examinations for the local Bar. He is assisted by the Solicitor General and other law officers. The total number of staff is 30, 25 of which are Arabs, 15 Jews, 9 British and 1 other. The legal staff is 17, 5 of which are British, 8 Jews and 4 Arabs.

PROSPECTS

This department will be indispensable to the Commission. It is understood that the Attorney General, the Solicitor General and all the British and Arabs will leave after 15 May. The Department, however, may continue working efficiently with very few additions.

xxii. DEPARTMENT OF MIGRATION

The Department of Migration is responsible for the following functions:

- (a) Immigration administered under the provisions of the Immigration Ordinance No. 5 of 1941.
- (b) Palestinian nationality administered under the provisions of Palestinian Citizenship Orders, 1942.
- (c) Issue of Palestine passports and other documents under provisions of the Passport Ordinance No. 35, 1934.
- (d) Change of name under the Public Notice of 15 March 1921.
- (e) Grant of British Passports and of visas for British territories on behalf of His Majesty's dominions, colonies and protectorates.

The functions under (a) include (i) the grant of immigration certificates to immigrants; (ii) the grant of visas to travellers, i.e. business and other visitors; (iii) the grant to lawful residents of return visas for readmission to this country; and (iv) the control of immigration at the ports and other prescribed places of entry by the Frontier Control Service, at present a branch of the C.I.D. of the Palestine Police.

The main function under (b) is the grant of certificates of naturalization as Palestinian citizens to foreigners.

The functions under (c) include the grant of Palestinian passports, the renewal of Palestinian passports and the grant of other travel documents to stateless persons or persons unable to obtain national passports.

The function under (d) consists merely in the notification in the Palestine Gazette of change of names.

The principal records kept by the Department may be classified as follows:

- (a) Registration of immigrants.
- (b) Certificates of naturalization granted under the Palestinian Citizenship Orders, 1925-42.
- (c) Nefus registers of Turkish nationality taken over from the Turkish administration.
- (d) Palestine passports issued.

All these records are kept at the Headquarters of the Department in Jerusalem.

The Department maintains offices at Jerusalem (Headquarters and two district offices, one Arab and one Jewish) Jaffa, Tel-Aviv, Haifa, Tiberias and Gaza. The staff is 162, 79 of which are Arabs, 68 Jews, 6 British and 9 others. It is already racially apportioned. The control of immigration at the prescribed places of entry is part of the Police organization under the title of "Frontier Control Service". There are seventeen prescribed places of entry. Stocks of Palestine passports will be exhausted before the termination of the Mandate and no new stocks have been ordered. Certificates of Identity will be issued to Palestinian citizens on exhaustion of the supply of Palestinian passports, in which the holder will be described as a Palestinian citizen and the certificate will be endorsed "issued in lieu of a Palestinian Passport". Passport fees amounting to LP.50,000 per year were the main revenue of the Department.

PROSPECTS

The Department has been issuing passports valid for five years and visas valid for a period from six to twelve months and certificates of Identity valid for one year. This, on the assumption that the above instruments are to be honoured by the Successor Authority. It is obvious that in the first instance the Commission will not be in a position to control the frontiers of the Arab area. The Commission should issue Certificates of Identity in lieu of passports. It should make arrangements with the Consular authorities of the Mandatory Power or any other member of the United Nations for Consular representation and issuing of visas. The Jewish Agency suggests that after 15 May passports may be issued by the Provisional Council of Government and visas may be granted by the various branches of the Jewish Agency acting as Consular Agents. This, however, seems to be impracticable since, in fact, the Commission is the central authority in Palestine and passports during the transitional period may be issued only to

"Palestinian citizens". It is difficult to see how "Palestinian citizens", including Arabs and others, are to receive passports through the medium of the Provisional Council of Government of the Jewish State, and persons wishing to enter Palestine visas through the Jewish Agency.

Branch offices of the Department of Migration in Tiberias, Nablus, Gaza and Nathania will be closed on 1 April, and applications for certificates after that date should be submitted to the offices in Haifa, Jerusalem, Tel-Aviv and Jaffa.

xxiii. POLICE

(To be reported by Colonel Roscher Lund)

xxiv. POSTMASTER GENERAL

The Department of Posts and Telegraphs has its headquarters at the General Post Office in Jerusalem. The main international telephone exchange is at Ramle -- telegraphic traffic passes through Cable and Wireless Ltd. at Haifa and through Egypt. The staff of the department is about 2,800, 1,459 of which are Arabs, 1,207 Jews, 19 British and 71 others.

PROSPECTS

It is to be anticipated that the service could not operate in the Arab areas; also that the international telephone exchange located in the Arab village of Ramle will be inaccessible to the Commission and the Jewish State. It will be extremely difficult to keep telephone lines working. The Jewish Agency is making arrangements for wireless inter-city telephones, also for wireless telegraph from Tel-Aviv. The Commission should make similar arrangements. Already the staff is very reluctant to repair damaged telephone lines. It is the opinion of the Director that the Commission should at the beginning undertake responsibility only for letter mail. Posting by mail of precious freight, parcel post and other usual functions of the postal service should be prohibited until normal conditions are re-established. On my request, the Government expressed its willingness to transfer to the Commission the existing stock of stamps, after having overprinted them as follows:

UN PALESTINE COMMISSION--1948.

It has been now notified that all types of incoming letter mail services, except air mail, will be suspended on or shortly after 15 April. This includes ordinary and registered letters, printed paper mail and bulk printed paper mail addressed to news agents and booksellers from all countries. Air mail will continue until further notice. The same applies to telephone, radio-telephone, telegraph and collect press cable services with all countries.

xv. PRESS CENSORSHIP

This department is responsible for the censoring of the local press (the aim is to avoid articles and expressions which might increase the hostility between the two sections of the population). There are three offices, one in Jerusalem, one in Tel-Aviv and one in Jaffa. The staff is 30 Arabs, 6 Jews, 22 British and one other.

PROSPECTS

The Assistant Press Censor of Jerusalem, the Assistant Censor of Tel-Aviv and 20 Jewish employees have expressed their wish to remain in the service. Should the Commission wish to continue it, it would have to provide Arab speaking censors for the Arab press.

xvi. PRINTING AND STATIONERY

Printing and Stationery are in the charge of the Government Printer whose organization is, administratively, a branch of the Secretariat. The Palestine Gazette (in the three official languages), incorporating all Government announcements as well as important public matters, is published weekly at the Government Press, extraordinary gazettes being published as requested. Most Government reports are also published by the Government Printer. The staff of Printing and Stationery is 126, 72 of which are Arabs, 31 Jews, 6 British and 17 others.

PROSPECTS

It is foreseen that this department will cease to function when the Mandate is given up. The Director fears that if the buildings are left unguarded even for a matter of hours, the plant may be looted in view of the fact that the press is situated in an Arab area inside Jerusalem. Regarding the staff, it has been extremely difficult to keep anything like regular attendance and morale has

deteriorated considerably. The Jewish staff now goes to work in an escorted armour-plated bus. It is extremely unlikely that they could or would report for duty at the press after the British withdrawal. As for the rest of the staff, they do not wish to continue working after 15 May. Even those who might have wished to work -- and this includes several Greeks and Armenians -- would decline to do so for fear of reprisals.

xxvii. PRISONS

The Prisons Department is headed by a Commissioner. The Commissioner and the Acting Deputy Commissioner were interviewed. There were in use, until now, two central prisons at Jerusalem and Acre; the women's prison at Bethlehem; two gaol labour camps at Huresh Sheva and Atlit; and fifteen district lockups. Detention camps are also administered by the Commissioner of Prisons. The boys' reformatory is under the Department of Social Welfare, which is responsible for reformatory schools. The establishment of the Service is four superior officers, 10 Inspectors, 24 Sergeants, 35 Corporals, 390 Warders, 12 Wardresses, 21 Clerical Officers; besides a few Britons, 90 per cent of the staff is Arab. At present there are approximately 1,910 prisoners. However, it is proposed to grant an amnesty to all prisoners who would have served two-thirds of their sentence by 15 July, thus decreasing the number by about 400. Taking into account ~~some~~ discharges, the number of prisoners will be around 1,200. In view of the termination of the Mandate, prisons have been racially apportioned; thus Arab prisoners have been concentrated in the prisons of Acre, Nablus, in the detention camp of Latrun and in the Jaffa women's prison. Jewish prisoners have been concentrated in the clearance camp of Atlit about 10 kilometres from Haifa. The Jerusalem prison has been closed. Prisoners and staff are distributed as follows:

PRISON	NUMBER OF PRISONERS	STAFF REQUIRED	REMARKS
PRISON ACRE	550	1 Superior Officer 2 Inspectors 6 Sergeants 9 Corporals 110 Warders 6 Clerical Officers	Arab prisoners
PRISON NABLUS	200	1 Superior Officer 2 Inspectors 4 Sergeants 5 Corporals 50 Warders 3 Clerical Officers	Arab convicted prisoners
DETENTION CAMP, LATRUN	550	1 Superior Officer 2 Inspectors 6 Sergeants 9 Corporals 110 Warders 6 Clerical Officers	Arab convicted prisoners
JAFFA WOMEN PRISON (ARAB)	10	1 Sergeant 2 Corporals 6 Wardresses 1 Clerical Officer	Arab prisoners
CLEARANCE CAMP, ATHLIT	600	1 Superior Officer 2 Inspectors 7 Sergeants 10 Corporals 120 Warders 6 Wardresses 6 Clerical Officers	Jewish convicted and detainees

The feeding of prisoners, which is already a very difficult problem, will be greatly aggravated as time goes on. However, all prisons have stores to last one month after 15 May. As far as can be ascertained, no more than 10 British personnel will volunteer to remain in the Service beyond 15 May. It is to be anticipated that all staff in Arab territory will abandon the prisons and as a result convicts will be freed. I have suggested to the Attorney General that an order might be enacted by which prisons in Arab territory would come under the responsibility of the local authorities. Such a measure seems to be indicated if the freeing of a number of convicted criminals is to be avoided. The Attorney General promised to consider the question. Such a law would provide for the transfer of the responsibility, as from 14 May, for instance, to Local Councils. The case does not arise with relation to the Athlit Jewish prison, where the staff is British and Jewish.

xxviii. PUBLIC INFORMATION OFFICE

The Public Information Officer has the duty of liaison with the press and public relations generally. He also furnishes information to the public in regard to Government activities. Official communiques are issued by the High Commissioner and only the mechanical processes of public information fall to the Public Information Officer. The staff is 116, of which 62 are Arabs, 47 are Jews, 4 British and 3 others. There are offices at Jerusalem (headquarters), Jaffa, Haifa, Beisan and Jenin.

PROSPECTS

Of the British officers the Acting Press Officer and the Publication Officer wish to remain in the service. The same applies to almost all the Jewish employees. Of the employees of other nationalities, only one has, until now, declared that he will leave the service. All Arabs will leave.

It is anticipated that this department can continue to function efficiently.

xxix. PUBLIC WORKS DEPARTMENT

The Department deals with the construction of Government buildings, roads and other works and is responsible for the maintenance of all Government buildings and of the principal roads. An advance copy of the Public Works Department handing over is attached herewith*. Appendices referred to in the report will not be ready for a month or more. Public Works employs a staff of 806, 521 of which are Arabs, 224 Jews, 25 British and 34 others.

PROSPECTS

It is the opinion of the Director of Public Works that the service will break down completely owing to lack of staff. Municipalities are to be made responsible for keeping the material, transport, etc. of the services. At any rate, it is obvious that most of the work of the department cannot be performed if disorderly conditions are prevailing in the country.

* Not reproduced, but available for inspection by request to the Principal Secretary of the Commission.

XXX. RAILWAYS AND HARBOURS

Railways and Harbours are operated by a Government Department under a General Manager. The General Manager was interviewed. The Department administers the Kantara-Raffah Railway in Sinai and the Palestine Railway, including the Petakh Tikvah Railway under the general definition of "Palestine Railways" and, in general, that part of the Hijaz Railway which lies in Palestine and Trans-Jordan. It also administers the ports of Haifa and Jaffa (which administratively includes the Tel-Aviv Lighter Port) and similar ports. The Railways and Ports administration undertakes its own engineering work and the maintenance of locomotives, rolling stock and permanent way. There are up-to-date engineering shops at Haifa. On the termination of the Mandate, the Hijaz Railway in Trans-Jordan and the Kantara-Rafah Railway in Sinai will cease to be operated from Palestine.

The Railways and Ports employ, today, about 7,000, only about 7 per cent of which are Jews.

PROSPECTS -- Railways:

In the opinion of the General Manager the prospects of running the railways are negligible owing to lack of experienced staff. In his opinion the Jews will endeavour to run the line from Haifa to Hadera with staff which is now being trained. There is, however, a possibility that the railways may be run by the G.O.C. the troops of the Mandatory Power for the purposes of evacuation; it would appear impossible for the Commission to find the required staff to run the railways, although the line runs inside the Jewish State. The General Manager of the Railways fears that if an orderly handover is not possible, much damage and looting may go on between the time the British relinquish and the successor authority takes charge.

Harbours:

Jaffa and Tel-Aviv may be run by their respective Municipalities. The Harbour at Haifa might be run by the Chamber of Shipping where Jews and Arabs still collaborate. It is, however, likely that the G.O.C. the troops of the Mandatory Power will take over a great part of the port for purposes of evacuation.

xxi SOCIAL WELFARE

The Director of Social Welfare administers a number of services in connection with the feeding of school children generally and also the probation and reformatory school services. There is under his administration an Arab and a Jewish reform school and an adolescents' camp at Acre. There is a central office at Jerusalem and principal local offices at Jerusalem, Haifa, Tel Aviv, Jaffa, and Nablus. Subordinate officers are at Tulkarm, Nazareth, Acre, Safad, Lydda, Gaza, and Hebron. Reformatory schools are at Bethlehem (two) and Acre, for Arabs only. Jews are detained in institutions of the Vaad Leumi at Kfar Avoda in the Plain of Sarona. One of the two schools at Bethlehem is for girls. Remand homes are at Bethlehem (Arab), Jerusalem (Jews) and Acre (Arabs). The Department is responsible also for the Alaiya School for the Blind at Ramallah. The staff is 165, 120 of which are Arabs, 40 Jews, 4 British, and 2 others. The inmates of these institutions are as follows:

Boys' reformatory school, Bethlehem	130
Girls' " " "	5
Boys' remand home, Bethlehem	10
Boys' hostel, Jerusalem	20
Adolescent Camp, Acre	75
Remand Home, Acre (Normally at Haifa, now absorbed in Adolescent Camp)	5

The reformatory schools take two categories of Jews and Arabs:

- (a) Committed delinquents to serve long-term sentences;
- (b) Children in need of care and protection under Article 16 of the Jew and Arab Offenders Ordinance;

Remand homes take:

- (a) Boys under remand;
- (b) Juveniles awaiting deportation;
- (c) Boys serving short sentences.

The Alaiya School for the Blind is a boarding establishment for blind Arab boys, taking 24 to 30 inmates per annum. Relevant legislation is the Jew and Arab Offenders Ordinances and the Probation of Offenders Ordinance.

PROSPECTS

In the opinion of the Director there is nothing to worry about for two or three months after 15 May owing to arrangements made between the Government and the interested local authorities. However, rent for the premises of the various schools and institutions will be paid only till 30 June.

xxxi. DEPARTMENT OF STATISTICS

The Government Statistician is the principal advisor to Government on all statistical questions. He publishes a monthly bulletin of the current statistics and an Annual Statistical Abstract. He initiates and carries out statistical surveys of economic and sociological interest, and in addition performs such ad hoc statistical investments as may be required by Government. His office is equipped with modern machinery for statistical work. The duties and functions of the Department of Statistics are defined in Section 8 of the Statistics Ordinance 1947.

The staff is 93, 41 of which are Arabs, 45 Jews, and 7 others.

PROSPECTS

The acting Director suggests that the Department can work and carry on if security is ensured for commutation to the office. The Acting Director, Mr. Hamburger, is willing to carry on. He considers that, in fact, work will be possible and useful in certain areas.

xxxi. DEPARTMENT OF SURVEYS

The Department of Surveys deals with matters relating to survey, mapping, plans, and cognate technical subjects. It carries out the surveys in connection with land settlement. The Surveys Office is in Tel Aviv; it employs a staff of about 642, 410 of which are Arabs, 130 Jews, 4 British and 15 others.

PROSPECTS

Owing to the present difficulties and in view of the termination of the Mandate, the Department was split -- printing machinery of the Department,

together with the Jewish staff and the records and plans for the Jewish State, in accordance with the partition boundaries, remain in Tel Aviv, while the records concerning the Arab State, together with the Arab staff, were transferred to Ramleh, near Lydda, in an Airforce camp. Most of the instruments are in the hands of working parties surveying Arab land -- they will be handed over eventually to Arab municipalities. The Tel Aviv office will probably go on under a senior Jewish officer. It is the intention of the Director to hand over to the Municipality of Ramleh the Arab section of the Department. It is to be noted that Palestine is perfectly mapped -- both large and small scale -- the only exception being the Negeb, for which there are only some topographical maps made before the First World War. The Department possesses sufficient instruments and trained staff for making the partition boundaries.

xxxiv. TOWN PLANNING

The town planning advisor is responsible for advising the Government and local authorities on all matters relating to town planning. As a member of the Commissions constituted by the Town Planning Ordinance 1936 which regulates town planning throughout the country, he is closely associated with the administration of this legislation. The District Commissioners are the Chairmen of all district town-planning commissions.

The staff is approximately 66, 44 of which are Arabs, 20 Jews, and 2 others.

PROSPECTS

The acting Director, Mr. Shafi, is an Arab. There is very little prospect that the service may operate after 15 May.

xxiv. VETERINARY SERVICES

The Department of Veterinary Services has its Headquarters in Jerusalem. The country is divided into seven veterinary areas with a District Veterinary Officer in charge of each. The areas are Jerusalem, Gaza, Lydda, Haibus, Haifa, Tiberias, and Safad. The functions are control and supervision of infectious diseases, application of preventive measures such as vaccination, dipping and

drenching, testing animals for various diseases, running quarantine stations, livestock improvement and animal breeding and husbandry schemes, supervision of local authorities slaughter houses. Statutory duties are laid down in the Animal Diseases Ordinance. Stock Inspectors act as sanitary policemen. They tour villages to detect disease and enforce control measures, etc. There are three poultry disease officers stationed at Tel Aviv, Nathanya, and Haifa, each having a small diagnostic laboratory and a laboratory assistant. There are quarantine service stations at Haifa, for stock imported by sea, at Samakh, for stock imported by rail, and nine land frontier stations at Ras en Maqura, Buweiziya Jisr, Banat Ya'qub, Jisr el Majam', Jisr Sheikh Hussein, Jisr Damiya, Allenby Bridge, Beersheba, and Gaza. The veterinary laboratory at Tel Aviv is the only one which carries out bacteriological and pathological diagnosis of diseases of all classes of stock. At the Government Farm of Acre, various breeds of cattle, horses, donkeys, sheep, goats, and pigs are maintained and sires are bred for use in stock improvement schemes and issue to farmers.

The staff is 159, of which 75 are Arabs, 60 Jews, and 4 British.

PROSPECTS

No arrangements for continuation have been made. Local Councils may continue the work. The Stock Section of the Government Farm at Acre will, however, continue. The Director fears that if an epidemic strikes the cattle or the poultry during abnormal conditions that may well lead to complete destruction.

D. LOCAL GOVERNMENT

The functions of local government are today exercised by Municipal Councils, Local Councils, and Village Councils under the authority contained in the Municipal Corporation Ordinance, 1934, the Local Councils Ordinance, 1941, and the Village Administration Ordinance, 1944 respectively. Generally speaking, the Municipal Councils are established in the intensively urban areas, the Local Councils in the smaller townships where development is not of a predominately urban nature, and the Village Councils in areas which are exclusively rural.

The present number of local authorities within each category and their racial composition are as shown below:^{1/}

	Arabs	Jews	Mixed	Total
Municipal Councils	18	2	4	24
Local Councils	11	26	1	38
Village Councils	24	-	-	24
T O T A L S	53	28	5	86

The Municipal and Local Councils are elected Councils. The High Commissioner may, in certain circumstances, nominate a Commission to perform the duties and exercise the powers of a Municipal Council. During the disturbances of 1938 and 1939 it was necessary to exercise these powers in a number of towns where, for local political reasons, the Municipal Councils were unable to carry out their functions. In some of the Municipalities it was necessary to nominate for a period a Commission consisting entirely of Government officials. A Commission of British officials was also nominated in 1945 for the Municipal Area of Jerusalem where, following the death of the Mayor in August 1944, the Council broke down as a result of disagreement in regard to the succession. Today there remain Commissions in the towns of Jerusalem, Safad, Tiberias, Haifa, and Shefa 'Amr.

The "Municipal Corporation of Jerusalem" has been appointed by the High Commissioner as follows:

4 British, 1 Arab, and 1 Jew.

The Chairman is Mr. Graves, a retired British official. All others are officers of the District Commissioner's Office of Jerusalem.

(1/ For complete list of these local authorities by district, indicating the population which each serves, see Survey of Palestine, Vol.I, page 130.

PROSPECTS

On the termination of the Mandate all members of the Municipal Corporation of Jerusalem will leave. Mr. Graves is under a contract expiring in June 1948. One of the members, Mr. Bergman, a Jew, may wish to remain in the Administration. Mr. Graves is endeavoring to reach an agreement with the two communities which would ensure the continuance of the service under him or some other person mutually acceptable to both sides. The negotiations, however, have not been successful until now. In the opinion of Mr. Graves, should the Municipality continue working, a loan of LP.200,000 would be necessary. Should the Municipal Corporation disperse, the two communities in Jerusalem may organize unofficially their own services. It is obvious, however, that such an arrangement would be prejudicial to these services which need unified control.

In Haifa, the Arab and Jewish citizens composing the Commission still hold together. It is, however, very doubtful whether they will continue after 15 May. The same applies to Tiberias.

The Commission of Shefa 'Amr, composed of Arabs, does not present any difficulty. On the other hand, in Safad the Commission, composed of Government officials, will disperse. Already Safad is cut off.

The Government has published a Bill to amend the Municipal Corporations Ordinance, 1934, by which various powers are being conferred on the Municipal Corporations and readjustments made, in view of the termination of the Mandate. This Bill was communicated to the Commission, which notified its agreement. It has now been decided by the Government that only the First Schedule of the Bill shall be enacted. In their opinion it would belong to the Commission, if it so wishes, to enact the Second Schedule, dealing with the functioning of the Municipal Corporations after the termination of the Mandate.

E. POLICY OF GOVERNMENT

The policy of the Government regarding the anticipated situation on the termination of the Mandate was defined by Circular No.6 of the Chief Secretary (see Annex I). Circular No.6, issued by the Chief Secretary on 14 February 1948, relates to the duties of local authorities on the relinquishment of the Mandate. The Circular envisages the possibility that various Government activities, buildings, stores, etc. may have to be transferred, as it were, in trust, to local authorities if the Palestine Commission proves not to have the necessary powers and staff to perform all the functions of the present administration. The Heads of Departments are requested:

- (a) To prepare "handing-over reports" (for the Commission);
- (b) To communicate to the Administration full information regarding all activities, buildings and stores which they consider might be placed with local authorities; and
- (c) To prepare a general statement of the financial implications of each proposal which the local authorities should have, before the District Commissioners could begin their inquiries as to their willingness and ability to accept such responsibilities.

In some cases the estimated commitment may be limited to provision of guards, while in other cases, such as schools, hospitals, agricultural stations, school-feeding centres, etc., where the local authority should be encouraged to maintain the enterprise at least on a reduced scale, it will be necessary for District Commissioners to have a skeleton budget of the minimum cost and, where revenue is obtained, of the amount which may be anticipated.

The Departments have been preparing such statements and it would depend on the decision of the United Nations Palestine Commission whether this procedure should be followed with regard to some services. In view of the circumstances, it would appear that the action of the Government of Palestine is fully justified if complete destruction of buildings, general looting, and complete disintegration of existing enterprises and services is to be avoided, especially in the Arab areas.

Since no doubt now exists that the Arab civil servants and local authorities will not cooperate with the Commission, there seems to be no other alternative than to make the local authorities responsible for some services. This,

however, cannot apply to all services, since the local authorities will never have the necessary funds to run the more expensive of them.

For the purpose of increasing their funds, Municipal and Local Councils have been authorized by an Order to collect arrears of urban property tax which will remain due to the Government on 31 March, and also all the urban property tax due for the financial year ending 31 March 1949. They are also authorized to use the funds so collected for their own purposes.

An explanatory note states that the Government has decided on this measure, since it anticipated that during the year 1948-49 the Municipal and Local Councils would have to undertake many of the functions normally carried out by the Government, and would therefore need additional sources of revenue, especially since they may not be able to obtain grants-in-aid from any central authority.

Arrangements have been made to hand over the relative records to the Councils.

F. THE QUESTION OF CONTINUED EMPLOYMENT OF PALESTINIAN PERSONNEL

1. I am attaching herewith copies of General Circulars Nos. 7, 8, 9, and 10 (Annex II) of the Chief Secretary addressed to all Heads of Departments and District Commissioners.

Circular No.7 communicated the statement of policy of the Commission regarding the continuance in service of Palestinian officials and asked that they notify their wishes to the United Nations Palestine Commission through Heads of Departments.

Circular No.8 communicated the second statement of the Commission.

Circular No.9 forwarded two forms of reply, one for those wishing to remain in the service and one for those not wishing to do so and requesting that the former send their replies to the Advance Party and the latter to the Civil Service Commissioner. The reason for this distinction is the following:

according to Paragraph 5 of the Staff Circular No.3/48, compensatory benefits will be payable only where the High Commissioner is satisfied that there is good cause for the refusal of the offer. The forms refusing service should, therefore, be available in order to enable the High Commissioner to decide whether the circumstances stated justify the officer's refusal.

Circular No.10 made clear that all non-expatriate eligible officers will be paid their statutory retiring benefits before 15 May; while compensatory benefits payable under the terms of Staff Circular No.2/48 will, with but a few exceptions, be adjudicated as soon as it is possible for a decision to be taken (very probably after 15 May). It also informed Palestinian officers that it is intended to make arrangements for the payment to them of sums due after 15 May through an organization under the aegis of the British representative in Palestine (the British Consul-General, very probably. The checking of the claims will be effected in Cyprus by a special party consisting of two members of the actual Civil Service Commission). There is no doubt that the delay in paying the compensatory benefits is imposed by the circumstances, since until 15 May it would be impossible to make sure who, in fact, will remain in service and who will not.

2. I also attach Staff Circulars Nos.2/48 and 3/48 dealing with compensation payable to government officers and employees on the termination of the Mandate.⁽¹⁾ The terms of Circular 2/48 have already been communicated to the Commission (document UK/42 Note "C"). As explained in UK/42 Memorandum "B", paragraph 2 and Note "C", every officer and employee will receive the statutory or contractual entitlements which he may have earned on 15 May. An officer who qualifies for pension receives his pension plus a compensatory pension which may be commuted into cash.

All others who do not qualify for pension will receive a compensatory grant, gratuity, or bonus.

(1)

Not reproduced, but available for inspection by request to the Principal Secretary of the Commission.

3. The Chief Secretary, and subsequently the Civil Service Commissioner, raised a question as to the meaning of the Commission's statement of their policy regarding the continuance in service of Palestinian officials. The Civil Service Commissioner seems to be of the opinion that the statement constituted an offer of employment which, together with the acceptance by individual officers or employees, constitutes a contract of employment. In his opinion, the implication is that the Commission would be obliged to retain the services of the officer, at least until the termination of its functions. That is, on the same terms and with the same rights for employees as those employed under the Mandatory Government. The question needs to be especially studied, and it is obvious that the Commission should clarify its position as soon as possible, since undoubtedly in many cases it will be neither possible nor advisable to retain the service of employees who expressed their wish to remain in the services. It would seem to me that it is very doubtful whether a statement of policy may be considered as an offer, or a declaration of intention as an acceptance. Moreover, as it will be noted, the questionnaire drafted by the Government with my collaboration expresses a simple wish of the employee, the wish referring, not to the Commission, but to the Successor States, the City of Jerusalem, or the Joint Economic Board. In addition, it is an accepted principle of law that every permanent civil servant can be terminated if his post is abolished, in contradistinction to the civil servant for life who can never be terminated even if his post is abolished. There is no doubt, however, that if the Commission employs some officers and then decides to terminate them, it would be bound to compensate them in the same way that they would have been compensated if they had refused to continue their services on the termination of the Mandate.

4. On behalf of all Jewish officers of the First and Second Division now serving with the present Government in Palestine, a letter was addressed to the Chief Secretary informing him that they are "prepared to serve with the United Nations Commission and the Successor Authorities to be constituted

in Palestine by the Commission in accordance with the United Nations decision of 29 November 1947 on Palestine, on the same terms and with the same rights as enjoyed under the Mandatory Government".

5. The same officers addressed to the Chief Secretary on 15 March 1948 a communication drawing his attention to some specific provisions in the abolition terms which, in their opinion, show marked discrimination as between expatriate and non-expatriate officers. They allege that discriminatory treatment is clearly manifested in the Disturbances Grant and in the calculation of leave entitlement on withdrawal. They state that while the Disturbances Grant is paid unconditionally to the expatriate officer, it is paid conditionally to the non-expatriate officer, namely, only if he is not re-employed by the Successor Authority or if the High Commissioner considers that refusal of acceptance of employment is justified. They point out in that connection that it is evident that the conditions (economic, housing, etc.) which obtain in Palestine and in the United Kingdom and other territories of the Colonial Empire are such that the disturbance factor resulting from the withdrawal will weigh just as heavily on the Palestinian officer as on his expatriate colleague. The Palestinian officer also will have to search for new accommodation at a time of acute housing shortage. There is also the difficulty of removal of entire households to other parts of the country at a time when security on the roads may still be doubtful. Also there is the re-adaption of the officer and his family generally to new conditions and surroundings and to a new system of work under a new regime.

With regard to leave entitlement, while in the case of a non-expatriate officer all leave entitlements will be calculated as though the leave were spent in Palestine, in the case of expatriate officers the usual leave and passage regulations will apply. It would seem that a First Division Officer who has not enjoyed a vacation leave for the last three years would normally

have been entitled to take four and a half months' vacation leave abroad, and similarly a Second Division Officer would have been entitled to 42 or 45 days' leave to be taken in adjacent territories. The non-expatriate officer of both Divisions of the service feels that his leave entitlement has been arbitrarily and unjustifiably reduced.

In the same document, representations were also made on the following point: the retirement benefits of Provident Fund Officers in the present circumstances, namely, after the existence of the Fund for four years only, represent compensation which, in their submission, is totally inadequate. For instance, a Provident Fund Officer engaged on 1 April 1942 at a salary of LP.10 per month whose salary has been increased by annual increments of LP.8 will, on withdrawal, receive a bonus of LP.68.850, whereas his pensionable colleague who was engaged on 31 March 1942 on a pensionable basis will receive, under the terms of Paragraphs 9 and 11 of Circular 2/48, retiring benefits amounting to LP.176, a striking difference which, of course, increases with the period of service. They suggest that means must be found to amend Paragraph 12 of Circular 2/48 with a view to increasing the benefits payable to Provident Fund Officers.

5. A memorandum was also handed to the Advance Party by the Chairman of the Association of Government War Departments Officers. The memorandum states that the administration of this territory can be maintained in practically all departments with the available non-Arab Palestinian staff provided a sufficient measure of security for staff and departments can be guaranteed. Palestinian senior officers are qualified to fill all key positions at present held by non-Palestinians. In that connection, in a letter addressed to the Advance Party by the Chairman of the same Association, the concern of the Association was expressed in the possible retention during the transition period of non-Palestinians who occupy key positions, not on grounds of capacity, but because of their nationality.

G. PROSPECTS REGARDING PERSONNEL

The total number of Civil Servants employed by the present Palestine Administration is slightly over 16,000^(1/) -- 10,000 of which are Arabs, 4,500 Jews, 800 British and 500 others;^(2/) besides that there are approximately 1,400 industrial workers employed on a monthly contract and about 18,000 casual labourers employed on a daily basis. The whole number, therefore, of persons employed is around 35,000 by far the greatest proportion of which is Arab

It is not yet possible to ascertain how many employees will express a wish to remain with the Service; it may, however, be assumed that while all Arabs and almost all British and others will leave, well over 90 per cent of the Jews will express a wish to continue.

It is self-evident that all Arabs would normally have wished to remain in the Civil Service which they have chosen as their career; resigning might endanger this career and would entail the immediate loss of means of livelihood of the individual officer and his family. However, one or both of the following reasons compels them to resign:

- a) Serving with the Commission will be against their national conscience; and/or
- b) Serving with the Commission may draw reprisals against them.

The latter reason seems also to apply to all foreigners except British. British do not wish to continue in the service for the following reasons:

- (a) A number of them are eligible for pensions;
- (b) A further number will continue service with the Colonial Office;
- (c) Any offer made to them by the Commission would cover only a short period since, at the present stage, the Commission will be unable to promise continuation of service with the City of Jerusalem, with the States or with the Union;
- (d) They consider that their position as Britons might be difficult after the termination of the Mandate.

There is, however, a small number of British who, for personal reasons, are considering staying on under the same or better terms, and it would be in the interests of the Commission to keep some of them on owing to their valuable experience, with a view to transferring them, eventually, to the City of Jerusalem or the Economic Union. A greater number may have considered staying if a peaceful solution were reached.

(1/ All numbers quoted in the present Memorandum are approximate.
(2/ Including Senior Police Officers and clerical staff but not Police other ranks.

It is, therefore, obvious that the Commission will inherit an administration with its Civil Service greatly depleted for:

- (a) The remaining Civil Servants will number less than a fourth of the previous establishment;
- (b) Almost all the administrative and policy-making staff, which has always been British, will have left;
- (c) There will be no appropriate staff to appoint in the Arab areas.

The Civil Servants are divided into two divisions and the subordinate staff. Subtracting the British, Arabs and others, the remaining staff will not exceed 4,500. Of those, just over 220 will be first Division officers (out of a total today of over 900), approximately 3,000 Second Division officers and the rest subordinate staff. Among the First Division officers only a few would have the grade of Director or Acting Director.^{(1/} Directors, however, might be found among the staff of the Secretariat of the United Nations or by recruiting specialists from outside, or by promoting in some cases qualified Jewish officers of the present Administration.^{(2/}

Nevertheless, reorganization and redistribution of personnel would be mainly hampered by the fact that Jewish officers would be unable to perform their duties in Arab areas or even sometimes in mixed areas. It is, therefore, obvious that, if the Commission's aim were to administer the whole of the country, this could be done only by recruiting a considerable number of neutrals outside Palestine. Supposing that the required number of neutrals could be found in time, even then there would be a period necessary for organisation during which all services in the Arab areas would break down. Besides, the security and

(1/ In fact, only the Acting Directors of Commerce and Industry, Forests, Statistics, Co-operative Societies, the Custodian of Enemy Property and the Assistant Censor of Jerusalem. The Administrator General will not be available for many months. On the contrary, the following services have not even one Jew in the First Division: Road Transport, Customs and Excise, Printing and Stationery, Public Information and Town Planning.

(2/ It is pointed out that only in few cases promotion of Jewish staff to directorships may be possible because in most cases no one of the Jewish officers of the First Division has the required experience and other administrative qualifications for heading their Service.

communications of all those neutral staff would have to be ensured. It is pointed out that this question of security exists for all personnel in all places except perhaps in the purely Jewish areas such as Tel-Aviv, for the Arab resistance and non-cooperation does not only entail fighting but also terroristic activities such as blowing up of buildings, blocking of communications, sabotage, etc. Thus in Jerusalem, unless a truce were called, the smooth operation of services would be affected by questions of lodging and feeding the staff, ensuring their commutation between homes and Government offices, and ensuring the security of the buildings in which the offices are located.

In this connection it should be noted that in Jerusalem the Administration occupies about 55 buildings, leased or requisitioned. Eighteen of them are in the Arab Quarter, thirteen in the Jewish and the rest inside two of the three security zones. This already creates serious difficulty, which, of course, will increase manifold after the termination of the Mandate.

H. CONCLUSIONS

I. The Assembly's Plan of Partition with Economic Union provides that the administration of Palestine should be progressively turned over to the Commission; that with a view to ensuring that there shall be continuity in the functions of administrative services... there should be a progressive transfer from the Mandatory to the Commission of the responsibilities for all functions of government. Given that the administration will not be progressively transferred, the question is to what extent, under the present circumstances, can the Commission successfully assume and carry out the administrative responsibility conferred upon it by the General Assembly.

II. The present conclusions are based on two assumptions:

- (a) That armed forces will be present when the Commission assumes its administrative responsibilities to ensure a certain amount of law and order;
- (b) That the Arab policy of non-cooperation will continue.

It is obvious that if armed forces are not provided the Commission will be completely unable to perform or assume the general administrative duties in Palestine. On the other hand, should the Arabs reverse their attitude, only comparatively minor administrative problems will confront the Commission.

III. Taking as a basis the results of the above enquiry, the situation presents itself as follows:

i. It is unlikely that the Commission will be in a position to set up or continue any services in the Arab area for:

- (a) lack of staff; and
- (b) lack of sufficient security.

It is assumed in (a) that since Arab Civil Servants do not wish to continue serving it would prove impossible for the Commission to recruit the required number of neutrals to operate the services, even though all other difficulties were overcome. It is understood in (b) that unless all towns and main villages are militarily occupied and all ways of communication and all government buildings are adequately guarded, there will not be sufficient security for the operation of services. It is assumed that such complete military occupation may prove to be impossible.

ii. Almost all services could be operated in the purely Jewish areas and most of them in mixed areas, depending always on security.

In the purely Jewish areas there will be no difficulty with regard to staff, and security conditions are expected to be adequate. The conditions in mixed areas will depend on the general situation.

IV. It is obvious, therefore, that the functioning of administrative services may be ensured by the Commission only partially, i.e. the functioning of certain administrative services in certain areas only.

V. It is suggested that the administrative role of the Commission should be limited to co-ordination. While in principle the Commission would retain control of all services, in fact it should concentrate on ensuring the operation of a few of them, the most essential for the administration or for the general public. Thus besides Postal Services, Customs and Excise, Railways and Harbours and Civil Aviation, the Commission should endeavour to operate the following services:

Broadcasting	Accountant General
Food Control	Administrator General
Migration	Audit
Prisons	Legal Department
Income Tax	Printing and Stationery

All other services should be transferred as soon as possible to the State and the City. Transfer of certain services to the Jewish Provisional Council of Government could be effected easily enough. Besides the fact that the Jewish Agency has had for many years an organisation very similar to government organisation, plans have been made for this eventuality. On the contrary, it is to be feared that transfer to the Arab State would, in most cases, mean dereliction of the service, since there will be no authority to which such transfer may be effected, capable of assuming responsibility.

VI. In view of the Arab resistance and non-cooperation the administration of the Palestinian territory might have been successfully undertaken by the Commission only if:

- (a) An adequate armed force, well equipped with tanks, armoured cars, appropriate artillery and air force had taken positions before the end of the Mandate;
- (b) The Commission or its technical services were able to arrive in Palestine at least two months before the termination of the Mandate and had thus the required time for planning the reorganisation of functions and redistribution of personnel;
- (c) The Commission were able to muster the required number of neutrals to be appointed in the Administration of Arab and mixed areas.

As it is now, when the Commission assumes its duties it will find itself in the midst of general confusion.

Consequently the Commission will not be able to control, direct and regulate public affairs in the Arab areas, the inhabitants of which do not show any disposition to obedience. They will not consider themselves subject to the Commission and the Commission will not be able to compel their obedience even by force. As a result there will be an absence of Government in the Arab areas, in what concerns the Commission. At best, for the sake of the areas which are to compose the Arab State, it may be hoped that the local authorities or some kind of "shadow" government would take over some of the services and the State property. Even then, however, these services will not be run efficiently through lack of money, experience and co-ordination.

Under present circumstances, the Commission could at best hope to be able to create and maintain an emergency administration, and it is very doubtful whether such an administration would be in a position to avoid disintegration and resulting chaos.

It is doubtful whether in all cases it would be possible to save and control machinery, equipment and supplies, vehicles, tools, livestock, Government files, archives and records, including Court records and documents, survey and land settlement documents and all other kinds of public registers.

It is doubtful whether it would be possible to ensure the continued operation of railways, telegraphs, telephones, postal and other essential public services, to save and control Government buildings, to protect railway lines and rolling stock and other lines of communication of the country against armed attack, sabotage and looting. Should the Commission be unable to perform its administrative duties in a satisfactory manner, the inescapable result will be that the present complete administrative organisation, built slowly, on the basis of experience and with thoroughness during the last quarter of a century, will collapse in a way which might well be irreparable for the Arab areas. For there is no doubt that complete destruction may be suffered only in the Arab areas and to a lesser extent in the mixed areas. Such destruction is not to be anticipated for the purely Jewish areas, although these areas, too, will be seriously affected.

30 March 1948.

A N N E X I

G/8/48

CHIEF SECRETARY'S OFFICE
JERUSALEM

14th February, 1948

Circular No. 6

Duties of local authorities on relinquishment of the Mandate.

I am directed to refer to the preliminary advice which has been given to you by the Commissioner on Special Duty to the effect that it is hoped that various government activities, buildings, stores etc., will be transferred as it were in trust to local authorities until a new central authority makes other arrangements.

2. Action in this direction has been taken in certain matters such as water supplies where experience is advisable and central government staff if still available to give advice and assistance. I am now to request you to communicate to the District Commissioner of the District concerned full information regarding all other activities, buildings and stores which you consider might be similarly placed with local authorities if the U.N. Commission in Palestine prove not have the necessary powers and staff to perform all the functions of the Palestine Government.

3. At a later stage the inventories which you have already been advised to prepare will be made available to local authorities and they will be required to sign them as receipts. Copies of the relevant sections of your 'handing over' report, which you have also been advised by the Commissioner on Special Duty to prepare, will be required by the local authorities concerned for guidance. Before, however, District Commissioners can begin inquiries of local authorities as to their willingness and ability to accept such responsibilities, it will be necessary for them to have a general statement of the financial implications of each proposal. In cases where buildings, stores etc. are merely being handed over for safe custody the local authority and the District Commissioner will be able to estimate the probable financial commitment as it will usually be limited to the provision of guards;

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12 April 1948

but in other cases such as schools, hospitals, agricultural stations, school feeding centres etc. where the local authority should be encouraged to maintain the enterprise at least on a reduced scale it will be necessary for District Commissioners to have a skeleton budget of the minimum cost and, where revenue is obtained of the amount which may be anticipated.

4. I am also directed to say that a decision whether each such activity or property will finally be handed over to a local authority will depend on consultation with the U.N. Commission; but, unless the necessary preparatory work is done on this provisional basis, there will be not enough time later to make definitive arrangements under the general assumption which governs this direction.

Moreover, in cases where the U.N. Commission may decide to carry the responsibility itself, the same type of information will be required.

5. I am therefore to request you to take action in accordance with the circular forthwith.

Distribution:-Heads of Departments and
District Commissioners.

(H.L.G. GURNEY)
CHIEF SECRETARY.

A N N E X I I

CSU/18/48

CHIEF SECRETARY'S OFFICE
JERUSALEM

GENERAL CIRCULAR No. 7.

I am directed to inform you that the United Nations' Palestine Commission have requested that the following statement of their policy regarding the continuance in service of Palestinian officials of this Administration should be brought to the notice of all officers concerned. They have also asked that an indication should be obtained from such employees of their intention with respect to continuing employment after the British withdrawal. The statement reads:-

"In view of changes in the Palestine Administration consequent upon the termination of the Mandate and implementation of the resolution of the General Assembly of United Nations, the United Nations Palestine Commission states for information of all interested parties that it will be its policy to ensure the maintenance of existing conditions of employment for all employees of Palestine Administration who continue in the service after the termination of the Mandate."

2. Declarations of officers' wishes regarding continuing employment with the Successor States, the City of Jerusalem or the Joint Economic Board should in due course be notified to the United Nations' Palestine Commission through Heads of Departments. The address of the Commission will be notified later.

3. It is to be clearly understood that the contents of this circular are communicated to you at the express desire of the United Nations' Palestine Commission, and you are requested to bring it to the notice of all members of your department.

4. An announcement regarding benefits payable to officers on the termination of employment will be issued very shortly.

18th February, 1948

H.L.G. GURNEY
CHIEF SECRETARY.

Distribution: Heads of Departments and District Commissioners.

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12 April 1948

CSU/18/48

CHIEF SECRETARY'S OFFICE,
JERUSALEM

2nd March, 1948

GENERAL CIRCULAR No. 8.

I am directed to refer to my General Circular No. 7 of 18.2.48 and to inform you that in view of the announcement of the compensation payable to Government Officers and employees on the termination of the Mandate under Staff Circular No. 2/48, the United Nations' Palestine Commission has asked that a further communication should be made on their behalf to all employees of the Palestine administration in the following terms:-

"The United Nations' Palestine Commission being under the terms of the resolution of the General Assembly responsible for the administration of Palestine immediately following the termination of the Mandate, hereby calls upon all present employees of the Palestine administration to continue in their service with the successor authority in Palestine, when the British withdrawal is terminated. It is the policy of the United Nations' Palestine Commission, as successor authority, to maintain services on the same terms and with the same rights for employees as those employed under the Mandatory Government. The Commission requests all present officers of the Palestine Government to state at the earliest possible date whether they will be willing to remain in the service of the successor administration of Palestine on such terms."

to

I am/request you to bring this Circular to the notice of all officers and employees of your Department as soon as possible, and to secure their replies to the Commission's request at the earliest possible moment. I will inform you shortly of the address to which these replies should be forwarded.

H.L.G. GURNEY
CHIEF SECRETARY

To All Heads of Departments, District Commissioners & War Departments.

RESTRICTED
AP/33
12 April 1948

CSU/18/48

CHIEF SECRETARY'S OFFICE,
JERUSALEM

15th March, 1948.

GENERAL CIRCULAR NO. 8.

I am directed to refer to my General Circular No. 8 of the 2nd March, 1948, regarding the request of the United Nations Palestine Commission that they should be informed which officers would be willing to remain in the service of a successor authority in Palestine. Unless replies have already been collected in some other form it would be convenient if they could be forwarded on the attached proforma, (Appendix "A"). The address to which replies should be sent is "The United Nations Palestine Commission Secretariat, c/o General Post Office, Jerusalem".

2. Where officers do not wish to remain in the service of a successor authority they should be asked to state their reasons for the information of the High Commissioner, so as to enable him to decide whether the circumstances justify the officer's refusal within the terms of paragraph 5 of Staff Circular No. 3 of 1948. A tabular statement of the reasons for officers refusals should be submitted on the attached pro-forma (Appendix "B"), addressed to the Civil Service Commissioner c/o The Chief Secretary's Office, Jerusalem.

(H.L.G. GURNEY)
CHIEF SECRETARY

Distribution: All Heads of Departments and District Commissioners.

RESTRICTED
AP/33
12 April 1948

UNITED NATIONS PALESTINE COMMISSION SECRETARIAT

(Appendix "A")

I hereby declare that, after the British withdrawal, I wish to continue employment with the Successor States, the City of Jerusalem or the Joint Economic Board.

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<u>Surname</u>	<u>Other Names</u>	<u>Post</u>	<u>Grade</u>	<u>Department</u>	<u>Sex</u>	<u>Race</u>	<u>Date of Birth</u>	<u>Religion</u>	<u>Employment desired under: (Delete (a), (b) or (c).)</u>
		<u>Date</u>					<u>(Signature)</u>		(a) Successor States (b) City of Jerusalem (c) Joint Economic Board

The following persons do not wish to serve the Successor States the City of Jerusalem or the Joint Economic Board for the reasons shown.

CIVIL SERVICE COMMISSIONER

(Appendix Bⁿ)

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CHIEF SECRETARY'S OFFICE,
JERUSALEM.

16th March, 1948.

GENERAL CIRCULAR No. 10.

I am directed by the High Commissioner to inform you that His Excellency attaches great importance to arrangements being made to ensure that all non-expatriate officers are paid before the 15th May the retiring benefits to which they will then be entitled.

2. There is little likelihood that it will be feasible, in the large majority of cases, to decide for some time the issues involved in the question whether an officer has good cause to refuse the offer of continued employment made to him by the United Nations' Commission. It has therefore been decided that computations will proceed on the basis that payments will be made before the 15th May, 1948, of the statutory awards payable under the Pensions Ordinance and the Provident Fund Ordinance, as they now stand, in order to ensure that these sums are in the hands of officers eligible for them at the termination of the Mandate. Such computation and payment will be without prejudice to an officer's claims to the full compensatory benefits payable under the terms of Staff Circular No. 2/48 of the 28th February. These claims cannot be adjudicated in present circumstances, but will be dealt with so soon as it is possible for a decision to be taken. In the time available it is impracticable for computations to be made on both bases as alternatives, and all that can be done in the present uncertainty is to proceed according to the law as it now stands. The reasons for this decision should be carefully explained to all non-expatriate officers.

3. There will be a few cases, particularly where the officer is neither an Arab nor a Jew, in which it will be possible to decide claims for the full compensatory benefits and to pay on that basis before the 15th May.

4. The completion of all personal records and all documents required for the computation of retiring awards is now a matter of great urgency and must be given priority over other work. It should be impressed upon Departmental staffs that the payment of these benefits now depends upon their own efforts, and Heads of Departments are asked to give their personal attention to this matter and to

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arrange, where necessary, that staff are taken off other work in order to complete the material required by the Accountant-General at the earliest possible moment. The Accountant-General is issuing separate instructions on this question at once.

5. Option forms for reduced pension and gratuity should reach the Civil Service Commission not later than the 15th April. Under Pensions Rule 14 as recently amended an officer may exercise this option up to the day before actual retirement, but in the present circumstances the Accountant General will require to know the officer's decision before that date. Meanwhile computations will proceed on the assumption that the option will be exercised.

6. Palestinian officers will wish to know that it is intended to make arrangements for the payment to them of sums due after the 15th May through an organization under the aegis of the British Representative in Palestine.

H.L.G. GURNEY
CHIEF SECRETARY.

To All Heads of Departments and District Commissioners.