

UNITED NATIONS CONCILIATION COMMISSION FOR PALESTINE

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Letter dated 25 February 1950 and Memorandum
received by the Principal Secretary of the Conciliation Commission from
the Palestine Arab Refugee Congress

Sir,

I have the honour of forwarding you the accompanied Memorandum on the question of Arab property and losses in the Jewish-occupied area of Palestine.

This Memorandum was prepared, upon request of our Executive Committee, by Mr. Sami Hadawi, formerly Land Officer (Taxation) in the Mandatory Administration of Palestine. It contains a comprehensive and accurate study on Arab property, both before and after the hostilities in Palestine, as well as suggestions regarding the possible cooperation that the United Nations bodies may give with a view to the satisfactory implementation of the General Assembly Resolution of 11 December 1948, which fully recognized Arab proprietary rights in Palestine.

I would appreciate it very much that you kindly transmit this Memorandum to the Conciliation Commission now sitting in Geneva, and that you eventually inform our Committee of the reactions of the members of the Commission regarding the constructive suggestions contained in the attached document.

With the expressions of my higher consideration,

Yours faithfully,

Sgd/ AZIZ SHIHADAH.

Secretary General of
the Executive Committee.

RAMALLAH, 25 February 1950.

MEMORANDUM

ON THE SUBJECT OF ARAB PROPERTY AND LOSSES IN
PALESTINE AS A RESULT OF THE JEWISH OCCUPATION

1. Almost two years have passed since the British withdrawal from Palestine and the occupation of the major part of the country by the Jews. It is also just over a year since the General Assembly of the United Nations Organization took its decision of the 11th of December 1948, confirming the right of payment of compensation for losses sustained to property and to those Arabs who have no desire to return to their homes.
2. Notwithstanding all that happened in Palestine, neither the Palestine Arab organizations or bodies nor the Arab Governments who took upon themselves to protect the interests of the Palestine Arab, took any steps to find out the extent of Arab property and losses in Palestine.
3. The onus of responsibility for this inactivity rests in the first place on the Palestine Arabs themselves, but their present plight and dispersal throughout the Arab countries and their financial and moral embarrassments make it impossible for them to undertake such an investigation without the full financial support and help of the Arab Governments or the United Nations Organization.
4. Much has so far been said in the Press, and many statements have been made by representatives of the Arab Governments and others to the effect that Arab property in Palestine must be returned to its individual owner and that compensation must be paid to those who have suffered losses and to those who do not wish to return to their homes, and despite all this no effort has been made to start effective action. And while the Arabs stand idle, it is learned from the Press that the Jews have set up a special department to deal with Jewish losses, and it is understood that the collection of the necessary data has already been completed and that they estimate their losses at over eight million pounds.

5. It is a fact beyond argument that the collection of information regarding Arab property and losses in Palestine will be of benefit to the Arab refugees when the question of their destiny ultimately comes up for discussion; and further, it will assist the Arab delegates in their negotiations for an equitable and just settlement. The longer this problem is delayed, the more difficult and disastrous will its effects be on the life of the individual Arab family.

6. In order to give an idea of the magnitude of the problem, the following is a summary of the land area of Palestine before the termination of the Mandate, classified according to its agricultural productivity and ownership as between Arab, Jew, the Government, and other communities living and owning land in Palestine:-

(a) Palestine (excluding Beersheba Sub-District)

	<u>Arabs</u>	<u>Jews</u>	<u>Others</u>	<u>Govt.</u>	<u>Total</u>
	(Area in metric dunums)				
Town areas:	60,607	74,619	13,643	12,527) *22,239)	183,635
Village areas:	33,527	41,695	1,269	383	76,874
Citrus:	135,368	139,728	4,915	1,437	281,448
Other fruit trees:	1022,610	91,649	11,642	18,165	1144,066
Irrigable land: (by free flow only)	31,455	3,597	-	30,098	65,150
Cultivable land:	4541,543	876,620	65,047	231,664	5714,874
Non-cultivable land:	4813,289	193,044	45,529	372,687	5424,549
Forests:	-	5,516	-	849,911	855,427
Sub-Total:	10638,399	1426,468	142,045	1539,111	13746,023

(b) Beersheba Sub-District

Town areas:	1,526	80	5	1,815) * 464)	3,890
Cultivable land:	1934,849	65,151	-	-	2000,000
Non-cultivable land:	-	-	-	10573,110	10573,110
Sub-Total:	1936,375	65,231	5	10575,389	12577,000

Total area for Palestine:	12574,774	1491,699	142,050	12114,500	26323,023
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Percentage in relation to total area:	47,79%	5,67%	0,54%	46,00%	100,00%
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* Area of Roads and Railways. NOTE: 1 metric dunum - 1000 square metres.

7. The position following the termination of the Mandate and as a result of the Palestine Armistice Agreements now stands as follows: -

	<u>Jordan controlled area</u>	<u>Egyptian controlled area</u> (dunums)	<u>Jewish controlled area</u>	<u>Total</u>
Town areas:	19,350	12,370	155,805	187,525
Village areas:	13,827	360	62,687	76,874
Citrus:	700	2,600	278,148	281,448
Other fruit trees:	631,000	26,000	487,066	1,144,066
Irrigable land: (by free flow only)	10,000	-	55,150	65,150
Cultivable land:	1,492,000	150,000	6,072,874	7,714,874
Non-cultivable land:	3,115,123	113,670	12,768,866	15,997,659
Forests:	273,000	45,000	537,427	855,427
Total:	5,555,000	350,000	20,418,023	26,323,023

Percentage in relation to total area:	21,10%	1,33%	77,57%	100,00%
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8. The extent of Arab owned land in the Jewish controlled area of Palestine is shown in the following table: -

	<u>Arabs</u>	<u>Jews</u>	<u>Others</u>	<u>Government</u>	<u>Total</u>
	(Area in metric dunums)				
Town areas:	36,225	74,564	12,834	32,182	155,805
Village areas:	19,635	41,607	1,102	343	62,687
Citrus:	132,449	139,728	4,815	1,156	278,148
Other fruit trees:	373,719	90,076	6,021	17,250	487,066
Irrigable land: (by free flow only)	30,955	3,597	-	20,598	55,150
Cultivable land:	4,959,995	935,509	57,859	119,511	6,072,874
Non-cultivable land:	1,928,989	185,169	22,600	10,632,108	12,768,866
Forests:	-	5,516	-	531,911	537,427
Total:	7,481,967	1,475,766	105,231	11,355,059	20,418,023

Percentage in relation to total area:	36,64%	7,23%	0,52%	55,61%	100,00%
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9. It will be observed from the tables in paragraphs 6, 7 and 8 of this memorandum that the extent of Arab-owned land in Palestine is considerable and that Jewish-owned land as compared to the total area of the country is less than 6%.
10. Apart from personal losses, the Palestine Arabs as a community are entitled to a share in the country's assets and wealth. It is essential that a record of assessment should be made of all Government property, such as public lands and buildings, post and telegraph installations, ports, railways, roads, etc., so that when the question of their settlement comes up for discussion with the British Government and the Jews, the Arab Governments will have sufficient material in support of their case on behalf of the Palestine Arabs.
11. The work involved in the survey of Arab losses is outside the competence of any individual body or organization, and it is questionable whether it will be of any value if undertaken by one single Arab Government, as such endeavour will be incomplete since the Palestine Arabs are dispersed throughout the Arab world. It is therefore an operation which should be undertaken under the auspices of either the Arab League or the Clapp Mission, as either of these two institutions possesses the financial means and influence to carry it out successfully.
12. It is suggested that an organization be set up without further delay, headed by one who has had vast experience and possesses considerable knowledge of work of this nature, assisted by persons who have intimate knowledge of the country and conditions therein prior to the termination of the Mandate. This organization should have branches in the Hashemite Kingdom of Jordan, Syria, Lebanon and Egypt, where the bulk of the Palestine refugees exist. The functions of the branch organization should be:
- (a) To contact the refugees and collect particulars of their property and losses in Palestine (on a form to be prescribed), as under: -
 - (i) Extent of vacant lands and buildings in urban areas and their values at date of acquisition or construction;
 - (ii) Areas of citrus groves and other agricultural lands and their values on 15 May 1948;

- (iii) Nature of losses of household effects and their values;
 - (iv) Nature of contents of offices and business premises, such as office furniture, merchandise, machinery, etc., with quantities and values;
 - (v) Value of agricultural produce, such as citrus, olives, oil, other fruits, etc. for the years following the termination of the Mandate;
- (b) To collect particulars of lands and buildings owned by the Government and to value them.
- (c) To obtain information regarding all assets of the Government and to value them.

13. The duty of the Head Office should be to examine as far as possible the accuracy of the material received from the branch offices and tabulate it under its respective headings, and to value immovable property at the prices prevailing in 1947 prior to the commencement of the disturbances and to assess in terms of money Arab losses and damages so far incurred.

14. The establishment required for such an organization depends on the amount of work involved in each country, but it must be realized that only persons fully qualified in valuation and statistics should be selected for the "key" positions.

Prepared by the "PALESTINE ARAB REFUGEE CONGRESS",
by:

1 February 1950.

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Department of Land Settlement,
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