

## UNITED NATIONS PALESTINE COMMISSION

Considerations Affecting Certain of the Provisions of the General Assembly Resolution on the "Future Government of Palestine": Drafting of Democratic Constitutions, Declarations and Choice of Provisional Governments by the Constituent Assemblies.

(Working Paper Prepared by the Secretariat)

1. According to Part I, B, paragraph 10, "the Constituent Assembly of each State shall draft a democratic Constitution for its State and choose a provisional government to succeed the Provisional Council of Government appointed by the Commission."

2. The Constitution of each State shall: (a) embody Chapter 1 (Holy Places, religious buildings and sites) and Chapter 2 (Religious and Minority rights) of the Declaration provided for in Part I, Section C; (b) include inter alia the five provisions set out in paragraph 10 of Part I, Section B.

3. According to Part I, C, paragraph 1, the Declaration referred to under 2 (a) above must be made to the United Nations before independence by the Provisional Government of each proposed State. It follows that the Commission is expected to be in Palestine when the Provisional Governments are chosen by the Constituent Assemblies. As soon as they are chosen, the Commission will have to secure that the Declarations are made to the United Nations in proper form.

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4. In the unlikely event of the Constituent Assemblies discussing the draft Constitutions before the establishment of independence, it would also be the duty of the Commission to watch over the application of the provisions of Part I, B, paragraph 10, of the plan with a view to ensure that the Constitutions are drawn up according to the letter and spirit of these provisions.