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16 February 1948

ORIGINAL: ENGLISH

LETTER FROM THE CHAIRMAN OF THE UNITED NATIONS PALESTINE COMMISSION
TO THE PRESIDENT OF THE SECURITY COUNCIL
DATED 16 FEBRUARY 1948

Sir,

On behalf of the United Nations Palestine Commission, I have the honour to transmit to you a signed copy of the Commission's "First Special Report to the Security Council: The Problem of Security in Palestine", and to ask you to be so good as to submit it to the Security Council.

I have the honour to be,

Sir,

Your obedient Servant,

(signed) Karel Lisicky
Chairman
United Nations Palestine Commission

NOTE: The above-mentioned report (document A/AC.21/9) is attached to this letter.

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**GENERAL
ASSEMBLY**

**ASSEMBLEE
GENERALE**

A/AC.21/9
16 February 1948

ORIGINAL: ENGLISH

UNITED NATIONS PALESTINE COMMISSION

First Special Report to the Security Council:
The Problem of Security in Palestine

The United Nations Palestine Commission herewith presents to the Security Council a special report on the problem of security in Palestine, with particular reference to the maintenance of law and order and to the implementation of the resolution of the resolution of the General Assembly on the Future Government of Palestine.

I. MAIN CONSIDERATIONS

1. In its First Monthly Progress Report to the Security Council (Section 13), the Commission had informed the Security Council that "it was devoting most serious attention to the various aspects of the security problem, with particular reference to the possible need for an international force", and that this problem would be the subject of a subsequent special report.

2. It is because of the extreme gravity of the situation in Palestine now, and the anticipated worsening of the conditions there, that this special report is presented to the Security Council at this time. The Commission realizes that both the future well-being of the peoples of Palestine and the authority and effectiveness of the United Nations are deeply involved.

3. The Commission has appraised the security situation in Palestine on the basis of a considerable volume of information, official and unofficial, available to it from a diversity of sources. These sources have included official reports and appraisals from the Mandatory Power; reports and comments from the Jewish Agency for Palestine; statements by the Arab Higher Committee; and dispatches from the Press of the world. On the strength of this information the Commission has concentrated its attention on the following main considerations:

A. The security situation in Palestine continues to be aggravated not only in the areas of the proposed Jewish and Arab States, but also in the City of Jerusalem, even in the presence of British troops.

B. The Commission will be unable to establish security and maintain law and order, without which it cannot implement the resolution of the General Assembly, unless military forces in adequate strength are made available to the Commission when the responsibility for the administration of Palestine is transferred to it.

/C. Powerful

C. Powerful Arab interests, both inside and outside Palestine, are defying the resolution of the General Assembly and are engaged in a deliberate effort to alter by force the settlement envisaged therein.

4. The question of providing an international force to assist the Commission in the maintenance of law and order in Palestine during the transitional period repeatedly arose in the discussions of the Ad Hoc Committee of the General Assembly and its Subcommittee I which elaborated the Plan of Partition with Economic Union. It was generally considered that the matter fell within the competence of the Security Council, which would subsequently take such action in the matter as circumstances might dictate.

5. Although the security aspects of the problem are referred to the Security Council by this report, the Commission intends to continue with such of the vast amount of preparatory work essential to the implementation of the recommendations as can be undertaken without the assistance of the Security Council sought herein.

II. THE SECURITY SITUATION IN PALESTINE TODAY

1. In its First Monthly Progress Report to the Security Council the Commission pointed out in Section 13 that:

a. The information given to the Commission by the representatives of the Mandatory Power and of the Jewish Agency for Palestine coincided in substance as regards the general insecurity in Palestine and the steady decline in the security position there;

b. The information available to the Commission at the time led to the conclusion that the situation in Palestine as regards security is more likely to worsen than to improve;

c. The Commission envisaged the possibility of a collapse of security on the termination of the Mandate "unless adequate means are made available to the Commission for the exercise of its authority."

2. Information available to the Commission since the submission of its First Monthly Report to the Security Council confirms the above conclusions as regards security, emphasizes the increasing gravity of the situation, and reveals more clearly the existence of a determination to oppose by force the Assembly's plan of partition.

3. The representative of the Mandatory Power informed the Commission at its sixteenth meeting on 21 January 1948, that as regards Arabs and Jews in Palestine "elements on each side were engaged in attacking or in taking reprisals indistinguishable from attacks", and that as a result, were it not "for the efforts of the security forces over the past month, the two communities would by now have been fully engaged in internecine slaughter." He further stated that "the Government of Palestine fear that strife in Palestine will be greatly intensified when the Mandate is terminated", and that, therefore, "the Commission will be faced with the problem of how to avert certain bloodshed on a very much wider scale than prevails at present".

4. Statements made to the Commission by the representative of the Jewish Agency for Palestine and in memoranda submitted by that Agency have corroborated the appraisals of the security situation in Palestine made by the Mandatory Power.

5. The Mandatory Power has provided the Commission with a list of casualties in Palestine for the period from 30 November 1947 to 1 February 1948, which gives the following totals in killed and wounded:

<u>Nationality</u>	<u>Killed</u>	<u>Wounded</u>	<u>Total</u>
British	46	135	181
Arabs	427	1,035	1,462
Jews	381	725	1,106
Others	<u>15</u>	<u>14</u>	<u>29</u>
TOTAL CASUALTIES	869	1,909	2,778

6. The Secretary-General has been informed by the Arab Higher Committee that it is determined to persist in its rejection of the partition plan and in its refusal to recognize the resolution of the Assembly and "anything deriving therefrom". The subsequent communication of 6 February to the Secretary-General from the representative of the Arab Higher Committee set forth the following conclusions of the Arab Higher Committee Delegation:

"a. The Arabs of Palestine will never recognise the validity of the extorted partition recommendations or the authority of the United Nations to make them.

"b. The Arabs of Palestine consider that any attempt by the Jews or any power or group of powers to establish a Jewish State in Arab territory is an act of aggression which will be resisted in self-defense by force.

"c. It is very unwise and fruitless to ask any commission to proceed to Palestine because not a single Arab will cooperate with the said commission.

/"d. The United

"d. The United Nations or its Commission should not be misled to believe that its efforts in the partition plan will meet with any success. It will be far better for the eclipsed prestige of this organization not to start on this adventure.

"e. The United Nations prestige will be better served by abandoning, not enforcing such an injustice.

"f. The determination of every Arab in Palestine is to oppose in every way the partition of that country.

"g. The Arabs of Palestine made a solemn declaration before the United Nations, before God and history, that they will never submit or yield to any power going to Palestine to enforce partition.

"The only way to establish partition is first to wipe them out -- man woman and child."

7. The Commission has no reason to doubt the determination and force of the organized resistance to the plan of partition by strong Arab elements inside and outside of Palestine. In an official report, dated 4 February 1948, the Mandatory Power states that:

"1. The High Commissioner for Palestine reported on 27 January that the security position had become more serious during the preceding week with the entry into Palestine of large parties of trained guerrillas from adjacent territory. A band of some 300 men had established itself in the Safad area of Galilee, and it was probably this band or part of it which carried out an intensive attack during that week on Yechiam settlement, using mortars and heavy automatics as well as rifles.

"2. On the same date, the High Commissioner further reported that a second large band of some 700 Syrians had entered Palestine via Trans-Jordan during the night of 20-21 January. This band had its own mechanised transport, its members were well equipped and provisioned, and wore battle dress. The party appears to have entered Trans-Jordan from Syria and then crossed into Palestine

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at a point at which the entry of Syrians was not expected. The Syrian and Lebanese frontiers are manned on the Palestine side by both troops and police, although the nature of the border country makes it extremely difficult to secure the entire frontier against illegal entry, especially at night. On arrival in Palestine, this band appears to have dispersed, and it is thus now impracticable to deal with it by military action. So far as is known, its numbers have not engaged in illegal activity beyond the possession of arms.

.....

"4. Arab morale is considered to have risen steadily as a result of these reinforcements, of the spectacular success of the Hebron Arabs in liquidating a Haganah column near Surif, and of the capture and successful dismantling by the Arab National Guard of a Jewish van filled with explosives which was to have been detonated in an Arab locality. Even the relatively serious loss of life and damage to property caused by Jewish reprisals, have, in the High Commissioner's view, failed to check the revival of confidence in the fellaheen and urban proletariat. Panic continues to increase, however, throughout the Arab middle classes, and there is a steady exodus of those who can afford to leave the country.

"5. Subsequent reports dated 2 February indicate that a further party of troops belonging to the 'Arab Liberation Army' arrived in Palestine via the Jisr Djamiyeh Bridge during the night of 29-30 January. The party, numbering some 950 men transported in 19 vehicles, consisted largely of non-Palestinian Arabs, all in uniform and well armed. It is now dispersed in small groups throughout villages of the Nablus, Jenin, and Tulkarm sub-districts. The security forces have taken action to prevent further incursions across the Jisr Djamiyeh and the Sheikh Hussein Bridges."

8. A subsequent communication from the Mandatory Power under date of 9 February 1948, also reports that:

"A report has been received from Jerusalem to the effect that it is now definitely established that a second party of some seven hundred guerrillas (believed to be under the command of Fawzi Bey al Kaukji) entered Palestine via the Djamiyeh Bridge on 29th/30th January. It is understood that this band dispersed rapidly among the villages of Samaria and that there is now in that district a force of not less than 1400. Although this force has dispersed, it remains cohesive and is increasingly exercising considerable administrative control over the whole area. As an instance of this, the force has of its own accord and in collaboration with Arab National Committees, already dealt with local bandits and other petty crimes. The presence of this force, which exhibits a surprising degree of discipline, has been warmly welcomed by the inhabitants of Samaria. It appears anxious to avoid becoming involved with the British Security Forces. The secrecy which cloaked the entry of the second contingent is due to a deliberate and successfully imposed policy of silence.

.....

"Individual attacks by Arabs on British troops and police have increased. These are due partly to a desire to obtain arms even at the price of murder, and partly to nervousness, particularly in rural areas, caused by the frequent use by the Jews of British uniforms in order to facilitate offensive action."

9. The main facts controlling the security situation in Palestine today are the following:

a. Organized efforts by strong Arab elements inside and outside Palestine to prevent the implementation of the Assembly's plan of partition and to thwart its objectives by threats and acts of violence, including armed incursions into Palestinian territory.

/b. Certain

b. Certain elements of the Jewish Community in Palestine continue to commit irresponsible acts of violence which worsen the security situation, although that Community is generally in support of the recommendations of the Assembly.

c. The added complication created by the fact that the Mandatory Power, which remains responsible for law and order in Palestine until the termination of the Mandate, is engaged in the liquidation of its administration and preparing for the evacuation of its troops.

III. THE SECURITY SITUATION IN PALESTINE ON THE TERMINATION OF THE MANDATE.

1. The Commission has engaged in consultations with the Mandatory Power on the question of security, with particular reference to the significance of the policies of the Mandatory Power as they will affect the security situation in Palestine at the time when the Commission is to assume responsibility for the maintenance of law and order there.

2. On the basis of policies thus far announced by the Government of the United Kingdom, the following factors bearing on the security situation are noted:

a. Prior to the termination of the Mandate, the Mandatory Power

(i) will be exclusively responsible for the maintenance of law and order in the whole of Palestine; and

(ii) will defend the whole country against any armed aggression.

b. No arms, ammunition, or military equipment are being supplied to individuals, organizations, or bodies in Palestine, except to certain police forces being established by the Mandatory Government (see paragraph d (iv) below); no change in this policy is contemplated.

c. The formation of armed militia in either of the projected States as envisaged in the resolution is not to be allowed prior to the termination of the Mandate.

d. The armed forces at the disposal of the Mandatory Power in Palestine and its intentions respecting them, are as follows:

(i) British Armed Forces, whose progressive evacuation is to be well under way on the date the Mandatory Power intends to terminate the Mandate, and which will be completed by 1 August. Between the termination of the Mandate and 1 August such forces will be responsible only for the protection of themselves in the areas which they occupy and their lines of communication. Any armed aggression

/against

against Palestine territory after the termination of the Mandate would be resisted only if it constituted an attack on the British Forces remaining in Palestine or their communications.

(ii) The Arab Legion, whose elements now in Palestine are to be returned to Trans-Jordan before the termination of the Mandate.

(iii) The Palestine Police Force, a mixed force composed of British (some 4,000 men), Arabs and Jews, whose appointments and contracts will be terminated as of 15 May 1948, and having thus ceased to exist, cannot be transferred. The equipment, arms, and stores of this Force will, according to the Mandatory Power, be left for "the successor authorities", i.e. the Commission.

(iv) Small Arab or Jewish civil guards, armed with small weapons, which have been lately organized or are in the process of being organized for the protection of life and property in Arab and Jewish areas respectively, including the Jewish Mishmar (500 men) in the Tel Aviv-Ramatgan-Petah Tikvah area, from which British and Arab police have been withdrawn; the Arab Jaffa Municipal Police (300 men); the Municipal Police of Jerusalem (300 Arabs and 300 Jews); Arab Municipal Police Forces in Arab towns, not exceeding 100 men in the larger towns, and Arab Special Constables in Arab villages. The Commission is fully aware that these armed Arab municipal forces may prove to be hostile to the Commission and in opposition to the implementation of the Assembly's recommendations.

IV. THE PROBLEM OF SECURITY WITH SPECIAL REFERENCE TO THE MILITIA

1. The Commission is determined to make every possible effort to seek the co operation of the Arabs of Palestine. The attitude of the Arab Higher Committee, however, creates a situation the consequences of which must be faced. Under the present circumstances, confronted with the opposition of powerful Arab interests, the Commission would not be able to select and establish in the proposed Arab State a Provisional Council of Government which would act "under the general direction of the Commission", and would at the same time enjoy sufficient authority and popular support to function effectively. It will be equally impossible, under present circumstances, to establish in the Arab State an armed militia over which the Commission is to exercise "general political and military control". In any event, unless the Commission will be able to proceed to Palestine well in advance of the termination of the Mandate, the possibility for exhausting every effort to consult with Arabs will be lost.

2. According to the statements made by the Jewish Agency for Palestine, it would be technically possible to establish the militia of the Jewish State before the termination of the Mandate. The refusal of the Mandatory Power to allow the formation of such militia until the termination of the Mandate, however, will entail delay in the implementation of the Assembly's plan, and renders much more difficult the problem of the security of the Jewish State when the Mandate is relinquished. The militia of the Jewish State, if and when it is adequately armed and equipped, can, however, be responsible only for the security of that State, and it would be contrary to the Assembly's plan if a militia were to be used on the other side of the border for preventive or retaliatory action, however necessary such action might appear to be.

3. If power in the territory of the Arab State should be seized by forces hostile to the plan of the General Assembly and beyond the control of the Commission, then the provisions of the resolution affecting the Economic Union as well as the Arab State will be unfulfilled, and the establishment of the Jewish State and of the international regime for the City
of Jerusalem

of Jerusalem will be gravely jeopardized.

4. The plan of the General Assembly provided for the establishment of two States and the City of Jerusalem, in each of which the Commission, until the end of the transitional period, is to exercise definite powers of direction and control. If the exercise of authority by the Commission cannot extend to all of these entities, an entirely new situation arises to which the Commission has the duty to draw the attention of the Security Council.

V. THE CITY OF JERUSALEM.

1. The City of Jerusalem, which has been conceived as a de-militarized enclave in the proposed Arab State, even if established, would be incapable of defending itself against attacks if British security forces were not replaced by another non-Palestinian force.

2. It is hardly necessary to point out the consequences of an intensified struggle between communities in this Holy City of three world faiths. The repercussions would be immediate throughout Palestine and would quickly extend far beyond its borders. It is scarcely an exaggeration to state that the whole of mankind is interested in the maintenance of internal peace in Jerusalem.

3. The United Nations would be dealt a severe blow if its effort to maintain the sacred character of the City and to preserve it as a possible center of peace and harmony should end in a sanguinary struggle between religious communities. To invite even a regularly constituted and controlled militia of either State to defend or succour the City would not only be contrary to the plan of the General Assembly but would inflame passions and might provoke religious war.

VI. PROVISIONS

VI. PROVISIONS OF THE PLAN WHICH CANNOT BE FULFILLED WITHOUT THE ASSISTANCE OF AN ARMED FORCE.

1. Apart from the impossibility of maintaining security and order without the assistance of non-Palestinian military forces, there are provisions in the recommendations of the General Assembly which, under existing circumstances, cannot be fulfilled in the absence of such forces.

2. The first duty assigned to the Commission "on its arrival in Palestine" is to "proceed to carry out measures for the establishment of the frontiers of the Arab and Jewish States and the City of Jerusalem". The boundary commission, composed of neutral members, which the United Nations Commission intends to constitute, will not be in a position to start its work under the protection of British security forces, since the Mandatory Power holds to the position that such work, being part of the implementation of the Assembly's plan, may be undertaken only after the termination of the Mandate. In view of the Arab opposition to the plan of partition, an entirely untenable situation would be created if the boundary commission would have to rely on the security forces of the other party for its protection. This eventuality obviously would not be considered by the Commission.

3. The same considerations apply to the work of the United Nations Commission itself, to that of the members of the Preparatory Economic Commission (paragraph B.11 of the plan), and of the staff which will assist the Commission in discharging its duties. Their freedom of action, their very liberty of movement cannot depend exclusively on the protection they may receive from only one side. This would be contrary to the dignity and efficiency of a Commission of the United Nations endowed with powers of direction and control over the very authorities from which it would have to ask protection.

VII. IMPLICATIONS

VII. IMPLICATIONS FOR THE COMMISSION OF THE SECURITY PROBLEM.

1. The Commission foresees the prospect that except for the areas still occupied by British troops on the date of termination of the Mandate, there would be on that date no legal, armed force other than totally inadequate local police, Arab or Jewish, for the purposes of maintaining law and order in Arab or Jewish villages and towns. There would be no legally constituted overall security organization in either State, since Arab and Jewish local police will be scattered throughout the country in Arab and Jewish areas without regard to the boundary lines envisaged in the plan of partition. Moreover, the local Arab police in the Jewish State, because of their possible hostility to the work of the Commission, may well constitute an additional security hazard. The Commission, therefore, would be required to step into a security vacuum immediately following the termination of the Mandate, and assume responsibility for the security of the City of Jerusalem, in the very midst of the inevitable turbulence and intensification of internecine warfare which will follow the relinquishing of the Mandate and the cessation of British responsibility for law, order and civil administration.

2. In view of the provisions of the Assembly's resolution regarding the establishment by Provisional Councils of Government of armed militia regularly recruited and placed under the general political and military control of the United Nations Commission, the Commission has approached the Mandatory Power in order to determine whether adequate preparatory steps might be taken with the end in view of enabling such militia to be responsible for the maintenance of order immediately following the termination of the Mandate. An extremely grave situation would inevitably arise if, at the time of the termination of the Mandate, there would be no responsible force in either the Arab or Jewish State which could be immediately available to the Commission for the preservation of law and order.

3. If, prior

3. If, prior to the termination of the Mandate, the policy of the Mandatory Power should not permit the formation of the militia envisaged in the Assembly's plan, it may be taken for granted that the armed organizations in the two communities will continue to pursue their clandestine recruiting, with the result that upon the termination of the Mandate more or less disciplined and unified underground forces will abruptly emerge in the guise of security forces, and will probably be arrayed against each other in organized combat -- a development which was certainly not contemplated in the resolution of the General Assembly.

4. Such Arab and Jewish underground organizations as now exist in Palestine are already in open conflict not only in the areas of the two proposed States, but also in the City of Jerusalem which, according to the resolution, it to be de-militarized and declared neutral.

5. Another vital factor in the security problem which will particularly affect the situation at the time of the transfer of authority to the Commission, is the schedule to be followed by the Mandatory Power in the evacuation of its troops. In the view of the Commission, this evacuation should take place with particular regard for the significance of adjacent frontiers in the matter of security; in such manner as to ensure that substantial areas in both Arab and Jewish zones will be free of British armed forces at the time of the termination of the Mandate; and, to the extent possible, on the basis of equal consideration for Arab and Jewish zones alike. The Commission has not yet taken up with the Mandatory Power this special aspect of the security problem.

VIII. CONCLUSION

VIII. CONCLUSION

1. The pertinent facts in support of the Commission's unavoidable decision to call upon the Security Council for assistance in the discharge of its duty to the General Assembly are evident. The United Nations has taken a firm decision regarding the future government of Palestine. Following that decision the General Assembly created this Commission as its agent in the matter and charged it with responsibility, under the guidance of the Security Council, for implementing the Assembly's recommendations. This Commission now finds itself confronted with an attempt to defeat its purposes, and to nullify the resolution of the General Assembly.

2. For the above reasons the Commission has decided to refer to the Security Council the problem of providing that armed assistance which alone would enable the Commission to discharge its responsibilities on the termination of the Mandate, because it is convinced that there is no step which it can take under the resolution of the Assembly to improve the security situation in Palestine between now and the termination of the Mandate.

3. The Commission realizes that time is a factor of utmost importance in its endeavor to fulfil the mandate given to it by the General Assembly. The Commission, therefore, must emphasize the compelling need for prompt action, in order to avert great bloodshed and human suffering in Palestine, and to assist the implementation of the resolution, which the Commission, notwithstanding all difficulties, is exerting every effort to carry out.

4. In the view of the Commission, a basic issue of international order is involved. A dangerous and tragic precedent will have been established if force, or the threat of the use of force, is to prove an effective deterrent to the will of the United Nations.

5. It is the considered view of the Commission that the security forces of the Mandatory Power, which at the present time prevent the situation from deteriorating completely into open warfare on an organized basis,

must be

must be replaced by an adequate non-Palestinian force which will assist law-abiding elements in both the Arab and Jewish communities, organized under the general direction of the Commission, in maintaining order and security in Palestine, and thereby enabling the Commission to carry out the recommendations of the General Assembly. Otherwise, the period immediately following the termination of the Mandate will be a period of uncontrolled, widespread strife and bloodshed in Palestine, including the City of Jerusalem. This would be a catastrophic conclusion to an era of international concern for that territory.

6. The Commission submits this report with a profound appreciation of its duty to the United Nations. The sole motivation of the Commission is to obtain from the Security Council that effective assistance without which, it is firmly convinced, it cannot discharge the great responsibilities entrusted to it by the General Assembly.

Signed:

Mr. Karel Lisicky (Czechoslovakia) CHAIRMAN

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

Mr. Per Federspiel (Denmark)

Mr. Eduardo Morgan (Panama)

Senator Vicente J. Francisco (Philippines)

16 February 1948
Lake Success, New York