

AD HOC COMMITTEE ON THE PALESTINE QUESTION

DRAFT RESOLUTION REFERRING A LEGAL POINT TO THE
INTERNATIONAL COURT OF JUSTICE

Proposal Submitted by the Delegation of Iraq

WHEREAS,

the United Nations Special Committee on Palestine has recommended that the Mandate for Palestine shall be terminated and that Independence shall be granted in Palestine at the earliest practicable date,

AND WHEREAS,

the majority of the United Nations Special Committee on Palestine has proposed to partition Palestine and to create a Jewish State in Palestine,

AND having regard to the fact that the creation of such a State would in the view of a number of member States conflict with:

1. the right of the majority of the inhabitants of Palestine to choose their own form of government,
2. the promises made to the Arabs by Great Britain in 1915 and 1916,
3. the Covenant of the League of Nations and Article 80 of the Charter of the United Nations organization,

AND being of the opinion that

it is impossible to come to a decision on the problem of Palestine until the legal points arising out of these disputed matters are disposed of,

THE GENERAL ASSEMBLY OF THE UNITED NATIONS

RESOLVES,

to refer the following legal point to the International Court of Justice for an advisory opinion under Article 96 of the Charter:

Did not the pledges given by Great Britain to the Shereef Hussein of Mecca and her subsequent declarations, promises and assurances to the Arabs that in the event of Allied victory the Arab countries would obtain their independence include Palestine and its inhabitants?

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