SECTION 1

Historical Background

Convention on the Free Navigation of the Suez Canal:
The European Powers and the Ottoman Empire

October 29, 1888

Austria, Germany, Italy, The Netherlands, Russia, Spain, Great Britain, France, and the Ottoman Empire

ART. I. The Suez Maritime Canal shall always be free and open, in time of war as in time of peace, to every vessel of commerce or of war, without distinction of flag. Consequently, the High Contracting Parties agree not in any way to interfere with the free use of the Canal, in time of war as in time of peace.

The Canal shall never be subjected to the exercise of the right of blockade.

ART. II. The High Contracting Parties, recognizing that the Fresh-Water Canal is indispensable to the Maritime Canal, take note of the engagements of His Highness the Khedive towards the Universal Suez Canal Company as regards the Fresh-Water Canal; which engagements are stipulated in a Convention bearing date the 18th March, 1863, containing an exposé and four Articles.

They undertake not to interfere in any way with the security of that Canal and its branches, the working of which shall not be exposed to any attempt at obstruction.

ART. III. The High Contracting Parties likewise undertake to respect the plant, establishments, buildings, and works of the Maritime Canal and of the Fresh-Water Canal.

ART. IV. The Maritime Canal remaining open in time of war as a free passage, even to the ships of war of belligerents, according to the terms of Article I of the present Treaty, the High Contracting Parties agree that no right of war, no act of hostility, nor any act having for its object to obstruct the free navigation of the Canal, shall be committed in the Canal and its ports of access, as well as within a radius of 3 marine miles from those ports, even though the Ottoman Empire should be one of the belligerent Powers.

Vessels of war of belligerents shall not revictual or take in stores in the Canal and its ports of access, except in so far as may be strictly necessary. The transit of the aforesaid vessels through the Canal shall be effected with the least possible
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delay, in accordance with the Regulations in force, and without any other intermission than that resulting from the necessities of the service.

Their stay at Port Saïd and in the roadstead of Suez shall not exceed twenty-four hours, except in case of distress. In such case they shall be bound to leave as soon as possible. An interval of twenty-four hours shall always elapse between the sailing of a belligerent ship from one of the ports of access and the departure of a ship belonging to the hostile Power.

Art. V. In time of war belligerent Powers shall not disembark nor embark within the Canal and its ports of access either troops, munitions, or materials of war. But in case of an accidental hindrance in the Canal, men may be embarked or disembarked at the ports of access by detachments not exceeding 1,000 men, with a corresponding amount of war material.

Art. VI. Prizes shall be subjected, in all respects, to the same rules as the vessels of war of belligerents.

Art. VII. The Powers shall not keep any vessel of war in the waters of the Canal (including Lake Timsah and the Bitter Lakes).

Nevertheless, they may station vessels of war in the ports of access of Port Saïd and Suez, the number of which shall not exceed two for each Power.

This right shall not be exercised by belligerents.

Art. VIII. The Agents in Egypt of the Signatory Powers of the present Treaty shall be charged to watch over its execution. In case of any event threatening the security or the free passage of the Canal, they shall meet on the summons of three of their number under the presidency of their Doyen, in order to proceed to the necessary verifications. They shall inform the Khedivial Government of the danger which they may have perceived, in order that the Government may take proper steps to insure the protection and the free use of the Canal. Under any circumstances, they shall meet once a year to take note of the due execution of the Treaty.

The last-mentioned meetings shall take place under the presidency of a Special Commissioner nominated for that purpose by the Imperial Ottoman Government. A Commissioner of the Khedive may also take part in the meeting, and may preside over it in case of the absence of the Ottoman Commissioner.

They shall especially demand the suppression of any work or the dispersion of any assemblage on either bank of the Canal, the object or effect of which might be to interfere with the liberty and the entire security of the navigation.

Art. IX. The Egyptian Government shall, within the limits of its powers resulting from the Firmans, and under the conditions provided for in the present Treaty, take the necessary measures for insuring the execution of the said Treaty.

In case the Egyptian Government should not have sufficient means at its disposal, it shall call upon the Imperial Ottoman Government, which shall take the necessary measures to respond to such appeal; shall give notice thereof to the Signatory Powers of the Declaration of London of the 17th March, 1885; and shall, if necessary, concert with them on the subject.

The provisions of Articles IV, V, VII, and VIII shall not interfere with the measures which shall be taken in virtue of the present Article.

Art. X. Similarly, the provision of Articles IV, V, VII, and VIII shall not interfere with the measures which His Majesty the Sultan and His Highness the Khedive, in the name of His Imperial Majesty, and within the limits of the Fir-
mans granted, might find it necessary to take for securing by their own forces the defence of Egypt and the maintenance of public order.

In case His Imperial Majesty the Sultan, or His Highness the Khedive, should find it necessary to avail themselves of the exceptions for which this Article provides, the Signatory Powers of the Declaration of London shall be notified thereof by the Imperial Ottoman Government.

It is likewise understood that the provisions of the four Articles aforesaid shall in no case occasion any obstacle to the measures which the Imperial Ottoman Government may think it necessary to take in order to insure by its own forces the defence of its other possessions situated on the eastern coast of the Red Sea.

ART. XI. The measures which shall be taken in the cases provided for by Articles IX and X of the present Treaty shall not interfere with the free use of the Canal. In the same cases, the erection of permanent fortifications contrary to the provisions of Article VIII is prohibited.

ART XII. The High Contracting Parties, by application of the principle of equality as regards the free use of the Canal, a principle which forms one of the bases of the present Treaty, agree that none of them shall endeavour to obtain with respect to the Canal territorial or commercial advantages or privileges in any international arrangements which may be concluded. Moreover, the rights of Turkey as the territorial Power are reserved.

ART. XIII. With the exception of the obligations expressly provided by the clauses of the present Treaty, the sovereign rights of His Imperial Majesty the Sultan, and the rights and immunities of His Highness the Khedive, resulting from the Firmans, are in no way affected.

ART. XIV The High Contracting Parties agree that the engagements resulting from the present Treaty shall not be limited by the duration of the Acts of Concession of the Universal Suez Canal Company.

ART. XV The stipulations of the present Treaty shall not interfere with the sanitary measures in force in Egypt.

ART. XVI. The High Contracting Parties undertake to bring the present Treaty to the Knowledge of the States which have not signed it, inviting them to accede to it.

Establishment of the British Protectorate Over Egypt

December 18-19, 1914

PROCLAMATION OF PROTECTORATE, 18 DECEMBER 1914

His Britannic Majesty's Secretary of State for Foreign Affairs gives notice that, in view of the state of war arising out of the action of Turkey, Egypt is placed under the protection of His Majesty and will henceforth constitute a British Protectorate.
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The suzerainty of Turkey over Egypt is thus terminated, and His Majesty’s Government will adopt all measures necessary for the defence of Egypt, and protect its inhabitants and interests.

DEPOSITION OF KHEDIVE ABBAS HILMI II, 19 DECEMBER 1914

His Britannic Majesty’s Secretary of State for Foreign Affairs gives notice that, in view of the action of His Highness Abbas Hilmi Pasha, lately Khedive of Egypt, who has adhered to the King’s enemies. His Majesty’s Government have seen fit to depose him from the Khedivate, and that high dignity has been offered, with the title of Sultan of Egypt, to His Highness Prince Hussein Kamel Pasha, eldest living Prince of the family of Mohammed Ali, and has been accepted by him.

NOTE ON THE PROTECTORATE BY ACTING HIGH COMMISSIONER MILNE CHEETHAM TO SULTAN HUSAYN KAMIL, 19 DECEMBER 1914

I am instructed by His Majesty’s Principal Secretary of State for Foreign Affairs to bring to the notice of your Highness the circumstances preceding the outbreak of war between His Britannic Majesty and the Sultan of Turkey and the changes which the war entails in the status of Egypt.

In the Ottoman Cabinet there were two parties. On the one side was a moderate party, mindful of the sympathy extended by Great Britain to every effort towards reform in Turkey, who recognized that in the war in which His Majesty was already engaged no Turkish interests were concerned, and welcomed the assurance of His Majesty and his Allies that neither in Egypt nor elsewhere would the war be used as a pretext for any action injurious to Ottoman interests. On the other side a band of unscrupulous military adventurers looked to find in a war of aggression, waged in concert with His Majesty’s enemies, the means of retrieving the disasters, military, financial, and economic, into which they had already plunged their country. Hoping to the last that wiser counsels might prevail, His Majesty and his Allies, in spite of repeated violations of their rights, abstained from retaliatory action until compelled thereto by the crossing of the Egyptian frontier by armed bands and by unprovoked attacks on Russian open ports by the Turkish naval forces under German officers.

His Majesty’s Government are in possession of ample evidence that ever since the outbreak of war with Germany His Highness Abbas Hilmi Pasha, late Khedive of Egypt, has definitely thrown in his lot with His Majesty’s enemies.

From the facts above set out, it results that the rights over Egypt, whether of the Sultan, or of the late Khedive, are forfeit to His Majesty.

His Majesty’s Government have already, through the General Officer Commanding His Majesty’s Forces in Egypt, accepted exclusive responsibility for the defence of Egypt in the present war. It remains to lay down the form of the future Government of the country, freed, as I have stated, from all rights of suzerainty or other rights heretofore claimed by the Ottoman Government.

Of the rights thus accruing to His Majesty, no less than of those exercised in Egypt during the last thirty years of reform, His Majesty’s Government regard themselves as trustees for the inhabitants of Egypt. And His Majesty’s Government have decided that Great Britain can best fulfil the responsibilities she has incurred toward Egypt by the formal declaration of a British Protectorate, and
by the government of the country under such Protectorate by a Prince of the Khedivial family.

In these circumstances I am instructed by His Majesty's Government to inform your Highness that, by reason of your age and experience, you have been chosen as the Prince of the family of Mehemet Ali most worthy to occupy the Khedivial position, with the title and style of the Sultan of Egypt; and, in inviting your Highness to accept the responsibilities of your high office, I am to give you the formal assurance that Great Britain accepts the fullest responsibility for the defence of the territories under your Highness against all aggression whencesoever coming; and His Majesty's Government authorize me to declare that after the establishment of the British Protectorate now announced all Egyptian subjects wherever they may be will be entitled to receive the protection of His Majesty's Government

With the Ottoman suzerainty there will disappear the restrictions heretofore placed by the Ottoman firmans upon the numbers and organisation of your Highness's army and upon the grant by your Highness of honorific distinctions.

As regards foreign relations, His Majesty's Government deem it most consistent with the new responsibilities assumed by Great Britain that the relations between your Highness's Government and the representatives of foreign Powers should henceforth be conducted through His Majesty's representative in Cairo.

His Majesty's Government have repeatedly placed on record that the system of treaties, known as the Capitulations, by which your Highness's Government is bound, are no longer in harmony with the development of the country; but, in the opinion of His Majesty's Government, the revision of those treaties may most conveniently be postponed until the end of the present war.

In the field of internal administration, I am to remind your Highness that, in consonance with the traditions of British policy, it has been the aim of His Majesty's Government, while working through and in the closest association with the constituted Egyptian authorities, to secure individual liberty, to promote the spread of education, to further the development of the natural resources of the country, and, in such measure as the degree of enlightenment of public opinion may permit, to associate the governed in the task of government. Not only is it the intention of His Majesty's Government to remain faithful to such policy, but they are convinced that the clearer definition of Great Britain's position in the country will accelerate progress towards self-government.

The religious convictions of Egyptian subjects will be scrupulously respected as are those of His Majesty's own subjects, whatever their creed. Nor need I affirm to your Highness that, in declaring Egypt free from any duty of obedience to those who have usurped political power at Constantinople, His Majesty's Government are animated by no hostility towards the Caliphate. The past history of Egypt shows, indeed, that the loyalty of Egyptian Mahommedans towards the Caliphate is independent of any political bonds between Egypt and Constantinople.

The strengthening and progress of Mahommedan institutions in Egypt is naturally a matter in which His Majesty's Government take a deep interest and with which your Highness will be specially concerned, and in carrying out such reforms as may be considered necessary, your Highness may count upon the sympathetic support of His Majesty's Government.

I am to add that His Majesty's Government rely with confidence upon the loyalty, the good sense, and self-restraint of Egyptian subjects to facilitate the
task of the General Officer Commanding His Majesty's Forces, who is entrusted with the maintenance of internal order, and with the prevention of the rendering of aid to the enemy.

3 The Husayn-McMahon Correspondence

July 14, 1915—March 10, 1916

FROM SHARIF HUSAYN, 14 JULY 1915

Whereas the whole of the Arab nation without any exception have decided in these last years to live, and to accomplish their freedom, and grasp the reins of their administration both in theory and practice, and whereas they have found and felt that it is to the interest of the Government of Great Britain to support them and aid them to the attainment of their firm and lawful intentions (which are based upon the maintenance of the honour and dignity of their life) without any ulterior motives whatsoever unconnected with this object;

And whereas it is to their (the Arabs') interest also to prefer the assistance of the Government of Great Britain in consideration of their geographical position and economic interests, and also of the attitude of the above-mentioned Government, which is known to both nations and therefore need not be emphasized;

For these reasons the Arab nation see fit to limit themselves, as time is short, to asking the Government of Great Britain, if it should think fit, for the approval, through her deputy or representative, of the following fundamental propositions, leaving out all things considered secondary in comparison with these, so that it may prepare all means necessary for attaining this noble purpose, until such time as it finds occasion for making the actual negotiations.—

Firstly.—England to acknowledge the independence of the Arab countries, bounded on the north by Mersina and Adana up to the 37° of latitude, on which degree fall Birijik, Urfa, Mardin, Midiat, Jezirat (Ibn 'Umar), Amadia, up to the border of Persia; on the east by the borders of Persia up to the Gulf of Basra, on the south by the Indian Ocean, with the exception of the position of Aden to remain as it is; on the west by the Red Sea, the Mediterranean Sea up to Mersina. England to approve of the proclamation of an Arab Khalifate of Islam.

Secondly.—The Arab Government of the Sherif to acknowledge that England shall have the preference in all economic enterprises in the Arab countries whenever conditions of enterprises are otherwise equal.

Thirdly.—For the security of this Arab independence and the certainty of such preference of economic enterprises, both high contracting parties to offer mutual assistance, to the best ability of their military and naval forces, to face any foreign Power which may attack either party. Peace not to be decided without agreement of both parties.
Fourthly.—If one of the parties enters upon an aggressive conflict, the other party to assume a neutral attitude, and in case of such party wishing the other to join forces, both to meet and discuss the conditions.

Fifthly.—England to acknowledge the abolition of foreign privileges in the Arab countries, and to assist the Government of the Sherif in an International Convention for confirming such abolition.

Sixthly.—Articles 3 and 4 of this treaty to remain in vigour for fifteen years, and, if either wishes it to be renewed, one year’s notice before lapse of treaty to be given.

Consequently, and as the whole of the Arab nation have (praise be to God) agreed and united for the attainment, at all costs and finally, of this noble object, they beg the Government of Great Britain to answer them positively or negatively in a period of thirty days after receiving this intimation; and if this period should lapse before they receive an answer, they reserve to themselves complete freedom of action. Moreover, we (the Sherif’s family) will consider ourselves free in word and deed from the bonds of our previous declaration which we made through Ali Effendi

FROM SIR HENRY McMAMON, 24 OCTOBER 1915

I have received your letter of the 29th Shawal, 1333, with much pleasure and your expressions of friendliness and sincerity have given me the greatest satisfaction.

I regret that you should have received from my last letter the impression that I regarded the question of the limits and boundaries with coldness and hesitation; such was not the case, but it appeared to me that the time had not yet come when that question could be discussed in a conclusive manner.

I have realised, however, from your last letter that you regard this question as one of vital and urgent importance. I have, therefore, lost no time in informing the Government of Great Britain of the contents of your letter, and it is with great pleasure that I communicate to you on their behalf the following statement, which I am confident you will receive with satisfaction.

The two districts of Mersina and Alexandretta and portions of Syria lying to the west of the districts of Damascus, Homs, Hama and Aleppo cannot be said to be purely Arab, and should be excluded from the limits demanded.

With the above modification, and without prejudice of our existing treaties with Arab chiefs, we accept those limits.

As for those regions lying within those frontiers wherein Great Britain is free to act without detriment to the interests of her ally, France, I am empowered in the name of the Government of Great Britain to give the following assurances and make the following reply to your letter:

1. Subject to the above modifications, Great Britain is prepared to recognize and support the independence of the Arabs in all the regions within the limits demanded by the Sherif of Mecca.

2. Great Britain will guarantee the Holy Places against all external aggression and will recognize their inviolability.

3. When the situation admits, Great Britain will give to the Arabs her advice and will assist them to establish what may appear to be the most suitable forms of government in those various territories.

4. On the other hand, it is understood that the Arabs have decided to seek the
advice and guidance of Great Britain only, and that such European advisers and officials as may be required for the formation of a sound form of administration will be British.

(5) With regard to the vilayets of Bagdad and Basra, the Arabs will recognise that the established position and interests of Great Britain necessitate special administrative arrangements in order to secure these territories from foreign aggression, to promote the welfare of the local populations and to safeguard our mutual economic interests.

I am convinced that this declaration will assure you beyond all possible doubt of the sympathy of Great Britain towards the aspirations of her friends the Arabs and will result in a firm and lasting alliance, the immediate results of which will be the expulsion of the Turks from the Arab countries and the freeing of the Arab peoples from the Turkish yoke, which for so many years has pressed heavily upon them.

I have confined myself in this letter to the more vital and important questions, and if there are any other matters dealt with in your letters which I have omitted to mention, we may discuss them at some convenient date in the future.

It was with very great relief and satisfaction that I heard of the safe arrival of the Holy Carpet and the accompanying offerings which, thanks to the clearness of your directions and the excellence of your arrangements, were landed without trouble or mishap in spite of the dangers and difficulties occasioned by the present sad war. May God soon bring a lasting peace and freedom to all peoples!

I am sending this letter by the hand of your trusted and excellent messenger, Sheikh Mohammed Ibn Arif Ibn Uraifan, and he will inform you of the various matters of interest, but of less vital importance, which I have not mentioned in this letter.

FROM SHARIF HUSAYN, JANUARY 1916

We received from the bearer your letter, dated the 9th Safar (the 14th December, 1915), with great respect and honour, and I have understood its contents, which caused me the greatest pleasure and satisfaction, as it removed that which had made me uneasy.

Your honour will have realised, after the arrival of Mohammed (Faroki) Sherif and his interview with you, that all our procedure up to the present was of no personal inclination or the like, which would have been wholly unintelligible, but that everything was the result of the decisions and desires of our peoples, and that we are but transmitters and executants of such decisions and desires in the position they (our people) have pressed upon us.

These truths are, in my opinion, very important and deserve your honour's special attention and consideration.

With regard to what had been stated in your honoured communication concerning El Iraq as to the matter of compensation for the period of occupation, we, in order to strengthen the confidence of Great Britain in our attitude and in our words and actions, really and veritably, and in order to give her evidence of our certainty and assurance in trusting her glorious Government, leave the determination of the amount to the perception of her wisdom and justice.

As regards the northern parts and their coasts, we have already stated in our previous letter what were the utmost possible modifications, and all this was only done so to fulfil those aspirations whose attainment is desired by the will of the
Blessed and Supreme God It is this same feeling and desire which impelled us to avoid what may possibly injure the alliance of Great Britain and France and the agreement made between them during the present wars and calamities; yet we find it our duty that the eminent minister should be sure that, at the first opportunity after this war is finished, we shall ask you (what we avert our eyes from to-day) for what we now leave to France in Beirut and its coasts.

I do not find it necessary to draw your attention to the fact that our plan is of greater security to the interests and protection of the rights of Great Britain than it is to us, and will necessarily be so whatever may happen, so that Great Britain may finally see her friends in that contentment and advancement which she is endeavouring to establish for them now, especially as her Allies being neighbours to us will be the germ of difficulties and discussion with which there will be no peaceful conditions. In addition to which the citizens of Beirut will decidedly never accept such dismemberment, and they may oblige us to undertake new measures which may exercise Great Britain, certainly not less than her present troubles, because of our belief and certainty in the reciprocity and indeed the identity of our interests, which is the only cause that caused us never to care to negotiate with any other Power but you. Consequently, it is impossible to allow any derogation that gives France, or any other Power, a span of land in those regions.

I declare this, and I have a strong belief, which the living will inherit from the dead, in the declarations which you gave in the conclusion of your honoured letter. Therefore, the honourable and eminent Minister should believe and be sure, together with Great Britain, that we still remain firm to our resolution which Storrs learnt from us two years ago, for which we await the opportunity suitable to our situation, especially in view of that action the time of which has now come near and which destiny drives towards us with great haste and clearness, so that we and those who are of our opinion may have reasons for such action against any criticisms or responsibilities imposed upon us in future.

Your expression "we do not want to push you to any hasty action which might jeopardise the success of your aim" does not need any more explanation except what we may ask for, when necessary, such as arms, ammunition, &c.

I deem this sufficient, as I have occupied much of your Honour's time. I beg to offer you my great veneration and respect.

FROM SIR HENRY McM AHON. 25 JANUARY 1916

We have received with great pleasure and satisfaction your letter of the 25th Safar (the 1st January) at the hands of your trusty messenger, who has also transmitted to us your verbal messages.

We fully realise and entirely appreciate the motives which guide you in this important question, and we know well that you are acting entirely in the interests of the Arab peoples and with no thought beyond their welfare.

We take note of your remarks concerning the vilayet of Bagdad, and will take the question into careful consideration when the enemy has been defeated and the time for peaceful settlement arrives.

As regards the northern parts, we note with satisfaction your desire to avoid anything which might possibly injure the alliance of Great Britain and France. It is, as you know, our fixed determination that nothing shall be permitted to interfere in the slightest degree with our united prosecution of this war to a victorious con-
Furthermore, when the victory has been won, the friendship of Great Britain and France will become yet more firm and enduring, cemented by the blood of Englishmen and Frenchmen who have died side by side fighting for the cause of right and liberty.

In this great cause Arabia is now associated, and God grant that the result of our mutual efforts and co-operation will bind us in a lasting friendship to the mutual welfare and happiness of us all.

We are greatly pleased to hear of the action you are taking to win all the Arabs over to our joint cause, and to dissuade them from giving any assistance to our enemies, and we leave it to your discretion to seize the most favourable moment for further and more decided measures.

You will doubtless inform us by the bearer of this letter of any manner in which we can assist you and your requests will always receive our immediate consideration.

You will have heard how El Sayed Ahmed el Sherif el Senussi has been beguiled by evil advice into hostile action, and it will be a great grief to you to know that he has been so far forgetful of the interests of the Arabs as to throw in his lot with our enemies. Misfortune has now overtaken him, and we trust that this will show him his error and lead him to peace for the sake of his poor misguided followers.

We are sending this letter by the hand of your good messenger, who will also bring to you all our news.

4 | The British Balfour Declaration and Allied Statements

June 4—November, 1917

Cambon Letter to Sokolow, 4 June 1919

You were good enough to present the project to which you are devoting your efforts, which has for its object the development of Jewish colonization in Palestine. You consider that, circumstances permitting, and the independence of the Holy Places being safeguarded on the other hand, it would be a deed of justice and of reparation to assist, by the protection of the Allied Powers, in the renaissance of the Jewish nationality in that Land from which the people of Israel were exiled so many centuries ago.

The French Government, which entered this present war to defend a people wrongfully attacked, and which continues the struggle to assure victory of right over might, can but feel sympathy for your cause, the triumph of which is bound up with that of the Allies.

I am happy to give you herewith such assurance.

Official Zionist Formula, 18 July 1917

H.M. Government, after considering the aims of the Zionist Organisation, accepts the principle of recognising Palestine as the National Home of the Jewish
people and the right of the Jewish people to build up its National life in Palestine under a protection to be established at the conclusion of Peace, following upon the successful issue of the war.

H.M. Government regards as essential for the realisation of this principle the grant of internal autonomy to the Jewish nationality in Palestine, freedom of immigration for Jews, and the establishment of a Jewish National Colonising Corporation for the re-settlement and economic development of the country.

The conditions and forms of the internal autonomy and a charter for the Jewish National Colonising Corporation should, in the view of H.M. Government, be elaborated in detail and determined with the representatives of the Zionist Organisation.

THE BALFOUR DECLARATION, 2 NOVEMBER 1917

I have much pleasure in conveying to you, on behalf of his Majesty's Government, the following declaration of sympathy with Jewish Zionist aspirations which has been submitted to and approved by the Cabinet:

His Majesty's Government view with favour the establishment in Palestine of a national home for the Jewish people, and will use their best endeavours to facilitate the achievement of this object, it being clearly understood that nothing shall be done which may prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country.

I should be grateful if you would bring this declaration to the knowledge of the Zionist Federation.

Tentative Recommendations for President Wilson: Intelligence Section, American Delegation to the Peace Conference

January 21, 1919

MESOPOTAMIA

(1) It is recommended that there be established a Mesopotamian state.

The Mesopotamian area, as defined on map 20, is a racial unit. There is Arab linguistic unity south of a line drawn from Alexandretta to the Persian border. Above this line live Arabs, Armenians, Turks, Kurds and Assyrians, each group speaking a distinct language. Below this line there is comparatively a much higher degree of unity. It is essential to the development of the great irrigation projects below Baghdad that the headwaters of the Tigris River, and as much of the Euphrates as possible, should be under a single administration. The welfare of the foothills of Kurdistan and of the great steppe region of Mesopotamia is bound up with the irrigable lowlands of the Tigris and Euphrates basin.

To separate the headwater area of the Tigris and Euphrates drainage basins from the irrigated valley floors and lowlands further down-stream would be to create
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sources of dispute and render doubly difficult the task of establishing a suitable government.

The southern border of the area lies at the edge of the Arabian desert, where new relationships come in and different political treatment.

(2) It is recommended that there be applied to the Mesopotamian state the mandatory principle, but no recommendation is made as to the Power to be selected to carry out this principle.

(3) It is recommended that no solution be adopted which would preclude the incorporation of this state in an Arab confederation, if a desire for such incorporation should take actual form in Mesopotamia.

Nothing should be done to preclude the possibility of the future development of an Arab confederation, including Mesopotamia, as an alternate solution which would be desirable.

SYRIA

(1) It is recommended that there be established a Syrian state.

While Syria belongs to the Arab-speaking world, it has an unusually large European population, close commercial and cultural relations with Europe, a strong Christian element and a sedentary mode of life. It should therefore be separated at the outset from the nomad Arab area.

Its eastern boundary has been drawn with these considerations in mind, and runs just beyond the border of the sown land, so as to include all of the grain-growing regions, of which the Hauran, below Damascus, is the richest. The northern boundary of Syria is quite artificial, and indeed this boundary could not be drawn on racial lines.

The new state would have a population of about 400,000, and would about equal in area the state of Bulgaria.

(2) It is recommended that there be applied to the Syrian state the mandatory principle, but no recommendation is made as to the Power to be selected to carry out this principle.

(3) It is recommended that no obstacle be interposed against the final incorporation of the Syrian state in an Arab confederation, if the tendency toward this solution should develop in the country.

There is a possibility of the future development of an Arab confederation which will include all of the Arab-speaking portions of the former Turkish Empire. The present strength of this Arab movement is hard to gauge. It would be the best solution from the standpoint of the welfare and development of the Arab states.

PALESTINE

(1) It is recommended that there be established a separate state of Palestine.

The separation of the Palestinian area from Syria finds justification in the religious experience of mankind. The Jewish and Christian churches were born in Palestine, and Jerusalem was for long years, at different periods, the capital of each. And while the relation of the Mohammedans to Palestine is not so intimate, from the beginning they have regarded Jerusalem as a holy place. Only by establishing Palestine as a separate state can justice be done to these great facts.

As drawn upon the map, the new state would control its own source of water power and irrigation, on Mount Hermon in the east to the Jordan; a feature of
great importance since the success of the new state would depend upon the possibilities of agricultural development.

(2) It is recommended that this state be placed under Great Britain as a mandatory of the League of Nations.

Palestine would obviously need wise and firm guidance. Its population is without political experience, is racially composite, and could easily become distracted by fanaticism and bitter religious differences.

The success of Great Britain in dealing with similar situations, her relation to Egypt, and her administrative achievements since General Allenby freed Palestine from the Turk, all indicate her as the logical mandatory.

(3) It is recommended that the Jews be invited to return to Palestine and settle there, being assured by the Conference of all proper assistance in so doing that may be consistent with the protection of the personal (especially the religious) and the property rights of the non-Jewish population, and being further assured that it will be the policy of the League of Nations to recognize Palestine as a Jewish state as soon as it is a Jewish state in fact.

It is right that Palestine should become a Jewish state, if the Jews, being given the full opportunity, make it such. It was the cradle and home of their vital race, which has made large spiritual contributions to mankind, and is the only land in which they can hope to find a home of their own; they being in this last respect unique among significant peoples.

At present, however, the Jews form barely a sixth of the total population of 700,000 in Palestine, and whether they are to form a majority, or even a plurality, of the population in the future state remains uncertain. Palestine, in short, is far from being a Jewish country now England, as mandatory, can be relied on to give the Jews the privileged position they should have without sacrificing the rights of non-Jews.

(4) It is recommended that the holy places and religious rights of all creeds in Palestine be placed under the protection of the League of Nations and its mandatory.

The basis for this recommendation is self-evident.

ARABIA

(1) It is recommended that the desert portion of the Arabian peninsula, exclusive of the agricultural areas of Syria and of the Euphrates and Tigris valleys, be treated as a separate block.

In regard to this large desert area of Arabia, it is unwise to take decisive action at present. The Kingdom of Hedjaz under the Cherif of Mecca is at the present time the strongest in the group of Arabian tribal states; nevertheless it is not so powerful that a successful single Arabian confederation can be built around it. It is only this week that the Hedjaz forces have been able to recapture their own city of Medina.

(2) It is recommended that in regard to the present tribal states, numbering over twenty, which exist in the peninsula, no definite action be taken.

The chieftains of the inner desert tribes, especially Ibn Saud, are absolutely opposed to extension on the part of the king of Hedjaz. The sheikhs of Asir and Yemen would look with equal hostility on the consolidation of his power.

(3) It is recommended that the area with regard to which no definite action
shall be taken be that bounded on the north by the Euphrates River from the bend where it turns southeast to a point just below the town of Hit, and from that point onward by a line which stretches out into the desert, ending at the Persian Gulf below Koweit, and on the west by the Red Sea, the eastern boundary of Palestine, and a line through the desert delimiting the agricultural portions of Syria.

The boundaries of this Arab bloc, in which no definite action can be taken, are so drawn as to distinguish the desert tribal civilization from the civilization of the sedentary Arabs of the irrigable lands of the Tigris and Euphrates valleys, below Baghdad, and of the fertile and very productive lands of the Syrian Arabs, from Aleppo down to a point below Damascus. In the north the desert tribes must be given access to the Euphrates river from Hit to the northward bend of the river, for the purpose of watering their flocks.

(4) It is recommended that the policing of the Red Sea, Indian Ocean, and Persian Gulf Coasts of Arabia, and the border lands behind these, be left to the British Empire.

The Power which understands best how to handle the Arabs is the British Empire. By controlling the coastal areas and the markets along the edge of the desert at which the desert tribes must trade, the British Indian Office has been able to exercise some influence over the inland tribes.

(5) It is recommended that in spite of the political prominence of the King of the Hedjaz, he be not aided to establish an artificial and unwelcomed dominion over tribes unwilling to accept his rule.

The King of the Hedjaz and his sons should not receive support in an attempt to establish an artificial domination over tribes of about similar strength. If, however, it can be shown that the movement for Arab unity is natural and real, and that such unity can be developed without the use of force, the movement should be given encouragement and support.

The proposal of the delegates of the King of the Hedjaz that a mixed commission be sent to Syria to learn the actual desires of the Syrians and report to the peace conference, is entirely fair and should receive support.

The 1919 Weizmann and Feisal Agreement: Discussed by Dr. Chaim Weizmann

June 10, 1936

The present disturbances in Palestine have given renewed currency to the story that the promise to set up a National Home for the Jewish people in Palestine was inconsistent with promises made to the Arabs during the War. I desire here to refer to one aspect only of this matter—namely, the attitude adopted at the Peace Conference by the Arab Delegation itself towards the establishment of the Jewish National Home in Palestine.

The leading figure among the Arab representatives was Emir Feisal, later King of Iraq. Working with T. E. Lawrence, he appeared before the Supreme Council.
of the Conference, to whom he submitted the Arab claims to an independent national existence I had myself met him in June, 1918, at Amman, and on many subsequent occasions I had conversations with him and with Lawrence on the subject of Zionism and Palestine—conversations which led to the friendship which lasted many years between King Feisal and myself.

When Feisal came to Europe in 1919 we submitted to him our plans. Both Feisal and Lawrence approved of them, and early in 1919 these conversations culminated in the Treaty of Friendship, a copy of which is appended. The text of that Treaty was approved by Lawrence, who discussed it with Feisal. The agreement, the original of which is in my possession, opens as follows:

His Royal Highness the Emir Feisal, representing and acting on behalf of the Arab Kingdom of Kedjaz, and Dr Chaim Weizmann, representing and acting on behalf of the Zionist Organization, mindful of the racial kinship and ancient bonds existing between the Arabs and the Jewish people, and realizing that the surest means of working out the consummation of their national aspirations is through the closest possible collaboration in the development of the Arab State and Palestine, and being desirous further of confirming the good understanding which exists between them, have agreed upon the following articles:

The Articles (some of which have been summarized) were,—

Article I. The Arab State and Palestine in all their relations and undertakings shall be controlled by the most cordial good will and understanding, and to this end Arab and Jewish duly accredited agents shall be established and maintained in the respective territories.

Article II provided for the determination of the boundaries between the Arab State and Palestine.

Article III In the establishment of the Constitution and Administration of Palestine all such measures shall be adopted as will afford the fullest guarantees for carrying into effect the British Government’s Declaration of November 2, 1917.

Article IV All necessary measures shall be taken to encourage and stimulate immigration of Jews into Palestine on a large scale, and as quickly as possible to settle Jewish immigrants on the land through closer settlement and intensive cultivation of the soil. In taking such measures the Arab peasant and tenant farmers shall be protected in their rights, and shall be assisted in forwarding their economic development.

Article V provided for full religious freedom.

Article VI The Mohamedan Holy Places shall be under Mohamedan control.

In Article VII the Zionist Organization undertook to assist the Arab State with the advice of its economic experts They agreed in Article VIII to act in accord on the matters embraced in the Pact before the Peace Congress, and in Article IX to submit any dispute to the British Government’s arbitration.

Feisal signed the pact in London on January 3, 1919, with a reservation in Arabic (a translation of which was attached in Lawrence’s own handwriting and is given below in facsimile) making his obligations under the pact dependent on
the fulfillment by the British Government of the demands put forward in the Arab Memorandum of June 4, 1919. It is significant, too, that when, on January 29, 1919, Feisal addressed the Supreme Council of the Conference on the subject of the Arab claims, and asked for the independence of all Arabic-speaking peoples in Asia, with regard to Palestine he made an exception in the following terms:

"On account of its universal character, I shall leave Palestine on one side for the mutual consideration of all parties interested. With this exception, I ask for the independence of the Arabic areas enumerated in the Memorandum."

I may add that in a letter addressed to Professor Felix Frankfurter and dated March 1, 1919, the Emir Feisal expressed the deepest sympathy with the Zionist movement.

7 The Mandate for Palestine

July 24, 1922

The Council of the League of Nations.

Whereas the Principal Allied Powers have agreed, for the purpose of putting into effect the provisions of Article 22 of the Covenant of the League of Nations, to entrust to a Mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them, and

Whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on November 2nd, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and

Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country; and

Whereas the Principal Allied Powers have selected His Britannic Majesty as the Mandatory for Palestine; and

Whereas the mandate in respect of Palestine has been formulated in the following terms and submitted to the Council of the League for approval, and

Whereas His Britannic Majesty has accepted the mandate in respect of Palestine and undertaken to exercise it on behalf of the League of Nations in conformity with the following provisions; and

Whereas by the afore-mentioned Article 22 (paragraph 8), it is provided that
the degree of authority, control or administration to be exercised by the Mandatory, not having been previously agreed upon by the Members of the League, shall be explicitly defined by the Council of the League of Nations;

Confirming the said mandate, defines its terms as follows:

ART. 1. The Mandatory shall have full powers of legislation and of administration, save as they may be limited by the terms of this mandate.

ART. 2. The Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

ART. 3. The Mandatory shall, so far as circumstances permit, encourage local autonomy.

ART. 4 An appropriate Jewish agency shall be recognised as a public body for the purpose of advising and co-operating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country.

The Zionist organisation, so long as its organisation and constitution are in the opinion of the Mandatory appropriate, shall be recognised as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the co-operation of all Jews who are willing to assist in the establishment of the Jewish national home.

ART. 5. The Mandatory shall be responsible for seeing that no Palestine territory shall be ceded or leased to, or in any way placed under the control of, the Government of any Foreign Power.

ART. 6. The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish agency referred to in Article 4, close settlement by Jews on the land, including State lands and waste lands not required for public purposes.

ART. 7. The Administration of Palestine shall be responsible for enacting a nationality law. There shall be included in this law provisions framed so as to facilitate the acquisition of Palestinian citizenship by Jews who take up their permanent residence in Palestine.

ART. 8. The privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by Capitulation or usage in the Ottoman Empire, shall not be applicable in Palestine.

Unless the Powers whose nationals enjoyed the afore-mentioned privileges and immunities on August 1st, 1914, shall have previously renounced the right to their reestablishment, or shall have agreed to their non-application for a specified period, these privileges, and immunities shall, at the expiration of the mandate, be immediately re-established in their entirety or with such modifications as may have been agreed upon between the Powers concerned.

ART. 9. The Mandatory shall be responsible for seeing that the judicial system established in Palestine shall assure to foreigners, as well as to natives, a complete guarantee of their rights.
Respect for the personal status of the various peoples and communities and for their religious interests shall be fully guaranteed. In particular, the control and administration of Wakfs shall be exercised in accordance with religious law and the dispositions of the founders.

Art 10. Pending the making of special extradition agreements relating to Palestine, the extradition treaties in force between the Mandatory and other foreign Powers shall apply to Palestine.

Art 11. The Administration of Palestine shall take all necessary measures to safeguard the interests of the community in connection with the development of the country, and, subject to any international obligations accepted by the Mandatory, shall have full power to provide for public ownership or control of any of the natural resources of the country or of the public works, services and utilities established or to be established therein. It shall introduce a land system appropriate to the needs of the country, having regard, among other things, to the desirability of promoting the close settlement and intensive cultivation of the land.

The Administration may arrange with the Jewish agency mentioned in Article 4 to construct or operate, upon fair and equitable terms, any public works, services and utilities, and to develop any of the natural resources of the country, in so far as these matters are not directly undertaken by the Administration. Any such arrangements shall provide that no profits distributed by such agency, directly or indirectly, shall exceed a reasonable rate of interest on the capital, and any further profits shall be utilised by it for the benefit of the country in a manner approved by the Administration.

Art 12. The Mandatory shall be entrusted with the control of the foreign relations of Palestine and the right to issue exequatur to consuls appointed by foreign Powers. He shall also be entitled to afford diplomatic and consular protection to citizens of Palestine when outside its territorial limits.

Art 13. All responsibility in connection with the Holy Places and religious buildings or sites in Palestine, including that of preserving existing rights and of securing free access to the Holy Places, religious buildings and sites and the free exercise of worship, while ensuring the requirements of public order and decorum, is assumed by the Mandatory, who shall be responsible solely to the League of Nations in all matters connected herewith, provided that nothing in this article shall prevent the Mandatory from entering into such arrangements as he may deem reasonable with the Administration for the purpose of carrying the provisions of this article into effect, and provided also that nothing in this mandate shall be construed as conferring upon the Mandatory authority to interfere with the fabric or the management of purely Moslem sacred shrines, the immunities of which are guaranteed.

Art 14. A special Commission shall be appointed by the Mandatory to study, define and determine the rights and claims in connection with the Holy Places and the rights and claims relating to the different religious communities in Palestine. The method of nomination, the composition and the functions of this Commission shall be submitted to the Council of the League for its approval, and the Commission shall not be appointed or enter upon its functions without the approval of the Council.

Art 15. The Mandatory shall see that complete freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public
order and morals, are ensured to all. No discrimination of any kind shall be made between the inhabitants of Palestine on the ground of race, religion or language. No person shall be excluded from Palestine on the sole ground of his religious belief.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the Administration may impose, shall not be denied or impaired.

Art. 16 The Mandatory shall be responsible for exercising such supervision over religious or eleemosynary bodies of all faiths in Palestine as may be required for the maintenance of public order and good government. Subject to such supervision, no measures shall be taken in Palestine to obstruct or interfere with the enterprise of such bodies or to discriminate against any representative or member of them on the ground of his religion or nationality.

Art. 17 The Administration of Palestine may organise on a voluntary basis the forces necessary for the preservation of peace and order, and also for the defence of the country, subject, however, to the supervision of the Mandatory, but shall not use them for purposes other than those above specified save with the consent of the Mandatory. Except for such purposes, no military, naval or air forces shall be raised or maintained by the Administration of Palestine.

Nothing in this article shall preclude the Administration of Palestine from contributing to the cost of the maintenance of the forces of the Mandatory in Palestine.

The Mandatory shall be entitled at all times to use the roads, railways and ports of Palestine for the movement of armed forces and the carriage of fuel and supplies.

Art. 18. The Mandatory shall see that there is no discrimination in Palestine against the nationals of any State Member of the League of Nations (including companies incorporated under its laws) as compared with those of the Mandatory or of any foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Similarly, there shall be no discrimination in Palestine against goods originating in or destined for any of the said States, and there shall be freedom of transit under equitable conditions across the mandated area.

Subject as aforesaid and to the other provisions of this mandate, the Administration of Palestine may, on the advice of the Mandatory, impose such taxes and customs duties as it may consider necessary, and take such steps as it may think best to promote the development of the natural resources of the country and to safeguard the interests of the population. It may also, on the advice of the Mandatory, conclude a special customs agreement with any State the territory of which in 1914 was wholly included in Asiatic Turkey or Arabia.

Art. 19. The Mandatory shall adhere on behalf of the Administration of Palestine to any general international conventions already existing, or which may be concluded hereafter with the approval of the League of Nations, respecting the slave traffic, the traffic in arms and ammunition, or the traffic in drugs, or relating to commercial equality, freedom of transit and navigation, aerial navigation and postal, telegraphic and wireless communication or literary, artistic or industrial property.

Art. 20. The Mandatory shall co-operate on behalf of the Administration of
Palestine, so far as religious, social and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

Art. 21. The Mandatory shall secure the enactment within twelve months from this date, and shall ensure the execution of a Law of Antiquities based on the following rules. This law shall ensure equality of treatment in the matter of excavations and archæological research to the nations of all States Members of the League of Nations.

(1) "Antiquity" means any construction or any product of human activity earlier than the year A.D. 1700.

(2) The law for the protection of antiquities shall proceed by encouragement rather than by threat.

Any person who, having discovered an antiquity without being furnished with the authorisation referred to in paragraph 5, reports the same to an official of the competent Department, shall be rewarded according to the value of the discovery.

(3) No antiquity may be disposed of except to the competent Department, unless this Department renounces the acquisition of any such antiquity.

No antiquity may leave the country without an export licence from the said Department.

(4) Any person who maliciously or negligently destroys or damages an antiquity shall be liable to a penalty to be fixed.

(5) No clearing of ground or digging with the object of finding antiquities shall be permitted, under penalty of fine, except to persons authorised by the competent Department.

(6) Equitable terms shall be fixed for expropriation, temporary or permanent, of lands which might be of historical or archæological interest.

(7) Authorisation to excavate shall only be granted to persons who show sufficient guarantees of archæological experience. The Administration of Palestine shall not, in granting these authorisations, act in such a way as to exclude scholars of any nation without good grounds.

(8) The proceeds of excavations may be divided between the excavator and the competent Department in a proportion fixed by that Department. If division seems impossible for scientific reasons, the excavator shall receive a fair indemnity in lieu of a part of the find.

Art. 22. English, Arabic and Hebrew shall be the official languages of Palestine. Any statement or inscription in Arabic on stamps or money in Palestine shall be repeated in Hebrew, and any statement or inscription in Hebrew shall be repeated in Arabic.

Art. 23. The Administration of Palestine shall recognise the holy days of the respective communities in Palestine as legal days of rest for the members of such communities.

Art. 24. The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council as to the measures taken during the year to carry out the provisions of the mandate. Copies of all laws and regulations promulgated or issued during the year shall be communicated with the report.

Art. 25. In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or withhold application
of such provisions of this mandate as he may consider inapplicable to the existing local conditions, and to make such provision for the administration of the territories as he may consider suitable to those conditions, provided that no action shall be taken which is inconsistent with the provisions of Articles 15, 16 and 18.

Art 26 The Mandatory agrees that, if any dispute whatever should arise between the Mandatory and another Member of the League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by Article 14 of the Covenant of the League of Nations.

Art 27. The consent of the Council of the League of Nations is required for any modification of the terms of this mandate.

Art 28 In the event of the termination of the mandate hereby conferred upon the Mandatory, the Council of the League of Nations shall make such arrangements as may be deemed necessary for safeguarding in perpetuity, under guarantee of the League, the rights secured by Articles 13 and 14, and shall use its influence for securing, under the guarantee of the League, that the Government of Palestine will fully honour the financial obligations legitimately incurred by the Administration of Palestine during the period of the mandate, including the rights of public servants to pensions or gratuities.

British Policy on Palestine

May 17, 1939

In the Statement of Palestine, issued on 9th November, 1938, His Majesty's Government announced their intention to invite representatives of the Arabs of Palestine, of certain neighbouring countries and of the Jewish Agency to confer with them in London regarding future policy. It was their sincere hope that, as a result of full, free and frank discussion, some understanding might be reached. Conferences recently took place with Arab and Jewish delegations, lasting for a period of several weeks, and served the purpose of a complete exchange of views between British Ministers and the Arab and Jewish representatives. In the light of the discussions as well as of the situation in Palestine and of the Reports of the Royal Commission and the Partition Commission, certain proposals were formulated by His Majesty's Government and were laid before the Arab and Jewish delegations as the basis of an agreed settlement. Neither the Arab nor the Jewish delegations felt able to accept these proposals, and the conferences therefore did not result in an agreement. Accordingly His Majesty's Government are free to formulate their own policy, and after careful consideration they have decided to adhere generally to the proposals which were finally submitted to, and discussed with, the Arab and Jewish delegations.

2. The Mandate for Palestine, the terms of which were confirmed by the Council
of the League of Nations in 1922, has governed the policy of successive British Governments for nearly 20 years. It embodies the Balfour Declaration and imposes on the Mandatory four main obligations. These obligations are set out in Articles 2, 6 and 13 of the Mandate. There is no dispute regarding the interpretation of one of these obligations, that touching the protection of and access to the Holy Places and religious buildings or sites. The other three main obligations are generally as follows —

(i) To place the country under such political, administrative and economic conditions as will secure the establishment in Palestine of a national home for the Jewish people, to facilitate Jewish immigration under suitable conditions, and to encourage, in co-operation with the Jewish Agency, close settlement by Jews on the land.

(ii) To safeguard the civil and religious rights of all the inhabitants of Palestine irrespective of race and religion, and, whilst facilitating Jewish immigration and settlement, to ensure that the rights and position of other sections of the population are not prejudiced.

(iii) To place the country under such political, administrative and economic conditions as will secure the development of self-governing institutions.

3 The Royal Commission and previous Commissions of Enquiry have drawn attention to the ambiguity of certain expressions in the Mandate, such as the expression "a national home for the Jewish people," and they have found in this ambiguity and the resulting uncertainty as to the objectives of policy a fundamental cause of unrest and hostility between Arabs and Jews. His Majesty's Government are convinced that in the interests of the peace and well-being of the whole people of Palestine a clear definition of policy and objectives is essential. The proposal of partition recommended by the Royal Commission would have afforded such clarity, but the establishment of self-supporting independent Arab and Jewish States within Palestine has been found to be impracticable. It has therefore been necessary for His Majesty's Government to devise an alternative policy which will, consistently with their obligations to Arabs and Jews, meet the needs of the situation in Palestine. Their views and proposals are set forth below under the three heads, (I) The Constitution, (II) Immigration, and (III) Land.

I. THE CONSTITUTION

4. It has been urged that the expression "a national home for the Jewish people" offered a prospect that Palestine might in due course become a Jewish State or Commonwealth. His Majesty's Government do not wish to contest the view, which was expressed by the Royal Commission, that the Zionist leaders at the time of the issue of the Balfour Declaration recognized that an ultimate Jewish State was not precluded by the terms of the Declaration. But, with the Royal Commission, His Majesty's Government believe that the framers of the Mandate in which the Balfour Declaration was embodied could not have intended that Palestine should be converted into a Jewish State against the will of the Arab population of the country. That Palestine was not to be converted into a Jewish State might be held to be implied in the passage from the Command Paper of 1922 which reads as follows:

"Unauthorized statements have been made to the effect that the purpose in view is to create a wholly Jewish Palestine. Phrases have been used such as that..."
'Palestine is to become as Jewish as England is English.' His Majesty's Government regard any such expectation as impracticable and have no such aim in view. Nor have they at any time contemplated... the disappearance or the sub-ordination of the Arabic population, language or culture in Palestine. They would draw attention to the fact that the terms of the (Balfour) Declaration referred to do not contemplate that Palestine as a whole should be converted into a Jewish National Home, but that such a Home should be founded in Palestine.”

But this statement has not removed doubts, and His Majesty's Government therefore now declare unequivocally that it is not part of their policy that Palestine should become a Jewish State. They would indeed regard it as contrary to their obligations to the Arabs under the Mandate, as well as to the assurances which have been given to the Arab people in the past, that the Arab population of Palestine should be made the subjects of a Jewish State against their will.

5. The nature of the Jewish National Home in Palestine was further described in the Command Paper of 1922 as follows:

"During the last two or three generations the Jews have recreated in Palestine a community, now numbering 80,000, of whom about one-fourth are farmers or workers upon the land. This community has its own political organs, an elected assembly for the direction of its domestic concerns; elected councils in the towns; and an organisation for the control of its schools. It has its elected Chief Rabbinate and Rabbinical Council for the direction of its religious affairs. Its business is conducted in Hebrew as a vernacular language, and a Hebrew press serves its needs. It has its distinctive intellectual life and displays considerable economic activity. This community, then, with its town and country population, its political, religious and social organisations, its own language, its own customs, its own life, has in fact 'national' characteristics. When it is asked what is meant by the development of the Jewish National Home in Palestine, it may be answered that it is not the imposition of a Jewish nationality upon the inhabitants of Palestine as a whole, but the further development of the existing Jewish community, with the assistance of Jews in other parts of the world, in order that it may become a centre in which the Jewish people as a whole may take, on grounds of religion and race, an interest and a pride. But in order that this community should have the best prospect of free development and provide a full opportunity for the Jewish people to display its capacities, it is essential that it should know that it is in Palestine as of right and not on sufferance. That is the reason why it is necessary that the existence of a Jewish National Home in Palestine should be internationally guaranteed, and that it should be formally recognized to rest upon ancient historic connection."

6. His Majesty's Government adhere to this interpretation of the Declaration of 1917 and regard it as an authoritative and comprehensive description of the character of the Jewish National Home in Palestine. It envisaged the further development of the existing Jewish community with the assistance of Jews in other parts of the world. Evidence that His Majesty's Government have been carrying out their obligation in this respect is to be found in the facts that, since the statement of 1922 was published, more than 300,000 Jews have immigrated to Palestine, and that the population of the National Home has risen to some 450,000, or approaching a third of the entire population of the country. Nor has the Jewish community failed to take full advantage of the opportunities given to it. The growth of the
Historical Background

Jewish National Home and its achievements in many fields are a remarkable constructive effort which must command the admiration of the world and must be, in particular, a source of pride to the Jewish people.

7 In the recent discussions the Arab delegations have repeated the contention that Palestine was included within the area in which Sir Henry McMahon, on behalf of the British Government, in October, 1915, undertook to recognise and support Arab independence. The validity of this claim, based on the terms of the correspondence which passed between Sir Henry McMahon and the Sharif of Mecca, was thoroughly and carefully investigated by British and Arab representatives during the recent conferences in London. Their Report, which has been published, states that both the Arab and the British representatives endeavoured to understand the point of view of the other party but that they were unable to reach agreement upon an interpretation of the correspondence. There is no need to summarize here the arguments presented by each side. His Majesty's Government regret the misunderstandings which have arisen as regards some of the phrases used. For their part they can only adhere, for the reasons given by their representatives in the Report, to the view that the whole of Palestine west of Jordan was excluded from Sir Henry McMahon's pledge, and they therefore cannot agree that the McMahon correspondence forms a just basis for the claim that Palestine should be converted into an Arab State.

8 His Majesty's Government are charged as the Mandatory authority "to secure the development of self-governing institutions" in Palestine. Apart from this specific obligation, they would regard it as contrary to the whole spirit of the Mandate system that the population of Palestine should remain for ever under Mandatory tutelage. It is proper that the people of the country should as early as possible enjoy the rights of self-government which are exercised by the people of neighbouring countries. His Majesty's Government are unable at present to foresee the exact constitutional forms which government in Palestine will eventually take, but their objective is self-government, and they desire to see established ultimately an independent Palestine State. It should be a State in which the two peoples in Palestine, Arabs and Jews, share authority in government in such a way that the essential interests of each are secured.

9 The establishment of an independent State and the complete relinquishment of Mandatory control in Palestine would require such relations between the Arabs and the Jews as would make good government possible. Moreover, the growth of self-governing institutions in Palestine, as in other countries, must be an evolutionary process. A transitional period will be required before independence is achieved, throughout which ultimate responsibility for the Government of the country will be retained by His Majesty's Government as the Mandatory authority, while the people of the country are taking an increasing share in the Government, and understanding and co-operation amongst them are growing. It will be the constant endeavour of His Majesty's Government to promote good relations between the Arabs and the Jews.

10. In the light of these considerations His Majesty's Government make the following declaration of their intentions regarding the future government of Palestine —

(1) The objective of His Majesty's Government is the establishment within
ten years of an independent Palestine State in such treaty relations with the United Kingdom as will provide satisfactorily for the commercial and strategic requirements of both countries in the future. This proposal for the establishment of the independent State would involve consultation with the Council of the League of Nations with a view to the termination of the Mandate.

(2) The independent State should be one in which Arabs and Jews share in government in such a way as to ensure that the essential interests of each community are safeguarded.

(3) The establishment of the independent State will be preceded by a transitional period throughout which His Majesty's Government will retain responsibility for the government of the country. During the transitional period the people of Palestine will be given an increasing part in the government of their country. Both sections of the population will have an opportunity to participate in the machinery of government, and the process will be carried on whether or not they both avail themselves of it.

(4) As soon as peace and order have been sufficiently restored in Palestine steps will be taken to carry out this policy of giving the people of Palestine an increasing part in the government of their country, the objective being to place Palestinians in charge of all the Departments of Government, with the assistance of British advisers and subject to the control of the High Commissioner. With this object in view His Majesty's Government will be prepared immediately to arrange that Palestinians shall be placed in charge of certain Departments, with British advisers. The Palestinian heads of Departments will sit on the Executive Council, which advises the High Commissioner. Arab and Jewish representatives will be invited to serve as heads of Departments approximately in proportion to their respective populations. The number of Palestinians in charge of Departments will be increased as circumstances permit until all heads of Departments are Palestinians, exercising the administrative and advisory functions which are at present performed by British officials. When that stage is reached consideration will be given to the question of converting the Executive Council into a Council of Ministers with a consequential change in the status and functions of the Palestinian heads of Departments.

(5) His Majesty's Government make no proposals at this stage regarding the establishment of an elective legislature. Nevertheless they would regard this as an appropriate constitutional development, and, should public opinion in Palestine hereafter show itself in favour of such a development, they will be prepared, provided that local conditions permit, to establish the necessary machinery.

(6) At the end of five years from the restoration of peace and order, an appropriate body representative of the people of Palestine and of His Majesty's Government will be set up to review the working of the constitutional arrangements during the transitional period and to consider and make recommendations regarding the constitution of the independent Palestine State.

(7) His Majesty's Government will require to be satisfied that in the treaty contemplated by sub-paragraph (1) or in the constitution contemplated by sub-paragraph (6) adequate provision has been made for:

(a) the security of, and freedom of access to, the Holy Places, and the protection of the interests and property of the various religious bodies.
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(b) the protection of the different communities in Palestine in accordance with the obligations of His Majesty's Government to both Arabs and Jews and for the special position in Palestine of the Jewish National Home

(c) such requirements to meet the strategic situation as may be regarded as necessary by His Majesty's Government in the light of the circumstances then existing.

His Majesty's Government will also require to be satisfied that the interests of certain foreign countries in Palestine, for the preservation of which they are at present responsible, are adequately safeguarded.

(8) His Majesty's Government will do everything in their power to create conditions which will enable the independent Palestine State to come into being within ten years. If, at the end of ten years, it appears to His Majesty's Government that, contrary to their hope, circumstances require the postponement of the establishment of the independent State, they will consult with representatives of the people of Palestine, the Council of the League of Nations and the neighbouring Arab States before deciding on such a postponement. If His Majesty's Government come to the conclusion that postponement is unavoidable, they will invite the co-operation of these parties in framing plans for the future with a view to achieving the desired objective at the earliest possible date.

11. During the transitional period steps will be taken to increase the powers and responsibilities of municipal corporations and local councils.

II IMMIGRATION

12. Under Article 6 of the Mandate, the Administration of Palestine, "while ensuring that the rights and position of other sections of the population are not prejudiced," is required to "facilitate Jewish immigration under suitable conditions." Beyond this, the extent to which Jewish immigration into Palestine is to be permitted is nowhere defined in the Mandate. But in the Command Paper of 1922 it was laid down that for the fulfilment of the policy of establishing a Jewish National Home:

"It is necessary that the Jewish community in Palestine should be able to increase its numbers by immigration. This immigration cannot be so great in volume as to exceed whatever may be the economic capacity of the country at the time to absorb new arrivals. It is essential to ensure that the immigrants should not be a burden upon the people of Palestine as a whole, and that they should not deprive any section of the present population of their employment."

In practice, from that date onwards until recent times, the economic absorptive capacity of the country has been treated as the sole limiting factor, and in the letter which Mr. Ramsay MacDonald, as Prime Minister, sent to Dr. Weizmann in February 1931 it was laid down as a matter of policy that economic absorptive capacity was the sole criterion. This interpretation has been supported by resolutions of the Permanent Mandates Commission. But His Majesty's Government do not read either the Statement of Policy of 1922 or the letter of 1931 as implying that the Mandate requires them, for all time and in all circumstances, to facilitate the immigration of Jews into Palestine subject only to consideration of the country's economic absorptive capacity. Nor do they find anything in the Mandate or in subsequent Statements of Policy to support the view that the establishment of a Jewish National Home in Palestine cannot be effected unless immigration is
allowed to continue indefinitely. If immigration has an adverse effect on the economic position in the country, it should clearly be restricted; and equally, if it has a seriously damaging effect on the political position in the country, that is a factor that should not be ignored. Although it is not difficult to contend that the large number of Jewish immigrants who have been admitted so far have been absorbed economically, the fear of the Arabs that this influx will continue indefinitely until the Jewish population is in a position to dominate them has produced consequences which are extremely grave for Jews and Arabs alike and for the peace and prosperity of Palestine. The lamentable disturbances of the past three years are only the latest and most sustained manifestation of this intense Arab apprehension. The methods employed by Arab terrorists against fellow-Arabs and Jews alike must receive unqualified condemnation. But it cannot be denied that fear of indefinite Jewish immigration is widespread amongst the Arab population and that this fear has made possible disturbances which have given a serious setback to economic progress, depleted the Palestine exchequer, rendered life and property insecure, and produced a bitterness between the Arab and Jewish populations which is deplorable between citizens of the same country. If in these circumstances immigration is continued up to the economic absorptive capacity of the country, regardless of all other considerations, a fatal enmity between the two peoples will be perpetuated, and the situation in Palestine may become a permanent source of friction amongst all peoples in the Near and Middle East. His Majesty's Government cannot take the view that either their obligations under the Mandate, or considerations of common sense and justice, require that they should ignore these circumstances in framing immigration policy.

13. In the view of the Royal Commission, the association of the policy of the Balfour Declaration with the Mandate system implied the belief that Arab hostility to the former would sooner or later be overcome. It has been the hope of British Governments ever since the Balfour Declaration was issued that in time the Arab population, recognizing the advantages to be derived from Jewish settlement and development in Palestine, would become reconciled to the further growth of the Jewish National Home. This hope has not been fulfilled. The alternatives before His Majesty's Government are either (i) to seek to expand the Jewish National Home indefinitely by immigration, against the strongly expressed will of the Arab people of the country, or (ii) to permit further expansion of the Jewish National Home by immigration only if the Arabs are prepared to acquiesce in it. The former policy means rule by force. Apart from other considerations, such a policy seems to His Majesty's Government to be contrary to the whole spirit of Article 22 of the Covenant of the League of Nations, as well as to their specific obligations to the Arabs in the Palestine Mandate. Moreover, the relations between the Arabs and the Jews in Palestine must be based sooner or later on mutual tolerance and goodwill; the peace, security and progress of the Jewish National Home itself require this. Therefore His Majesty's Government, after earnest consideration, and taking into account the extent to which the growth of the Jewish National Home has been facilitated over the last twenty years, have decided that the time has come to adopt in principle the second of the alternatives referred to above.

14. It has been urged that all further Jewish immigration into Palestine should be stopped forthwith. His Majesty's Government cannot accept such a proposal.
It would damage the whole of the financial and economic system of Palestine and thus affect adversely the interests of Arabs and Jews alike. Moreover, in the view of His Majesty's Government, abruptly to stop further immigration would be unjust to the Jewish National Home. But, above all, His Majesty's Government are conscious of the present unhappy plight of large numbers of Jews who seek a refuge from certain European countries, and they believe that Palestine can and should make a further contribution to the solution of this pressing world problem. In all these circumstances, they believe that they will be acting consistently with their Mandatory obligations to both Arabs and Jews, and in the manner best calculated to serve the interests of the whole people of Palestine, by adopting the following proposals regarding immigration—

1. Jewish immigration during the next five years will be at a rate which, if economic absorptive capacity permits, will bring the Jewish population up to approximately one-third of the total population of the country. Taking into account the expected natural increase of the Arab and Jewish populations, and the number of illegal Jewish immigrants now in the country, this would allow of the admission, as from the beginning of April this year, of some 75,000 immigrants over the next five years. These immigrants would, subject to the criterion of economic absorptive capacity, be admitted as follows—

(a) For each of the next five years a quota of 10,000 Jewish immigrants will be allowed, on the understanding that a shortage in any one year may be added to the quotas for subsequent years, within the five-year period, if economic absorptive capacity permits.

(b) In addition, as a contribution towards the solution of the Jewish refugee problem, 25,000 refugees will be admitted as soon as the High Commissioner is satisfied that adequate provision for their maintenance is ensured. Special consideration being given to refugee children and dependants.

2. The existing machinery for ascertaining economic absorptive capacity will be retained, and the High Commissioner will have the ultimate responsibility for deciding the limits of economic capacity. Before each periodic decision is taken, Jewish and Arab representatives will be consulted.

3. After the period of five years no further Jewish immigration will be permitted unless the Arabs of Palestine are prepared to acquiesce in it.

4. His Majesty's Government are determined to check illegal immigration, and further preventive measures are being adopted. The numbers of any Jewish illegal immigrants who, despite these measures, may succeed in coming into the country and cannot be deported will be deducted from the yearly quotas.

15. His Majesty's Government are satisfied that, when the immigration over five years which is now contemplated has taken place, they will not be justified in facilitating, nor will they be under any obligation to facilitate, the further development of the Jewish National Home by immigration regardless of the wishes of the Arab population.

III.—LAND

16. The Administration of Palestine is required, under Article 6 of the Mandate, "while ensuring that the rights and position of other sections of the population are not prejudiced," to encourage "close settlement by Jews on the land," and no restriction has been imposed hitherto on the transfer of land from Arabs to Jews.
The Reports of several expert Commissions have indicated that, owing to the natural growth of the Arab population and the steady sale in recent years of Arab land to Jews, there is now in certain areas no room for further transfers of Arab land whilst in some other areas such transfers of land must be restricted if Arab cultivators are to maintain their existing standard of life and a considerable landless Arab population is not soon to be created. In these circumstances, the High Commissioner will be given general powers to prohibit and regulate transfers of land. These powers will date from the publication of this statement of policy and the High Commissioner will retain them throughout the transitional period.

17 The policy of the Government will be directed towards the development of the land and the improvement, where possible, of methods of cultivation. In the light of such development it will be open to the High Commissioner, should he be satisfied that the “rights and position” of the Arab population will be duly preserved, to review and modify any orders passed relating to the prohibition or restriction of the transfer of land.

18 In framing these proposals His Majesty’s Government have sincerely endeavoured to act in strict accordance with their obligations under the Mandate to both the Arabs and the Jews. The vagueness of the phrases employed in some instances to describe these obligations has led to controversy and has made the task of interpretation difficult. His Majesty’s Government cannot hope to satisfy the partisans of one party or the other in such controversy as the Mandate has aroused. Their purpose is to be just as between the two peoples in Palestine whose destinies in that country have been affected by the great events of recent years, and who, since they live side by side, must learn to practise mutual tolerance, goodwill and co-operation. In looking to the future, His Majesty’s Government are not blind to the fact that some events of the past make the task of creating these relations difficult; but they are encouraged by the knowledge that at many times and in many places in Palestine during recent years the Arab and Jewish inhabitants have lived in friendship together. Each community has much to contribute to the welfare of their common land, and each must earnestly desire peace in which to assist in increasing the well-being of the whole people of the country. The responsibility which falls on them, no less than upon His Majesty’s Government, to cooperate together to ensure peace is all the more solemn because their country is revered by many millions of Moslems, Jews and Christians throughout the world who pray for peace in Palestine and for the happiness of her people.
Pact of the League of Arab States

March 22, 1945

His Excellency the President of the Syrian Republic;
His Royal Highness the Amir of Trans-Jordan;
His Majesty the King of Iraq;
His Majesty the King of Saudi Arabia,
His Excellency the President of the Lebanese Republic;
His Majesty the King of Egypt;
His Majesty the King of the Yemen;

Who, after having exchanged their plenary powers, which were found to be in good and due form, have agreed upon the following provisions:

ART 1. The League of Arab States is composed of the independent Arab States which have signed this Pact.

Any independent Arab State has the right to become a member of the League. If it desires to do so, it shall submit a request which will be deposited with the Permanent Secretariat General and submitted to the Council at the first meeting held after submission of the request.

ART 2. The League has as its purpose the strengthening of the relations between the member states; the coordination of their policies in order to achieve cooperation between them and to safeguard their independence and sovereignty; and a general concern with the affairs and interests of the Arab countries. It has also as its purpose the close cooperation of the member states, with due regard to the organization and circumstances of each state, on the following matters:

A. Economic and financial affairs, including commercial relations, customs, currency, and questions of agriculture and industry;
B. Communications, this includes railroads, roads, aviation, navigation, telegraphs, and posts;
C. Cultural affairs;
D. Nationality, passports, visas, execution of judgments, and extradition of criminals;
E. Social affairs;
F. Health problems.

ART 3. The League shall possess a Council composed of the representatives of the member states of the League; each state shall have a single vote, irrespective of the number of its representatives.

It shall be the task of the Council to achieve the realization of the objectives of the League and to supervise the execution of agreements which the member states have concluded on the questions enumerated in the preceding article, or on any other questions.

It likewise shall be the Council’s task to decide upon the means by which the
League is to cooperate with the international bodies to be created in the future in order to guarantee security and peace and regulate economic and social relations.

Art. 4 For each of the questions listed in Article 2 there shall be set up a special committee in which the member states of the League shall be represented. These committees shall be charged with the task of laying down the principles and extent of cooperation. Such principles shall be formulated as draft agreements, to be presented to the Council for examination preparatory to their submission to the aforesaid states.

Representatives of the other Arab countries may take part in the work of the aforesaid committees. The Council shall determine the conditions under which these representatives may be permitted to participate and the rules governing such representation.

Art. 5. Any resort to force in order to resolve disputes arising between two or more member states of the League is prohibited. If there should arise among them a difference which does not concern a state's independence, sovereignty, or territorial integrity, and if the parties to the dispute have recourse to the Council for the settlement of this difference, the decision of the Council shall then be enforceable and obligatory.

In such a case, the states between whom the difference has arisen shall not participate in the deliberations and decisions of the Council.

The Council shall mediate in all differences which threaten to lead to war between two member states, or a member state and a third state, with a view to bringing about their reconciliation.

Decisions of arbitration and mediation shall be taken by majority vote.

Art. 6. In case of aggression or threat of aggression by one state against a member state, the state which has been attacked or threatened with aggression may demand the immediate convocation of the Council.

The Council shall by unanimous decision determine the measures necessary to repulse the aggression. If the aggressor is a member state, his vote shall not be counted in determining unanimity.

If, as a result of the attack, the government of the state attacked finds itself unable to communicate with the Council, that state's representative in the Council shall have the right to request the convocation of the Council for the purpose indicated in the foregoing paragraph. In the event that this representative is unable to communicate with the Council, any member state of the League shall have the right to request the convocation of the Council.

Art. 7. Unanimous decisions of the Council shall be binding upon all member states of the League; majority decisions shall be binding only upon those states which have accepted them.

In either case the decisions of the Council shall be enforced in each member state according to its respective basic laws.

Art. 8. Each member state shall respect the systems of government established in the other member states and regard them as exclusive concerns of those states. Each shall pledge to abstain from any action calculated to change established systems of government.

Art. 9. States of the League which desire to establish closer cooperation and stronger bonds than are provided by this Pact may conclude agreements to that end.

Treaties and agreements already concluded or to be concluded in the future
between a member state and another state shall not be binding or restrictive upon
other members

ART. 10. The permanent seat of the League of Arab States is established in
Cairo. The Council may, however, assemble at any other place it may designate.

ART. 11. The Council of the League shall convene in ordinary session twice a
year, in March and in October. It shall convene in extraordinary session upon the
request of two member states of the League whenever the need arises.

ART. 12 The League shall have a permanent Secretariat-General which shall
consist of a Secretary-General, Assistant Secretaries, and an appropriate number of
officials.

The Council of the League shall establish an administrative regulation for the
of two-thirds of the states of the League. The Secretary-General, with the approval
of the Council shall appoint the Assistant Secretaries and the principal officials of
the League.

The Council of the League shall appoint the Secretary-General by a majority for
the functions of the Secretariat-General and matters relating to the Staff.

The Secretary-General shall have the rank of Ambassador and the Assistant
Secretaries that of Ministers Plenipotentiary.

The first Secretary-General of the League is named in an Annex to this Pact.

ART. 13 The Secretary-General shall prepare the draft of the budget of the
League and shall submit it to the Council for approval before the beginning of each
fiscal year.

The Council shall fix the share of the expenses to be borne by each state of the
League. This share may be reconsidered if necessary.

ART. 14. The members of the Council of the League as well as the members
of the committees and the officials who are to be designated in the administrative
regulation shall enjoy diplomatic privileges and immunity when engaged in the
exercise of their functions.

The buildings occupied by the organs of the League shall be inviolable.

ART. 15. The first meeting of the Council shall be convened at the invitation
of the head of the Egyptian Government. Thereafter it shall be convened at the
invitation of the Secretary-General.

The representatives of the member states of the League shall alternately assume
the presidency of the Council at each of its ordinary sessions.

ART. 16. Except in cases specifically indicated in this Pact, a majority vote
of the Council shall be sufficient to make enforceable decisions on the following
matters:

A. Matters relating to personnel.
B. Adoption of the budget of the League.
C. Establishment of the administrative regulations for the Council, the com-
mittees, and the Secretariat General.
D. Decisions to adjourn the sessions.

ART. 17. Each member state of the League shall deposit with the Secretariat-
General one copy of every treaty or agreement concluded or to be concluded in
the future between itself and another member state of the League or a third state.

ART. 18. If a member state contemplates withdrawal from the League, it
shall inform the Council of its intention one year before such withdrawal is to
go into effect.
The Council of the League may consider any state which fails to fulfill its obligations under this Pact as having become separated from the League, this to go into effect upon a unanimous decision of the states, not counting the state concerned.

Art. 19. This Pact may be amended with the consent of two-thirds of the states belonging to the League, especially in order to make firmer and stronger the ties between the member states, to create an Arab Tribunal of Arbitration, and to regulate the relations of the League with any international bodies to be created in the future to guarantee security and peace.

Final action on an amendment cannot be taken prior to the session following the session in which the motion was initiated.

If a state does not accept such an amendment it may withdraw at such time as the amendment goes into effect, without being bound by the provisions of the preceding article.

Art. 20. This Pact and its Annexes shall be ratified according to the basic laws in force among the High Contracting Parties.

The instruments of ratification shall be deposited with the Secretariat-General of the Council and the Pact shall become operative as regards each ratifying state fifteen days after the Secretary-General has received the instruments of ratification from four states.

This Pact has been drawn up in Cairo in the Arabic language on this 8th day of Rabi' II, thirteen hundred and sixty-four (March 22, 1945), in one copy which shall be deposited in the safe keeping of the Secretariat-General.

An identical copy shall be delivered to each state of the League.

[Here follow the signatures]

(1) Annex Regarding Palestine

Since the termination of the last great war the rule of the Ottoman Empire over the Arab countries, among them Palestine, which had become detached from that Empire, has come to an end. She has come to be autonomous, not subordinate to any other state.

The Treaty of Lausanne proclaimed that her future was to be settled by the parties concerned.

However, even though she was as yet unable to control her own affairs, the Covenant of the League (of Nations) in 1919 made provision for a regime based upon recognition of her independence.

Her international existence and independence in the legal sense cannot, therefore, be questioned, any more than could the independence of the other Arab countries.

Although the outward manifestations of this independence have remained obscured for reasons beyond her control, this should not be allowed to interfere with her participation in the work of the Council of the League.

The States signatory to the Pact of the Arab League are therefore of the opinion that, considering the special circumstances of Palestine and until that country can effectively exercise its independence, the Council of the League should take charge of the selection of an Arab representative from Palestine to take part in its work.

(2) Annex Regarding Cooperation With Countries Which Are Not Members of the Council of the League
 Whereas the member states of the League will have to deal in the Council as well as in the committees with matters which will benefit and affect the Arab world at large;

And whereas the Council has to take into account the aspirations of the Arab countries which are not members of the Council and has to work toward their realization;

Now therefore, it particularly behooves the states signatory to the Pact of the Arab League to enjoin the Council of the League, when considering the admission of those countries to participation in the committees referred to in the Pact, that it should do its utmost to cooperate with them, and furthermore, that it should spare no effort to learn their needs and understand their aspirations and hopes; and that it should work thenceforth for their best interests and the safeguarding of their future with all the political means at its disposal

(3) Annex Regarding the Appointment of a Secretary-General of the League

The states signatory to this Pact have agreed to appoint His Excellency Abdul-Rahman 'Assam Bey, to be the Secretary-General of the League of Arab States.

This appointment is made for two years The Council of the League shall hereafter determine the new regulations for the Secretariat-General.

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**Resolution on the Partition of Palestine: United Nations General Assembly**

**November 29, 1947**

_The General Assembly,_

_Having met_ in special session at the request of the mandatory Power to constitute and instruct a special committee to prepare for the consideration of the question of the future government of Palestine at the second regular session;

_Having constituted_ a Special Committee and instructed it to investigate all questions and issues relevant to the problem of Palestine, and to prepare proposals for the solution of the problem, and

_Having received and examined_ the report of the Special Committee (document A/364) including a number of unanimous recommendations and a plan of partition with economic union approved by the majority of the Special Committee,

_Considers_ that the present situation in Palestine is one which is likely to impair the general welfare and friendly relations among nations;

_Takes note_ of the declaration by the mandatory Power that it plans to complete its evacuation of Palestine by 1 August 1948;

_Recommends_ to the United Kingdom, as the mandatory Power for Palestine, and to all other Members of the United Nations the adoption and implementation, with regard to the future government of Palestine, of the Plan of Partition with Economic Union set out below;

_Requests_ that
(a) The Security Council take the necessary measures as provided for in the plan for its implementation;
(b) The Security Council consider if circumstances during the transitional period require such consideration, whether the situation in Palestine constitutes a threat to the peace. If it decides that such a threat exists, and in order to maintain international peace and security, the Security Council should supplement the authorization of the General Assembly by taking measures, under Articles 39 and 41 of the Charter, to empower the United Nations Commission, as provided in this resolution, to exercise in Palestine the functions which are assigned to it by this resolution;
(c) The Security Council determine as a threat to the peace, breach of the peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution;
(d) The Trusteeship Council be informed of the responsibilities envisaged for it in this plan;
Calls upon the inhabitants of Palestine to take such steps as may be necessary on their part to put this plan into effect;
Appeals to all Governments and all peoples to refrain from taking any action which might hamper or delay the carrying out of these recommendations.

PLAN OF PARTITION WITH ECONOMIC UNION

PART I. FUTURE CONSTITUTION AND GOVERNMENT OF PALESTINE

A TERMINATION OF MANDATE, PARTITION AND INDEPENDENCE

1. The Mandate for Palestine shall terminate as soon as possible but in any case not later than 1 August 1948.
2. The armed forces of the mandatory Power shall be progressively withdrawn from Palestine, the withdrawal to be completed as soon as possible but in any case not later than 1 August 1948.

The mandatory Power shall advise the Commission, as far in advance as possible, of its intention to terminate the Mandate and to evacuate each area.

The mandatory Power shall use its best endeavours to ensure that an area situated in the territory of the Jewish State, including a seaport and hinterland adequate to provide facilities for a substantial immigration, shall be evacuated at the earliest possible date and in any event not later than 1 February 1948.

3. Independent Arab and Jewish States and the Special International Regime for the City of Jerusalem, set forth in part III of this plan, shall come into existence in Palestine two months after the evacuation of the armed forces of the mandatory Power has been completed but in any case not later than 1 October 1948. The boundaries of the Arab State, the Jewish State, and the City of Jerusalem shall be as described in parts II and III below.

4. The period between the adoption by the General Assembly of its recommendation on the question of Palestine and the establishment of the independence of the Arab and Jewish States shall be a transitional period.

B. STEPS PREPARATORY TO INDEPENDENCE

1. A Commission shall be set up consisting of one representative of each of five Member States. The Members represented on the Commission shall be elected
by the General Assembly on as broad a basis, geographically and otherwise, as possible

2. The administration of Palestine shall, as the mandatory Power withdraws its armed forces, be progressively turned over to the Commission, which shall act in conformity with the recommendations of the General Assembly, under the guidance of the Security Council. The mandatory Power shall to the fullest possible extent coordinate its plans for withdrawal with the plans of the Commission to take over and administer areas which have been evacuated.

In the discharge of this administrative responsibility the Commission shall have authority to issue necessary regulations and take other measures as required.

The mandatory Power shall not take any action to prevent, obstruct or delay the implementation by the Commission of the measures recommended by the General Assembly.

3. On its arrival in Palestine the Commission shall proceed to carry out measures for the establishment of the frontiers of the Arab and Jewish States and the City of Jerusalem in accordance with the general lines of the recommendations of the General Assembly on the partition of Palestine. Nevertheless, the boundaries as described in part II of this plan are to be modified in such a way that village areas as a rule will not be divided by state boundaries unless pressing reasons make that necessary.

4. The Commission, after consultation with the democratic parties and other public organizations of the Arab and Jewish States, shall select and establish in each State as rapidly as possible a Provisional Council of Government. The activities of both the Arab and Jewish Provisional Councils of Government shall be carried out under the general direction of the Commission.

If by 1 April 1948 a Provisional Council of Government cannot be selected for either of the States, or, if selected, cannot carry out its functions, the Commission shall communicate that fact to the Security Council for such action with respect to that State as the Security Council may deem proper, and to the Secretary-General for the communication to the Members of the United Nations.

5. Subject to the provisions of these recommendations, during the transitional period the Provisional Councils of Government, acting under the Commission, shall have full authority in the areas under their control, including authority over matters of immigration and land regulation.

6. The Provisional Council of Government of each State, acting under the Commission, shall progressively receive from the Commission full responsibility for the administration of that State in the period between the termination of the Mandate and the establishment of the State’s independence.

7. The Commission shall instruct the Provisional Councils of Government of both the Arab and Jewish States, after their formation, to proceed to the establishment of administrative organs of government, central and local.

8. The Provisional Council of Government of each State shall, within the shortest time possible, recruit an armed militia from the residents of that State, sufficient in number to maintain internal order and to prevent frontier clashes.

This armed militia in each State shall, for operational purposes, be under the command of Jewish or Arab officers resident in that State, but general political and military control, including the choice of the militia’s High Command, shall be exercised by the Commission.
9 The Provisional Council of Government of each State shall, not later than two months after the withdrawal of the armed forces of the mandatory Power, hold elections to the Constituent Assembly which shall be conducted on democratic lines.

The election regulations in each State shall be drawn up by the Provisional Council of Government and approved by the Commission. Qualified voters for each State for this election shall be persons over eighteen years of age who are. (a) Palestinian citizens residing in that State and (b) Arabs and Jews residing in the State, although not Palestinian citizens, who, before voting, have signed a notice of intention to become citizens of such State.

Arabs and Jews residing in the City of Jerusalem who have signed a notice of intention to become citizens, the Arabs of the Arab State and the Jews of the Jewish State, shall be entitled to vote in the Arab and Jewish States respectively. Women may vote and be elected to the Constituent Assemblies.

During the transitional period no Jew shall be permitted to establish residence in the area of the proposed Arab State, and no Arab shall be permitted to establish residence in the area of the proposed Jewish State, except by special leave of the Commission.

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. The constitutions of the States shall embody chapters 1 and 2 of the Declaration provided for in section C below and include *inter alia* provisions for:

(a) Establishing in each State a legislative body elected by universal suffrage and by secret ballot on the basis of proportional representation, and an executive body responsible to the legislature;

(b) Settling all international disputes in which the State may be involved by peaceful means in such a manner that international peace and security and justice, are not endangered;

(c) Accepting the obligation of the State to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations;

(d) Guaranteeing to all persons equal and non-discriminatory rights in civil, political, economic and religious matters and the enjoyment of human rights and fundamental freedoms, including freedom of religion, languages, speech and publication, education, assembly and association;

(e) Preserving freedom of transit and visit for all residents and citizens of the other State in Palestine and the City of Jerusalem, subject to considerations of national security, provided that each State shall control residence within its borders.

11. The Commission shall appoint a preparatory economic commission of three members to make whatever arrangements are possible for economic co-operation, with a view to establishing, as soon as practicable, the Economic Union and the Joint Economic Board, as provided in section D below.

12. During the period between the adoption of the recommendations on the question of Palestine by the General Assembly and the termination of the Mandate, the mandatory Power in Palestine shall maintain full responsibility for administration in areas from which it has not withdrawn its armed forces. The
Commission shall assist the mandatory Power in the carrying out of these functions. Similarly, the mandatory Power shall co-operate with the Commission in the execution of its functions.

13. With a view to ensuring that there shall be continuity in the functioning of administrative services and that, on the withdrawal of the armed forces of the mandatory Power, the whole administration shall be in the charge of the Provisional Councils and the Joint Economic Board, respectively, acting under the Commission; there shall be a progressive transfer, from the mandatory Power to the Commission, of responsibility for all the functions of government, including that of maintaining law and order in the areas from which the forces of the mandatory Power have been withdrawn.

14. The Commission shall be guided in its activities by the recommendations of the General Assembly and by such instructions as the Security Council may consider necessary to issue. The measures taken by the Commission, within the recommendations of the General Assembly, shall become immediately effective unless the Commission has previously received contrary instructions from the Security Council.

The Commission shall render periodic monthly progress reports, or more frequently if desirable, to the Security Council.

15. The Commission shall make its final report to the next regular session of the General Assembly and to the Security Council simultaneously.

C DECLARATION

A declaration shall be made to the United Nations by the provisional government of each proposed State before independence. It shall contain inter alia the following clauses:

General provision

The stipulations contained in the declaration are recognized as fundamental laws of the State and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action prevail over them.

Chapter 1

Holy Places, religious buildings and sites

1. Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

2. In so far as Holy Places are concerned, the liberty of access, visit and transit shall be guaranteed, in conformity with existing rights, to all residents and citizens of the other State and of the City of Jerusalem, as well as to aliens, without distinction as to nationality, subject to requirements of national security, public order and decorum.

Similarly, freedom of worship shall be guaranteed in conformity with existing rights, subject to the maintenance of public order and decorum.

3. Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Government that any particular Holy Place, religious building or site is in need of urgent repair, the Government may call upon the community or com-
communities concerned to carry out such repair. The Government may carry it out itself at the expense of the community or communities concerned if no action is taken within a reasonable time.

4. No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the State.

No change in the incidence of such taxation shall be made which would either discriminate between the owners or occupiers of Holy Places, religious buildings or sites, or would place such owners or occupiers in a position less favourable in relation to the general incidence of taxation than existed at the time of the adoption of the Assembly's recommendations.

5. The Governor of the City of Jerusalem shall have the right to determine whether the provisions of the Constitution of the State in relation to Holy Places, religious buildings and sites within the borders of the State and the religious rights appertaining thereto, are being properly applied and respected, and to make decisions on the basis of existing rights in cases of disputes which may arise between the different religious communities or the rites of a religious community with respect to such places, buildings and sites. He shall receive full co-operation and such privileges and immunities as are necessary for the exercise of his functions in the State.

Chapter 2

Religious and minority rights

1. Freedom of conscience and the free exercise of all forms of worship, subject only to the maintenance of public order and morals, shall be ensured to all.

2. No discrimination of any kind shall be made between the inhabitants on the ground of race, religion, language or sex.

3. All persons within the jurisdiction of the State shall be entitled to equal protection of the laws.

4. The family law and personal status of the various minorities and their religious interests, including endowments, shall be respected.

5. Except as may be required for the maintenance of public order and good government, no measure shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

6. The State shall ensure adequate primary and secondary education for the Arab and Jewish minority respectively, in its own language and its cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, which conforming to such educational requirements of a general nature as the State may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

7. No restriction shall be imposed on the free use by any citizen of the state of any language in private intercourse, in commerce in religion, in the Press or in publications of any kind, or at public meetings.¹

¹ The following stipulation shall be added to the declaration concerning the Jewish State: "In the Jewish State adequate facilities shall be given to Arabic-speaking citizens for the use of their language, either orally or in writing, in the legislature, before the Courts and in the administration."
8 No expropriation of land owned by an Arab in the Jewish State (by a Jew in the Arab State) 2 shall be allowed except for public purposes. In all cases of expropriation full compensation as fixed by the Supreme Court shall be paid previous to dispossession.

Chapter 3

Citizenship, international conventions and financial obligations

1. Citizenship Palestinian citizens residing in Palestine outside the City of Jerusalem, as well as Arabs and Jews who, not holding Palestinian citizenship, reside in Palestine outside the City of Jerusalem shall, upon the recognition of independence, become citizens of the State in which they are resident and enjoy full civil and political rights. Persons over the age of eighteen years may opt within one year from the date of recognition of independence of the State in which they reside for citizenship of the other State, providing that no Arab residing in the area of the proposed Arab State shall have the right to opt for citizenship in the proposed Jewish State and no Jew residing in the proposed Jewish State shall have the right to opt for citizenship in the proposed Arab State. The exercise of this right of option will be taken to include the wives and children under eighteen years of age of persons so opting.

Arabs residing in the area of the proposed Jewish State and Jews residing in the area of the proposed Arab State who have signed a notice of intention to opt for citizenship of the other State shall be eligible to vote in the elections to the Constituent Assembly of that State, but not in the elections to the Constituent Assembly of the State in which they reside.

2 International conventions (a) The State shall be bound by all the international agreements and conventions, both general and special, to which Palestine has become a party. Subject to any right of denunciation provided for therein, such agreements and conventions shall be respected by the State throughout the period for which they were concluded.

(b) Any dispute about the applicability and continued validity of international conventions or treaties signed or adhered to by the mandatory Power on behalf of Palestine shall be referred to the International Court of Justice in accordance with the provisions of the Statute of the Court.

3. Financial obligations. (a) The State shall respect and fulfil all financial obligations of whatever nature assumed on behalf of Palestine by the mandatory Power during the exercise of the Mandate and recognized by the State. This provision includes the right of public servants to pensions, compensation or gratuities.

(b) These obligations shall be fulfilled through participation in the Joint Economic Board in respect of those obligations applicable to Palestine as a whole. and individually in respect of those applicable to, and fairly apportionable between, the States.

(c) A Court of Claims, affiliated with the Joint Economic Board, and composed of one member appointed by the United Nations, one representative of the United

2 In the declaration concerning the Arab State, the words "by an Arab in the Jewish State" should be replaced by the words "by a Jew in the Arab State."
Kingdom and one representative of the State concerned, should be established. Any dispute between the United Kingdom and the State respecting claims not recognized by the latter should be referred to that Court.

(d) Commercial concessions granted in respect of any part of Palestine prior to the adoption of the resolution by the General Assembly shall continue to be valid according to their terms, unless modified by agreement between the concession-holder and the State.

**B. Boundaries of the City**

The City of Jerusalem shall include the present municipality of Jerusalem plus the surrounding villages and towns, the most eastern of which shall be Abu Dis; the most southern, Bethelehem, the most western, Ein Karim (including also the built-up area of Motsa); and the most northern Shufat, as indicated on the attached sketch-map (annex B).

**C. Statute of the City**

The Trusteeship Council shall, within five months of the approval of the present plan, elaborate and approve a detailed Statute of the City which shall contain *inter alia* the substance of the following provisions.

1. *Government machinery; special objectives* The Administering Authority in discharging its administrative obligations shall pursue the following special objectives:

   (a) To protect and to preserve the unique spiritual and religious interests located in the city of the three great monotheistic faiths throughout the world, Christian, Jewish and Moslem; to this end to ensure that order and peace, and especially religious peace, reign in Jerusalem.

   (b) To foster co-operation among all the inhabitants of the city in their own interests as well as in order to encourage and support the peaceful development of the mutual relations between the two Palestinian peoples throughout the Holy Land; to promote the security, well-being and any constructive measures of development of the residents, having regard to the special circumstances and customs of the various peoples and communities

2. *Governor and administrative staff* A Governor of the City of Jerusalem shall be appointed by the Trusteeship Council and shall be responsible to it. He shall be selected on the basis of special qualifications and without regard to nationality. He shall not, however, be a citizen of either State in Palestine.

   The Governor shall represent the United Nations in the City and shall exercise on their behalf all powers of administration, including the conduct of external affairs. He shall be assisted by an administrative staff classed as international officers in the meaning of Article 100 of the Charter and chosen whenever practicable from the residents of the city and of the rest of Palestine on a non-discriminatory basis. A detailed plan for the organization of the administration of the city shall be submitted by the Governor to the Trusteeship Council and duly approved by it.

3. *Local autonomy* (a) The existing local autonomous units in the territory of the city (villages, townships and municipalities) shall enjoy wide powers of local government and administration.

   (b) The Governor shall study and submit for the consideration and decision of
the Trusteeship Council a plan for the establishment of special town units consisting, respectively, of the Jewish and Arab sections of new Jerusalem. The new town units shall continue to form part of the present municipality of Jerusalem.

4 Security measures. (a) The City of Jerusalem shall be demilitarized; its neutrality shall be declared and preserved, and no para-military formations, exercises or activities shall be permitted within its borders.

(b) Should the administration of the City of Jerusalem be seriously obstructed or prevented by the non-co-operation or interference of one or more sections of the population, the Governor shall have authority to take such measures as may be necessary to restore the effective functioning of the administration.

(c) To assist in the maintenance of internal law and order and especially for the protection of the Holy Places and religious buildings and sites in the city, the Governor shall organize a special police force of adequate strength, the members of which shall be recruited outside of Palestine. The Governor shall be empowered to direct such budgetary provision as may be necessary for the maintenance of this force.

5 Legislative organization. A Legislative Council, elected by adult residents of the city irrespective of nationality on the basis of universal and secret suffrage and proportional representation, shall have powers of legislation and taxation. No legislative measures shall, however, conflict or interfere with the provisions which will be set forth in the Statute of the City, nor shall any law, regulation, or official action prevail over them. The Statute shall grant to the Governor a right of vetoing bills inconsistent with the provisions referred to in the preceding sentence. It shall also empower him to promulgate temporary ordinances in case the Council fails to adopt in time a bill deemed essential to the normal functioning of the administration.

6 Administration of justice. The Statute shall provide for the establishment of an independent judiciary system, including a court of appeal. All the inhabitants of the City shall be subject to it.

7 Economic union and economic regime. The City of Jerusalem shall be included in the Economic Union of Palestine and be bound by all stipulations of the undertaking and of any treaties issued therefrom, as well as by the decisions of the Joint Economic Board. The headquarters of the Economic Board shall be established in the territory of the City.

The Statute shall provide for the regulation of economic matters not falling within the regime of the Economic Union, on the basis of equal treatment and non-discrimination for all Members of the United Nations and their nationals.

8 Freedom of transit and visit; control of residents. Subject to considerations of security, and of economic welfare as determined by the Governor under the directions of the Trusteeship Council, freedom of entry into, and residence within, the borders of the City shall be guaranteed for the residents or citizens of the Arab and Jewish States. Immigration into, and residence within, the borders of the city for nationals of other States shall be controlled by the Governor under the directions of the Trusteeship Council.

9. Relations with the Arab and Jewish States. Representatives of the Arab and Jewish States shall be accredited to the Governor of the City and charged with the protection of the interests of their States and nationals in connexion with the international administration of the City.

10 Official languages. Arabic and Hebrew shall be the official languages of the
city. This will not preclude the adoption of one or more additional working languages, as may be required.

11. Citizenship All the residents shall become ipso facto citizens of the City of Jerusalem unless they opt for citizenship of the State of which they have been citizens or, if Arabs or Jews, have filed notice of intention to become citizens of the Arab or Jewish State respectively, according to part I, section B, paragraph 9, of this plan.

The Trusteeship Council shall make arrangements for consular protection of the citizens of the City outside its territory.

12 Freedoms of citizens. (a) Subject only to the requirements of public order and morals, the inhabitants of the City shall be ensured the enjoyment of human rights and fundamental freedoms, including freedom of conscience, religion and worship, language, education, speech and Press, assembly and association, and petition.

(b) No discrimination of any kind shall be made between the inhabitants on the grounds of race, religion, language or sex.

(c) All persons within the City shall be entitled to equal protection of the laws.

(d) The family law and personal status of the various persons and communities and their religious interests, including endowments, shall be respected.

(e) Except as may be required for the maintenance of public order and good government, no measures shall be taken to obstruct or interfere with the enterprise of religious or charitable bodies of all faiths or to discriminate against any representative or member of these bodies on the ground of his religion or nationality.

(f) The City shall ensure adequate primary and secondary education for the Arab and Jewish communities respectively, in their own languages and in accordance with their cultural traditions.

The right of each community to maintain its own schools for the education of its own members in its own language, while conforming to such educational requirements of a general nature as the City may impose, shall not be denied or impaired. Foreign educational establishments shall continue their activity on the basis of their existing rights.

(g) No restriction shall be imposed on the free use by any inhabitant of the City of any language in private intercourse, in commerce, in religion, in the Press or in publications of any kind, or at public meetings.

13. Holy Places. (a) Existing rights in respect of Holy Places and religious buildings or sites shall not be denied or impaired.

(b) Free access to the Holy Places and religious buildings or sites and the free exercise of worship shall be secured in conformity with existing rights and subject to the requirements of public order and decorum.

(c) Holy Places and religious buildings or sites shall be preserved. No act shall be permitted which may in any way impair their sacred character. If at any time it appears to the Governor that any particular Holy Place, religious building or site is in need of urgent repair, the Governor may call upon the community or communities concerned to carry out such repairs. The Governor may carry it out himself at the expense of the community or communities concerned if no action is taken within a reasonable time.

(d) No taxation shall be levied in respect of any Holy Place, religious building or site which was exempt from taxation on the date of the creation of the City. No
change in the incidence of such taxation shall be made which would either discrim-
inate between the owners or occupiers of Holy Places, religious buildings or sites, or
would place such owners or occupiers in a position less favourable in relation to the
general incidence of taxation than existed at the time of the adoption of the
Assembly's recommendations

14 Special powers of the Governor in respect of the Holy Places, religious
buildings and sites in the City and in any part of Palestine (a) The protection of
the Holy Places, religious buildings and sites located in the City of Jerusalem shall
be a special concern of the Governor
(b) With relation to such places, buildings and sites in Palestine outside the city,
the Governor shall determine on the ground of powers granted to him by the
Constitutions of both States whether the provisions of the Constitutions of the Arab
and Jewish States in Palestine dealing therewith and the religious rights appertain-
ing thereto are being properly applied and respected
(c) The Governor shall also be empowered to make decisions on the basis of
existing rights in cases of disputes which may arise between the different religious
communities or the rights of a religious community in respect of the Holy Places,
religious buildings and sites in any part of Palestine

In this task he may be assisted by a consultative council of representatives of
different denominations acting in an advisory capacity

D. DURATION OF THE SPECIAL REGIME

The Statute elaborated by the Trusteeship Council on the aforementioned prin-
ciples shall come into force not later than 1 October 1948. It shall remain in force
in the first instance for a period of ten years, unless the Trusteeship Council finds it
necessary to undertake a re-examination of these provisions at an earlier date. After
the expiration of this period the whole scheme shall be subject to re-examination
by the Trusteeship Council in the light of the experience acquired with its function-
ing. The residents of the City shall be then free to express by means of a referen-
dum their wishes as to possible modifications of the regime of the City

PART IV. CAPITULATIONS

States whose nationals have in the past enjoyed in Palestine the privileges and
immunities of foreigners, including the benefits of consular jurisdiction and pro-
tection, as formerly enjoyed by capitulation or usage in the Ottoman Empire, are
invited to renounce any right pertaining to them to the reestablishment of such
privileges and immunities in the proposed Arab and Jewish States and the City of
Jerusalem.
Egyptian-Israeli Armistice Agreement

February 24, 1949

PREAMBLE

The Parties to the present Agreement, responding to the Security Council resolution of 16 November 1948 calling upon them, as a further provisional measure under Article 40 of the Charter of the United Nations and in order to facilitate the transition from the present truce to permanent peace in Palestine, to negotiate an Armistice: having decided to enter into negotiations under United Nations Chairmanship concerning the implementation of the Security Council resolutions of 4 and 16 November 1948; and having appointed representatives empowered to negotiate and conclude an Armistice Agreement;

The undersigned representatives, in the full authority entrusted to them by their respective Governments, have agreed upon the following provisions:

ART. I. With a view to promoting the return to permanent peace in Palestine and in recognition of the importance in this regard of mutual assurances concerning the future military operations of the Parties, the following principles, which shall be fully observed by both Parties during the Armistice, are hereby affirmed:

1. The injunction of the Security Council against resort to military force in the settlement of the Palestine question shall henceforth be scrupulously respected by both Parties

2. No aggressive action by the armed forces—land, sea, or air—of either Party shall be undertaken, planned, or threatened against the people or the armed forces of the other; it being understood that the use of the term "planned" in this context has no bearing on normal staff planning as generally practiced in military organizations.

3. The right of each Party to its security and freedom from fear of attack by the armed forces of the other shall be fully respected.

4. The establishment of an armistice between the armed forces of the two Parties is accepted as an indispensable step toward the liquidation of armed conflict and the restoration of peace in Palestine.

ART. II. 1. In pursuance of the foregoing principles and of the resolutions of the Security Council of 4 and 16 November 1948, a general armistice between the armed forces of the two Parties—land, sea and air—is hereby established.

2. No element of the land, sea or air military or para-military forces of either Party, including non-regular forces, shall commit any warlike or hostile act against the military or para-military forces of the other Party, or against civilians in territory under the control of that Party; or shall advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Line set forth in Article VI of this Agreement except as provided in Article III of this Agreement; and elsewhere shall not violate the international frontier; or enter into or pass through the air
space of the other Party or through the waters within three miles of the coastline of the other Party.

Art. III 1 In pursuance of the Security Council's resolution of 4 November 1948, and with a view to the implementation of the Security Council's resolution of 16 November 1948, the Egyptian Military Forces in the Al Faluja area shall be withdrawn.

2 This withdrawal shall begin on the day after that which follows the signing of this Agreement, at 0500 hours, GMT, and shall be beyond the Egypt-Palestine frontier.

3. The withdrawal shall be under the supervision of the United Nations and in accordance with the Plan of Withdrawal set forth in Annex I to this Agreement.

Art. IV With specific reference to the implementation of the resolutions of the Security Council of 4 and 16 November 1948, the following principles and purposes are affirmed.

1. The principle that no military or political advantage should be gained under the truce ordered by the Security Council is recognized.

2. It is also recognized that the basic purposes and spirit of the Armistice would not be served by the restoration of previously held military positions, changes from those now held other than as specifically provided for in this Agreement, or by the advance of the military forces of either side beyond positions held at the time this Armistice Agreement is signed.

3. It is further recognized that rights, claims or interests of a non-military character in the area of Palestine covered by this Agreement may be asserted by either Party, and that these, by mutual agreement being excluded from the Armistice negotiations, shall be, at the discretion of the Parties, the subject of later settlement. It is emphasized that it is not the purpose of this Agreement to establish, to recognize, to strengthen, or to weaken or nullify, in any way, any territorial, custodial or other rights, claims or interests which may be asserted by either Party in the area of Palestine or any part or locality thereof covered by this Agreement, whether such asserted rights, claims or interests derive from Security Council resolutions, including the resolution of 4 November 1948 and the Memorandum of 13 November 1948 for its implementation, or from any other source. The provisions of this Agreement are dictated exclusively by military considerations and are valid only for the period of the Armistice.

Art. V. 1. The line described in Article VI of this Agreement shall be designated as the Armistice Demarcation Line and is delineated in pursuance of the purpose and intent of the resolutions of the Security Council of 4 and 16 November 1948.

2. The Armistice Demarcation Line is not to be construed in any sense as a political or territorial boundary, and is delineated without prejudice to rights, claims and positions of either Party to the Armistice as regards ultimate settlement of the Palestine question.

3. The basic purpose of the Armistice Demarcation Line is to delineate the line beyond which the armed forces of the respective Parties shall not move except as provided in Article III of this Agreement.

4. Rules and regulations of the armed forces of the Parties, which prohibit civilians from crossing the fighting lines or entering the area between the lines, shall remain in effect after the signing of this Agreement with application to the Armistice Demarcation Line defined in Article VI.
ART. VI. 1. In the GAZA-RAFAH area the Armistice Demarcation Line shall be as delineated in paragraph 2 B (1) of the Memorandum of 13 November 1948 on the implementation of the Security Council resolution of 4 November 1948, namely by a line from the coast at the mouth of the Wadi Hasi in an easterly direction through Deir Suneid and across the Gaza-Al Majdal Highway to a point 3 kilometres east of the Highway, then in a southerly direction parallel to the Gaza-Al Majdal Highway, and continuing thus to the Egyptian frontier.

2. Within this line Egyptian forces shall nowhere advance beyond their present positions, and this shall include Beit Hanun and its surrounding area from which Israeli forces shall be withdrawn to north of the Armistice Demarcation Line, and any other positions within the line delineated in paragraph 1 shall be evacuated by Israeli forces as set forth in paragraph 3.

3. Israeli outposts, each limited to platoon strength, may be maintained in this area at the following points: Deir Suneid, on the north side of the Wadi (MR 10751090); 700 SW of Sa’ad (MR 10500982); Sulphur Quarries (MR 09870924 Tall-Jamma (MR 09720887); and KH AL Ma’in (MR 09320821). The Israeli outpost maintained at the Cemetery (MR 08160723) shall be evacuated on the day after that which follows the signing of this Agreement. The Israeli outpost at Hill 79 (MR 10451017) shall be evacuated not later than four weeks following the day on which this Agreement is signed. Following the evacuation of the above outposts, a new Israeli outpost may be established at MR 08360700, and at a point due east of Hill 79 east of the Armistice Demarcation Line.

4. In the BETHLEHEM-HEBRON area, wherever positions are held by Egyptian forces, the provisions of this Agreement shall apply to the forces of both Parties in each locality, except that the demarcation of the Armistice Line and reciprocal arrangements for withdrawal and reduction of forces shall be undertaken in such manner as may be decided by the Parties, at such time as an Armistice Agreement may be concluded covering military forces in that area other than those of the Parties to this Agreement, or sooner at the will of the Parties.

ART. VII. 1. It is recognized by the Parties to this Agreement that in certain sectors of the total area involved, the proximity of the forces of a third party not covered by this Agreement makes impractical the full application of all provisions of the Agreement to such sectors. For this reason alone, therefore, and pending the conclusion of an Armistice Agreement in place of the existing truce with that third party, the provisions of this Agreement relating to reciprocal reduction and withdrawal of forces shall apply only to the western front and not to the eastern front.

2. The areas comprising the western and eastern fronts shall be as defined by the United Nations Chief of Staff of the Truce Supervision Organization, on the basis of the deployment of forces against each other and past military activity or the future possibility thereof in the area. This definition of the western and eastern fronts is set forth in Annex II of this Agreement.

3. In the area of the western front under Egyptian control, Egyptian defensive forces only may be maintained. All other Egyptian forces shall be withdrawn from this area to a point or points no further east than El Arish-Abou Aoueigila.

4. In the area of the western front under Israeli control, Israeli defensive forces only, which shall be based on the settlements, may be maintained. All other Israeli forces shall be withdrawn from this area to a point or points north of the line de-
Historical Background

Lineated in paragraph 2A of the Memorandum of 13 November 1948 on the implementation of the resolution of the Security Council of 4 November 1948

5. The defensive forces referred to in paragraphs 3 and 4 above shall be as defined in Annex III to this Agreement

**Art. VIII** 1. The area comprising the village of El Auja and vicinity, as defined in paragraph 2 of this Article, shall be demilitarized, and both Egyptian and Israeli forces shall be totally excluded therefrom. The Chairman of the Mixed Armistice Commission established in Article X of this Agreement and United Nations Observers attached to the Commission shall be responsible for ensuring the full implementation of this provision.

2. The area thus demilitarized shall be as follows: From a point on the Egypt-Palestine frontier five (5) kilometres northwest of the intersection of the Rafah-El Auja road and the frontier (MR 08750468), south-east to Khashm El Mamud (MR 09650414), thence south-east to Hill 405 (MR 10780285), thence south-west to a point on the Egypt-Palestine frontier five (5) kilometres south-east of the intersection of the old railway tracks and the frontier (MR 09950145), thence returning north-west along the Egypt-Palestine frontier to the point of origin.

3. On the Egyptian side of the frontier, facing the El Auja area, no Egyptian defensive positions shall be closer to El Auja than El Qouseima and Abou Aoueigila.

4. The road Taba-Qouseima-Auja shall not be employed by any military forces whatsoever for the purpose of entering Palestine.

5. The movement of armed forces of either Party to this Agreement into any part of the area defined in paragraph 2 of this Article, for any purpose, or failure by either Party to respect or fulfil any of the other provisions of this Article, when confirmed by the United Nations representatives, shall constitute a flagrant violation of this Agreement.

**Art. IX** All prisoners of war detained by either Party to this Agreement and belonging to the armed forces, regular or irregular, of the other Party shall be exchanged as follows:

1. The exchange of prisoners of war shall be under United Nations supervision and control throughout. The exchange shall begin within ten days after the signing of this Agreement and shall be completed not later than twenty-one days following. Upon the signing of this Agreement, the Chairman of the Mixed Armistice Commission established in Article X of this Agreement, in consultation with the appropriate military authorities of the Parties, shall formulate a plan for the exchange of prisoners of war within the above period, defining the date and places of exchange and all other relevant details.

2. Prisoners of war against whom a penal prosecution may be pending, as well as those sentenced for crime or other offence, shall be included in this exchange of prisoners.

3. All articles of personal use, valuables, letters, documents, identification marks, and other personal effects of whatever nature, belonging to prisoners of war who are being exchanged, shall be returned to them, or, if they have escaped or died, to the Party to whose armed forces they belonged.

4. All matters not specifically regulated in this Agreement shall be decided in accordance with the principles laid down in the International Convention relating to the Treatment of Prisoners of War, signed at Geneva on 27 July 1929.

5. The Mixed Armistice Commission established in Article X of this Agreement
shall assume responsibility for locating missing persons, whether military or civilian, within the areas controlled by each Party, to facilitate their expeditious exchange. Each Party undertakes to extend to the Commission full co-operation and assistance in the discharge of this function.

**Art. X 1.** The execution of the provisions of this Agreement shall be supervised by a Mixed Armistice Commission composed of seven members, of whom each Party to this Agreement shall designate three, and whose Chairman shall be the United Nations Chief of Staff of the Truce Supervision Organization or a senior officer from the Observer personnel of that Organization designed by him following consultation with both Parties to this Agreement.

2. The Mixed Armistice Commission shall maintain its headquarters at El Auja, and shall hold its meetings at such places and at such times as it may deem necessary for the effective conduct of its work.

3. The Mixed Armistice Commission shall be convened in its first meeting by the United Nations Chief of Staff of the Truce Supervision Organization not later than one week following the signing of this Agreement.

4. Decisions of the Mixed Armistice Commission, to the extent possible, shall be based on the principle of unanimity. In the absence of unanimity, decisions shall be taken by a majority vote of the members of the Commission present and voting. On questions of principle, appeal shall lie to a Special Committee, composed of the United Nations Chief of Staff of the Truce Supervision Organization and one member each of the Egyptian and Israeli Delegations to the Armistice Conference at Rhodes or some other senior officer, whose decisions on all such questions shall be final. If no appeal against a decision of the Commission is filed within one week from the date of said decision, that decision shall be taken as final. Appeals to the Special Committee shall be presented to the United Nations Chief of Staff of the Truce Supervision Organization, who shall convene the Committee at the earliest possible date.

5. The Mixed Armistice Commission shall formulate its own rules of procedure. Meetings shall be held only after due notice to the members by the Chairman. The quorum for its meetings shall be a majority of its members.

6. The Commission shall be empowered to employ Observers, who may be from among the military organizations of the Parties or from the military personnel of the United Nations Truce Supervision Organization, or from both, in such numbers as may be considered essential to the performance of its functions. In the event United Nations Observers should be so employed, they shall remain under the command of the United Nations Chief of Staff of the Truce Supervision Organization. Assignments of a general or special nature given to United Nations Observers attached to the Mixed Armistice Commission shall be subject to approval by the United Nations Chief of Staff or his designated representative on the Commission, whichever is serving as Chairman.

7. Claims or complaints presented by either Party relating to the application of this Agreement shall be referred immediately to the Mixed Armistice Commission through its Chairman. The Commission shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.

8. Where interpretation of the meaning of a particular provision of this Agreement is at issue, the Commission’s interpretation shall prevail, subject to the right
of appeal as provided in paragraph 4. The Commission, in its discretion and as
the need arises, may from time to time recommend to the Parties modifications in
the provisions of this Agreement.

9 The Mixed Armistice Commission shall submit to both Parties reports on its
activities as frequently as it may consider necessary A copy of each such report
shall be presented to the Secretary-General of the United Nations for transmission
to the appropriate organ or agency of the United Nations.

10. Members of the Commission and its Observers shall be accorded such free-
dom of movement and access in the areas covered by this Agreement as the Com-
misson may determine to be necessary, provided that when such decisions of the
Commission are reached by a majority vote United Nations Observers only shall
be employed.

11. The expenses of the Commission, other than those relating to United Nations
Observers, shall be apportioned in equal shares between the two Parties to this
Agreement

Art XI. No provision of this Agreement shall in any way prejudice the rights,
claims and positions of either Party hereto in the ultimate peaceful settlement of
the Palestine question.

Art XII The present Agreement is not subject to ratification and shall come
into force immediately upon being signed.

2 This Agreement, having been negotiated and concluded in pursuance of the
resolution of the Security Council of 16 November 1948 calling for the establish-
ment of an armistice in order to eliminate the threat to the peace in Palestine and
to facilitate the transition from the present truce to permanent peace in Palestine,
shall remain in force until a peaceful settlement between the parties is achieved,
except as provided in paragraph 3 of this Article.

3 The Parties to this Agreement may, by mutual consent, revise this Agreement
or any of its provisions, or may suspend its application, other than Articles I and II,
at any time In the absence of mutual agreement and after this Agreement has
been in effect for one year from the date of its signing, either of the Parties may
call upon the Secretary-General of the United Nations to convene a conference of
representatives of the two Parties for the purpose of reviewing, revising or sus-
pending any of the provisions of this Agreement other than Articles I and II. Par-
ticipation in such conference shall be obligatory upon the Parties.

4. If the conference provided for in paragraph 3 of this Article does not result
in an agreed solution of a point in dispute, either Party may bring the matter
before the Security Council of the United Nations for the relief sought on the
grounds that this Agreement has been concluded in pursuance of Security action
toward the end of achieving peace in Palestine

5 This Agreement supersedes the Egyptian-Israeli General Cease-Fire Agree-
ment entered into by the Parties on 24 January 1949

6. This Agreement is signed in quintuplicate, of which one copy shall be retained
by each Party, two copies communicated to the Secretary-General of the United
Nations for transmission to the Security Council and to the United Nations Con-
ciliation Commission on Palestine, and one copy to the Acting Mediator on
Palestine
The Governments of:
The Hashimite Kingdom of Jordan
The Syrian Republic
The Kingdom of Iraq
The Kingdom of Saudi Arabia
The Lebanese Republic
The Kingdom of Egypt
The Motawakilite Kingdom of Yemen

In view of the desire of the above-mentioned Governments to consolidate relations between the States of the Arab League; to maintain their independence and their mutual heritage, in accordance with the desire of their peoples, to cooperate for the realization of mutual defense and the maintenance of security and peace according to the principles of both the Arab League Pact and the United Nations Charter together with the aims of the said Pacts; and to consolidate stability and security and provide means of welfare and development in the countries.

The following government delegates of . . . . , having been duly accredited and fully authorized by their respective governments, approve the following:

ART. 1. The Contracting States, in an effort to maintain and stabilize peace and security, hereby confirm their desire to settle their international disputes by peaceful means, whether such disputes concern relations among themselves or with other Powers.

ART. 2. The Contracting States consider any (act of) armed aggression made against any one or more of them or their armed forces, to be directed against them all. Therefore, in accordance with the right of self-defense, individually and collectively they undertake to go without delay to the aid of the State or States against which such an act of aggression is made, and immediately to take, individually and collectively, all steps available, including the use of armed force, to repel the aggression and restore security and peace In conformity with Article 6 of the Arab League Pact and Article 51 of the United Nations Charter, the Arab League Council and U. N. Security Council shall be notified of such act of aggression and the means and procedure taken to check it.

ART. 3. At the invitation of any one of the signatories of this Treaty the Contracting States shall hold consultations whenever there are reasonable grounds for the belief that the territorial integrity, independence, or security of any one of the parties is threatened. In the event of the threat of war or the existence of an international emergency, the Contracting States shall immediately proceed to unify their plans and defensive measures, as the situation may demand.

ART. 4. The Contracting States, desiring to implement fully the above obliga-
tions and effectively carry them out, shall cooperate in consolidating and coordinating their armed forces, and shall participate according to their resources and needs in preparing individual and collective means of defense to repulse the said armed aggression

Art. 5 A Permanent Military Commission composed of representatives of the General Staffs of the armies of the Contracting States shall be formed to draw up plans of joint defense and their implementation. The duties of the Permanent Military Commission which are set forth in an Annex attached to this Treaty, include the drafting of necessary reports on the method of cooperation and participation mentioned in Article 4. The Permanent Military Commission shall submit to the Joint Defense Council, provided hereunder in Article 6, reports dealing with questions within its province

Art. 6 A Joint Defense Council under the supervision of the Arab League Council shall be formed to deal with all matters concerning the implementations of the provisions of Articles 2, 3, 4, and 5 of this Treaty. It shall be assisted in the performance of its task by the Permanent Military Commission referred to in Article 5. The Joint Defense Council shall consist of the Foreign Ministers and the Defense Ministers of the Contracting States or their representatives. Decisions taken by a two-thirds majority shall be binding on all the Contracting States.

Art. 7 The Contracting States, in order to fulfill the aims of this Treaty, and to bring about security and prosperity in the Arab countries, and in an effort to raise the standard of living in them, undertake to cooperate in the development of their economies and the exploitation of their natural resources; to facilitate the exchange of their respective agricultural and industrial products; and generally to organize and coordinate their economic activities and to conclude the necessary inter-Arab agreements to realize such aims.

Art. 8 An Economic Council consisting of the Ministers in charge of economic affairs, or their representatives if necessary, shall be formed by the Contracting States to submit recommendations for the realization of all such aims as are set forth in the previous article. The Council may, in the performance of its duties, seek the cooperation of the Committee for Financial and Economic Affairs referred to in Article 4 of the Arab League Pact.

Art. 9 The Annex to this Treaty shall be considered an integral and indivisible part of it.

Art. 10 The Contracting States undertake to conclude no international agreements which may be contradictory to the provisions of this Treaty, nor to act, in their international relations, in a way which may be contrary to the aims of this Treaty.

Art. 11 No provision of this Treaty shall in any way affect, or is intended to affect any of the rights or obligations devolving upon the Contracting States from the United Nations Charter or the responsibilities borne by the United Nations Security Council for the maintenance of international peace and security.

Art. 12 After a lapse of 10 years from the date of the ratification of this Treaty any one of the Contracting States may withdraw from it, providing 12 months' notice is previously given to the Secretariat-General of the Arab League. The Secretariat-General of the League shall inform the other Contracting States of such notice.

Art. 13. This Treaty shall be ratified by each Contracting State according to
the constitutional procedure of its own government. The Treaty shall come into force for the ratifying States 15 days after the receipt by the Secretariat-General of the instruments of ratification from at least four States. This Treaty is drafted in Arabic in Cairo on April 13, 1950. One signed copy shall be deposited with the Secretariat-General of the Arab League; equally authentic copies shall be transmitted to each of the Contracting States.

MILITARY ANNEX

1. The Permanent Military Commission provided for in Article 5 of the Joint Defense and Economic Cooperation Treaty between the States of the Arab League, shall undertake the following:

   (a) in cooperation with the Joint Defense Council, to prepare plans to deal with all anticipated dangers or armed aggression that may be launched against one or more of the Contracting States or their armed forces, such plans to be based on the principles determined by the Joint Defense Council;
   (b) to submit proposals for the organization of the forces of the Contracting States, stipulating the minimum force for each in accordance with military exigencies and the potentialities of each State;
   (c) to submit proposals for increasing the effectiveness of the forces of the Contracting States so far as their equipment, organization, and training are concerned; so that they may keep pace with modern military methods and development; and for the unification and coordination of all such forces;
   (d) to submit proposals for the exploitation of natural, agricultural, industrial, and other resources of all Contracting States in favor of the Inter-Arab military effort and joint defense;
   (e) to organize the exchange of training missions between the Contracting States for the preparation of plans, participation in military exercises and maneuvers and the study of their results, recommendations for the improvement of methods to ensure close cooperation in the field, and for the general improvement of the forces of all the Contracting States;
   (f) to prepare the necessary data on the resources and military potentialities of each of the Contracting States and the part to be played by the forces of each in the joint military effort;
   (g) to discuss the facilities and various contributions which each of the Contracting States, in conformity with the provisions of this Treaty, might be asked to provide, during a state of war, on behalf of the armies of such other Contracting States as might be operating on its territory.

2. The Permanent Military Commission may form temporary or permanent subcommittees from among its own members to deal with any of the matters falling within its jurisdiction. It may also seek the advice of any experts whose views on certain questions are deemed necessary.

3. The Permanent Military Commission shall submit detailed reports on the results of its activities and studies to the Joint Defense Council provided for in Article 6 of this Treaty, as well as an annual report giving full particulars of its work and studies during the year.

4. The Permanent Military Commission shall establish its headquarters in Cairo.
but may hold meetings in any other place the Commission may specify. The Com-
m ission shall elect its Chairman for two years, he may be reelected. Candidates for
the Chairmanship shall hold at least the rank of a high commanding officer. Each
member of the Commission must have as his original nationality that of the Con-
tracting State he represents.
5 In the event of war, the supreme command of the joint forces shall be entrusted
to the Contracting State possessing the largest military force taking actual part in
field operations, unless, by unanimous agreement, the Commander-in-Chief shall
be assisted in directing military operations by a Joint Staff.

The Tripartite Declaration:
France, United Kingdom, United States

May 25, 1950

"1. The three Governments recognize that the Arab States and Israel all need
to maintain a certain level of armed forces for the purposes of assuring their
internal security and their legitimate self-defence and to permit them to play their
part in the defence of the area as a whole. All applications for arms or war material
for these countries will be considered in the light of these principles. In this con-
nection the three Governments wish to recall and reaffirm the terms of the state-
ments made by their representatives on the Security Council on 4th August, 1949,
in which they declared their opposition to the development of an arms race between
the Arab States and Israel.
2. The three Governments declare that assurances have been received from all
the States in question to which they permit arms to be supplied from their coun-
tries that the purchasing State does not intend to undertake any act of aggression
against any other State. Similar assurances will be requested from any other States
in the area to which they permit arms to be supplied in the future.
3. The three Governments take this opportunity of declaring their deep interest
in and their desire to promote the establishment and maintenance of peace and
stability in the area, and their unalterable opposition to the use of force or threat
of force between any of the States in that area. The three Governments, should
they find that any of these States was preparing to violate frontiers or armistice
lines, would, consistently with their obligations as members of the United Nations,
immediately take action, both within and outside the United Nations, to prevent
such violation."

Assurances in the terms of paragraph 2 of the statement were received by the
United Kingdom from Egypt, Jordan, Iraq and Saudi Arabia; by the United States
from Egypt, Saudi Arabia, Israel and Syria, and by France from Syria and the
Lebanon.
ART. 1 With a view to arranging the enforcement of the law of 24th and 29th Esfand, 1329 (15th and 20th March, 1951), concerning the nationalisation of the oil industry throughout Persia, a mixed board composed of five Senators and five Deputies elected by either of the two Houses and of the Minister of Finance or his Deputy shall be formed.

ART. 2. The Government is bound to dispossess at once the former Anglo-Iranian Oil Company under the supervision of the mixed board. If the Company refuses to hand over at once on the grounds of existing claims on the Government, the Government can, by mutual agreement, deposit in the Bank Milli Iran or in any other bank up to 25 per cent. of current revenue from the oil after deduction of exploitation expenses in order to meet the probable claims of the Company.

ART. 3. The Government is bound to examine the rightful claims of the Government as well as the rightful claims of the Company under the supervision of the mixed board and to submit its suggestions to the two Houses of Parliament in order that the same may be implemented after approval by the two Houses.

ART. 4. Inasmuch as the nationalisation of the oil industry was also approved by the Senate on 29th Esfand (20th March, 1951) and inasmuch as all income from oil and oil products are the established property of the Persian nation the Government is bound to audit the Company's accounts under the supervision of the mixed board which must also closely supervise exploitation as from the date of the implementation of this law until the appointment of an executive body.

ART. 5. The mixed board must draw up, as soon as possible, the statute of the National Oil Company in which provision is to be made for the setting up of an executive body and a supervisory body of experts, and must submit the same to the two Houses for approval.

ART. 6. For the gradual replacement of foreign experts by Persian experts the mixed board is bound to draw up regulations for sending, after competitive examinations, a number of students each year to foreign countries to undertake study in the various branches of required knowledge and gain experience in oil industries. The said regulations to be carried out by the Ministry of Education after the approval of the Council of Ministers. The expenses connected with the study of such students shall be met out of oil revenues.

ART. 7. All purchasers of products derived from the wells taken back from the former Anglo-Iranian Oil Company can in future buy annually the same quantity of oil they used to buy annually from the Company from the beginning of the Christian year 1948 up to 29th Esfand, 1329 (20th March, 1951), at a reasonable international price. For any surplus quantity they shall have priority in the event of equal terms of purchase being offered.
ART. 8 All proposals formulated by the mixed board for the approval of the Majlis and submission to the Majlis must be sent to the Oil Commission.

ART 9 The mixed board must finish its work within three months as from the date of approval of this law and must submit the report of its activities to the Majlis in accordance with Article 8. In the event of requiring an extension it must apply, giving valid reasons, for such extension. Whilst, however, the extension is before the two Houses for approval the mixed board can continue its functions.

From Agreement on Suez Canal Base: United Kingdom and Egypt

October 19, 1954

ART 1. Her Majesty's Forces shall be completely withdrawn from Egyptian Territory in accordance with the Schedule set forth in Part A of Annex I within a period of twenty months from the date of signature of the present Agreement.

ART 2. The Government of the United Kingdom declare that the Treaty of Alliance signed in London on 26th August, 1936, with the Agreed Minute, Exchanged Notes, Convention concerning the immunities and privileges enjoyed by the British Forces in Egypt and all other subsidiary agreements, is terminated.

ART 3. Parts of the present Suez Canal Base, which are listed in Appendix A to Annex II, shall be kept in efficient working order and capable of immediate use in accordance with the provisions of Article 4 of the present Agreement. To this end they shall be organized in accordance with the provisions of Annex II.

ART 4. In the event of an armed attack by an outside Power on any country which at the date of signature of the present Agreement is a party to the Treaty of Joint Defence between Arab League States, signed in Cairo on 13th April, 1950, or on Turkey, Egypt shall afford to the United Kingdom such facilities as may be necessary in order to place the Base on a war footing and to operate it effectively. These facilities shall include the use of Egyptian ports within the limits of what is strictly indispensable for the above-mentioned purposes.

ART 5. In the event of the return of British Forces to the Suez Canal Base area in accordance with the provisions of Article 4, these forces shall withdraw immediately upon the cessation of the hostilities referred to in that Article.

ART 6. In the event of a threat of an armed attack by an outside power on any country which at the date of signature of the present Agreement is a party to the Treaty of Joint Defence between Arab League States, or on Turkey, there shall be immediate consultation between Egypt and the United Kingdom.

ART 7. The Government of the Republic of Egypt shall afford over-flying, landing and servicing facilities for notified flights of aircraft under Royal Air Force control. For the clearance of any flights of such aircraft, the Government of the Republic of Egypt shall accord treatment no less favourable than that accorded to the aircraft of any other foreign country with the exception of States parties to the Treaty of Joint Defence between Arab League States. The landing
and servicing facilities mentioned above shall be afforded at Egyptian airfields in
the Suez Canal Base area.

ART. 8. The two Contracting Governments recognize that the Suez Maritime
Canal, which is an integral part of Egypt, is a waterway economically, commerci-
cially and strategically of international importance, and express the determination to
uphold the Convention guaranteeing the freedom of navigation of the Canal
signed at Constantinople on 29th October, 1888.

ART. 9. (a) The United Kingdom is accorded the right to move any British
equipment into or out of the Base at its discretion.

(b) There shall be no increase above the level of supplies as agreed upon in
Part C of Annex II without the consent of the Government of the Republic of
Egypt.

ART. 10. The present Agreement does not affect and shall not be interpreted as
affecting in any way the rights and obligations of the parties under the Charter of
the United Nations.

ART. 11 The Annexes and Appendices to the present Agreement shall be con-
sidered as an integral part of it.

ART. 12 (a) The present Agreement shall remain in force for the period of
seven years from the date of its signature.

(b) During the last twelve months of that period the two Contracting Govern-
ments shall consult together to decide on such arrangements as may be necessary
upon the termination of the Agreement.

(c) Unless both the Contracting Governments agree upon any extension of the
Agreement it shall terminate seven years after the date of signature and the Gov-
ernment of the United Kingdom shall take away or dispose of their property then
remaining in the Base.

ART. 13 The present Agreement shall have effect as though it had come into
force on the date of signature. Instruments of ratification shall be exchanged in
Cairo as soon as possible.

From “The Baghdad Pact”:
Iraq and Turkey

February 24, 1955

ART. 1. Consistent with Article 51 of the United Nations Charter, the high
contracting parties will co-operate for their security and defence. Such measures as
they agree to take to give effect to this co-operation may form the subject of special
agreements with each other.

ART. 2. In order to ensure the realization and effect application of the co-opera-
tion provided for in Article 1 above, the competent authorities of the high con-
tracting parties will determine the measures to be taken as soon as the present
pact enters into force. These measures will become operative as soon as they have
been approved by the Governments of the high contracting parties.
ART 3 The high contracting parties undertake to refrain from any interference whatsoever in each others' affairs. They will settle any disputes between themselves in a peaceful way in accordance with the United Nations Charter.

ART 4 The high contracting parties declare that the dispositions of the present pact are not in contradiction with any of the international obligations contracted by either of them with any third State or States. They do not derogate from, and cannot be interpreted as derogating from, the said international obligations. The high contracting parties undertake not to enter into any international obligation incompatible with the present pact.

ART. 5 This pact shall be open for accession to any member State of the Arab League or any other State actively concerned with the security and peace in this region and which is fully recognized by both of the high contracting parties. Accession shall come into force from the date on which the instrument of accession of the State concerned is deposited with the Ministry of Foreign Affairs of Iraq. Any acceding State party to the present pact may conclude special agreements in accordance with Article 1, with one or more States parties to the present pact. The competent authorities of any acceding State may determine measures in accordance with Article 2. These measures will become operative as soon as they have been approved by the Governments of the parties concerned.

ART. 6. A permanent council at ministerial level will be set up to function within the framework of the purposes of this pact when at least four Powers become parties to the pact. The council will draw up its own rules of procedure.

ART 7. This pact remains in force for a period of five years renewable for other five-year periods. Any contracting party may withdraw from the pact by notifying the other parties in writing of its desire to do so, six months before the expiration of any of the above mentioned periods, in which case the pact remains valid for the other parties.

[In an exchange of letters, the Parties placed on record their understanding that "this pact will enable our two countries to co-operate in resisting any aggression directed against either of them and that, in order to ensure the maintenance of peace and security in the Middle East region, we have agreed to work in close co-operation for effecting the carrying out of the United Nations resolutions concerning Palestine Great Britain, Pakistan, and Iran joined the Pact under Article 5 "]

17

Egyptian Agreement with Czechoslovakia for the Purchase of Arms: Prime Minister Gamal Abdul Nasser

September 27, 1955

My Brothers,

I am glad today to see this exhibition which the armed forces have set up to show the extent of progress and development which the army has made.

I am glad also to speak to you today for I now recall my last talk to the men of the armed forces some months ago. I remember also that I spoke then to thou-
sands of officers. Now I see them amongst us I see them carrying out their duty on the frontiers of our homeland for the safety of our country and for the glory of our country.

When I speak to you now, my brothers, I speak to all the men of the armed forces, I speak to all the men of the fatherland, I speak to Egypt—Egypt which revolted on July 23, 1952—Egypt which placed its faith in the goals of this Revolution; Egypt which was determined to achieve these goals—Egypt which finally threw off the occupation and threw off slavery When I speak to you today, I speak to all Egypt.

My brothers, this is my feeling when I look at the battlefield, and I see the men of the armed forces on guard along the frontiers; when I look at the frontiers of Egypt and see the men of the armed forces standing staunch and firm and faithful, exerting every effort for the safety of this country and its sons

The fifth goal of your Revolution was to set up a strong national army From the beginning of the Revolution you have all exerted every effort to achieve this goal and we have worked with you with all our might and with every means at our disposal. We have worked with you to achieve this goal because to achieve it means liberty; to achieve it means glory; to achieve it means dignity.

My brothers, we met the greatest obstacles—we met many difficulties in achieving our aim. We did everything we could to set up military factories; we did everything we could to provide the army with the heavy armaments it needed; and we did everything we could so that Egypt's army might be a strong national army.

Yes, my brothers, we did a lot.

But there were the greatest difficulties in our way We believed that if we wanted to create such an army for Egypt we had to preserve our freedom We believed that if we wanted to achieve this strong national army for Egypt, we had to become free in our internal and our foreign policies

My brothers, we will never agree that this army be formed at the expense of this country's freedom, or at the expense of this country's glory, or at the expense of this country's dignity. We have always been determined that the formation of this strong national army should go hand in hand with true liberty and with real glory

We have proclaimed Egypt's policy on many occasions We declared that Egypt after the Revolution of July 23 would go forward with its independent policy; it would go forward having rid itself of imperialism; it would go forward having rid itself of domination; and it would go forward having rid itself of foreign influence These were our hopes and these were your hopes We did everything we could to preserve these hopes We did everything we could, my brothers, to preserve these goals—and we were confronted by many obstacles.

You know that heavy weapons are controlled by the big powers. You know that the big powers have never agreed to supply our army with heavy weapons except with conditions and except with stipulations You know that we refused these conditions and these stipulations because we are jealous of our true freedom and we are jealous of our independent policy. We are anxious that Egypt have a strong independent policy so that we may make of Egypt a new independent personality which will really rid itself of imperialism, will really rid itself of occupation, will really rid itself of foreign domination in all its aspects We have been making progress along this path.
Today, my brothers, we hear an outcry from London, we hear an outcry from Washington about the arming of Egypt's troops. But I would like to tell you that throughout the last three years we have tried to get heavy weapons for the army by every means, not for aggressive purposes, not to attack, not to make war, but for defense, for security, for peace.

We wanted to strengthen our army so as to provide security for ourselves, to provide security for our nation, to provide security for our "Arabism." We wanted to get weapons for the army so that we could always feel secure, safe, and tranquil. We never intended to strengthen our army for aggressive purposes. We never intended to strengthen the army for wars. But the army which is the defender and protector of our homeland must always stand prepared to defend the borders and the country's honor. Such is our purpose and this is our goal. We have always declared this throughout the last three years. We do not want arms for aggression. We want arms so that we can be tranquil, so that we feel at peace and not threatened.

Today, my brothers, I sense an outcry here and I sense an outcry there. I sense these outrages now that we have been able to obtain for the army the weapons of which it is in need, without conditions and without restrictions, so as to achieve the goal which this Revolution undertook—that Egypt should have a strong national army to defend its true independence and protect its true freedom.

On this occasion I would like to tell you, my brothers, the story of the arming of our troops. When the Revolution took place we went to each of the states, we went to every quarter to get weapons for the army. We went to Britain; we went to France; we went to America; we went to the rest of the states to get weapons for the army in the interest of peace and defense. What did we get? We got only demands. They wanted to arm the troops after we had signed a document or after we had signed a pact. We declared that even though we had wanted and had decided to arm our troops, we would never sign a document. We were arming our troops in the interest of our freedom, of our independent personality, of our Revolution, of the glory of our country, of Egypt's dignity. We declared that we would not arm our troops at the expense of our freedom.

We requested arms but what was the result? The result, my brothers, is a long and bitter story. I remember now, I remember as I talk to you that we sometimes humiliated ourselves but we never abandoned our principles. We humiliated ourselves when we requested arms—we begged for arms—but at the same time we were determined to hold to our principles and we were determined to preserve our high ideals. And what was the result? Never, my brothers, could we achieve our goal, the greatest goal for which this Revolution was undertaken, the creation of a strong national army.

France always bargained with us. She bargained with us over North Africa. She says to us, "We will give you arms on the condition that you should not criticize our position in North Africa, and on condition that you relinquish your 'Arabism,' that you relinquish your humanitarianism and on condition that you should keep silent and close your eyes when you see the massacres in North Africa."

We said to her, "How can we relinquish our 'Arabism'? How can we give up our humanitarianism? We never can."

France's arms offer to us was always like a sword above our necks. We were always being threatened, my brothers, with the cutting off of arms. We were always
being threatened, my brothers, with the supply of arms to Israel and the cutting off of arms for Egypt. This is the story of France and now I'll tell you the story of America.

From the time of the Revolution we asked for arms and we were promised arms. And what was the result?

The promise was a promise circumscribed with conditions. We would get arms if we signed a mutual security pact. We would get arms if we would sign some form of alliance. We refused to sign a mutual security pact. We refused to sign any form of alliance. And, my brothers, we could never get a single weapon from America.

What was the story of England. England told us that she was ready to supply us arms. We accepted gratefully. What was the result? England provided us with a quantity of arms which was not sufficient to achieve the goals of this Revolution.

What was the result of all this, my brothers? The army opposing us is obtaining arms from various parts of the world. Israel's army has been able to obtain arms from England, France, Belgium, Canada, Italy and from various other states. It can always find someone to supply it arms, while we read in the foreign press—in the British, American or French newspapers—that Israel's army can defeat all the Arab armies combined. It was only last month, my brothers, that I read many articles in that sense, that the Israeli army could defeat Egypt, that the Israeli army could beat the Arabs, that the Israeli army was superior in armament, that the Israeli army was superior in equipment.

This is what they have said in their press and I said to them, since you feel like this why do you prevent us from obtaining arms? I asked them this, and what was the result? France complained about our feelings toward North Africa, and prevented us from obtaining arms.

When we saw this, when we saw this domination, when we saw this influence which was being used against us, we decided to ask all the states of the world to supply us arms without conditions. I told them these arms would not be used for aggression, that they would be used for defense, that we had no aggressive intent, that our intentions were peaceful, that we wanted to have a strong independent army to defend our country and help it to achieve its free and independent goals, that we want to have a strong army not for aggression but for defense.

I said this, my brothers, in the name of Egypt to America, to England, to France, to Russia, to Czechoslovakia and to the rest of the states and I waited for their answers. I waited, and what was the result? I got answers from some of them that I could get arms with conditions. I refused, for I have already told you that although we are ready to humiliate ourselves by asking for arms, we will never abandon our principles.

We received a reply from Czechoslovakia saying that she was prepared to supply arms in accordance with our needs and those of Egypt's army on a commercial basis, the transaction to be considered like any other commercial transaction. We agreed and last week Egypt signed a commercial agreement with Czechoslovakia to supply us arms. This agreement permits Egypt to pay in Egyptian products such as cotton and rice. This offer we gratefully accepted. In this way, my brothers, we achieve one of the goals of the Revolution, the formation of a strong national army.

Today, my brothers, as I talk to you I sense the outcry raised here and there—an outcry in London, an outcry in Washington. These outcries seek to continue to control us, to continue to influence us.
We will fight to destroy this control. We will fight to destroy this influence. We will fight to achieve the goals of the Revolution and we will fight to create a strong national army able to achieve the greatest goals of the Revolution, able to obtain peace. Yes, my brothers, peace—that peace which we proclaimed at Bandung, the peace which we have proclaimed on many occasions.

This army which we create is for the sake of peace. We create it so that we can be secure in our lot, we create it so that Egypt will not be a state of refugees. We create it against aggression, we create it against any territorial designs against our nation's soil.

When I hear someone say that this opens the way for Russian influence or foreign influence in Egypt or the Middle East, I think of the remote past and I say that this commercial agreement without conditions does not open the way for Russian or foreign influence, but, my brothers, it means the eradication of the foreign influence which so long oppressed and dominated us.

My brothers, when we are able to equip our army with the necessary arms without conditions or restrictions, we destroy foreign control—that control which I have felt and which you have felt in the guise of equipping our army and in the guise of providing it with arms. Those who talk to us about foreign influence know that they themselves have no intention of seeing foreign influence wiped out.

We intend to destroy foreign influence. Egypt—indeed, Egypt, revolutionary Egypt, strong Egypt—will never allow foreign influence in her land. They know we will never accept their influence, and their control. They know that Egypt after the Revolution of July 23 has determined to destroy forever foreign influence, foreign oppression and foreign control and to go forward as a free independent power with her own foreign policy, motivated by her own interests and not by the interest of any of the foreign camps.

They know this when they talk of influence for they think that it is their influence which has come to an end in this country—that it is their influence which has gone away forever.

Today we are a free and independent nation. We will fight for our liberty and we will fight for our independence and may God be with us all.

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**Nationalization of the Suez Canal Company:**

**Presidential Decree**

*July 26, 1956*

President of the Republic Order concerning the issuance of Law No. 285 of 1956 on the Nationalization of the Universal Company of the Suez Maritime Canal.

In the Name of the Nation

The President of the Republic,

Considering the two firmans issued on November 30, 1854 and January 5, 1856 (respectively) concerning the preferential rights related to the administration of
the Suez Canal Transit Service and the establishment of an Egyptian joint-stock company to operate it;

and Law No. 129 of 1947 concerning public utility concessions;
and Law No. 317 of 1952 concerning individual labor contracts;
and Law No. 26 of 1954 concerning joint-stock companies, limited partnerships by shares and limited liability companies;
with the advice of the State Council;
has issued the following law:

ART. 1 The Universal Company of the Suez Maritime Canal (Egyptian joint-stock Company) is hereby nationalized. All its assets, rights and obligations are transferred to the Nation and all the organizations and committees that now operate its management are hereby dissolved

Stockholders and holders of founders shares shall be compensated for the ordinary or founders shares they own in accordance with the value of the shares shown in the closing quotations of the Paris Stock Exchange on the day preceding the effective date of the present law.

The payment of said indemnity shall be effected after the Nation has taken delivery of all the assets and properties of the nationalized company.

ART. 2. An independent organization endowed with juristic personality and annexed to the Ministry of Commerce, shall take over the management of the Suez Canal Transit Service. The composition of the organization and the remuneration of its members shall be fixed in an order of the President of the Republic. In so far as managing the Transit Service is concerned the organization shall have all the necessary powers required for the purpose without being restricted by Government regulations and procedures.

Without prejudice to the auditing of its final accounts by the State Audit Department, the organization shall have an independent budget prepared in accordance with the rules in force for commercial concerns. Its financial year shall begin on July 1, and end on June 30 each year. The budget and final accounts shall be approved by an order of the President of the Republic. The first financial year shall begin on the effective date of the present law and end with June 30, 1957.

The organization may delegate one or several of its members to implement its decisions or to discharge any duty assigned to these members.

It may also set up from among its own members of from among other people, a technical committee to assist it in its own research work and studies.

The chairman of the organization shall represent it before the courts, government agencies, and other places, and in its dealings with third parties.

ART. 3. The assets and rights of the nationalized company in the Republic of Egypt and abroad, are hereby frozen. Without specific permission obtained in advance from the organization provided for in Article 2 above, banks, organizations and private persons are hereby prohibited from disposing of those assets or making any payment requested them or due by them.

ART. 4. The organization shall retain all the present officials, employees, and laborers of the nationalized company at their posts; they shall have to continue with the discharge of their duties; no one will be allowed to leave his work or vacate his post in any manner and for any reason whatsoever except with the permission of the organization provided for in Article 2

ART. 5. All violations of the provisions of Article 3 above shall be punished
Historical Background

by imprisonment and a fine equal to three times the value of the amount involved in the offense. All violations of the provisions of Article 4 shall be punished by imprisonment in addition to the forfeiture by the offender of all right to compensation, pension or indemnity.

Art. 6 The present order shall be published in the Official Gazette and shall have the force of law. It shall come into force on the date of its publication. The Minister of Commerce shall issue the necessary administrative orders for its implementation.

It shall bear the Seal of the State and be implemented as one of the State laws.

Given this 18th day of Zul Heggah, 1375 A.H. (July 26, 1956)

Gamal Abdul Nasser

Nationalization Speech: Gamal Abdul Nasser

July 26, 1956

This speech makes reference to a meeting with Mr. Eugene R. Black, president of the International Bank for Reconstruction and Development, with which Egypt had been negotiating for a loan to help finance the construction of a high dam on the Nile at Aswan (translation made from tape recording).

I began to look at Mr. Black sitting in his chair imagining that I was sitting before Ferdinand de Lesseps.

I recalled the words which we used to read. In 1854, Ferdinand de Lesseps arrived in Egypt. He went to Mohammed Said Pasha, the Khedive. He sat beside him and told him: “We want to dig the Suez Canal. This project will greatly benefit you. It is a great project and will bring excellent returns to Egypt.”

While Black was speaking to me, I felt the complexes which his words revived. I was again carried back to Ferdinand de Lesseps.

I told him we have complexes from such matters, and we do not want to see another Cromer governing us again. Loans and interests on these loans have ended in the occupation of our country. I requested him to take this into consideration. We have complexes from de Lesseps and from Cromer, and from political occupation through economic occupation.

That was the picture I had in mind, the picture of De Lesseps who arrived on November 7, 1854. He arrived in Alexandria and began to work cautiously and treacherously. On November 30, 1854, he had already contacted the Khedive and obtained the Concession for the Canal from him. The Concession said: “Our friend De Lesseps has drawn our attention to the benefits which will accrue to Egypt by joining the Mediterranean and the Red Sea by a waterway for the passage of ships. He informed us of the possibility of forming a company for this purpose to comprise the investors of capital. We have approved the idea and have authorised him.
to form and to operate a company for the digging of the Suez Canal and to exploit it between the two seas."

This was in 1854. In 1856, a hundred years ago, a Firman was issued whereby the company was formed Egypt got 44 per cent of the shares and bound herself with certain obligations to De Lesseps The De Lesseps company is a private company! It has nothing to do with governments, domination, occupation or imperialism! De Lesseps told the Khedive, "I am your friend, I have come to benefit you and to dig a canal between the two seas for your advantage"

The Suez Canal Company was formed, and Egypt got 44 per cent of the shares Egypt undertook to supply labour to dig the Canal by corvee, of whom 120,000 died without getting paid We also paid De Lesseps in order that he might give up some concession. We gave up the 15 per cent of the profits which we were supposed to get over and above the profits of our 44 per cent of the shares Thus, contrary to the statements made by De Lesseps to the Khedive in which he said that the Canal was dug for Egypt, Egypt has become the property of the Canal.

Article 16 of the agreement concluded on February 22, 1866, stipulated that in view of the fact that the Suez Canal Company is an Egyptian company, it is subject to the country's laws. [But it has been] subject neither to the country's laws nor its regulations. It considers itself a state within a state. The disputes which arise between Egypt and the Company or between individuals of any nationality are to come before Egyptian courts in accordance with the regulations set forth by the laws of the country. Egyptian courts are competent in giving their verdict with regard to disputes which may come up between the Egyptian government and the company according to Egyptian laws

The result of the words of De Lesseps in 1856, the result of friendship and loans, was the occupation of Egypt in 1882

Egypt then borrowed money What happened? Egypt was obliged, during the reign of Ismail, to sell its 44 per cent of the shares in the company. Immediately, England sent out to purchase the shares It bought them for 4 million pounds. Then, Ismail gave up his 5 per cent of the company's profits against the ceding of some concessions by the Company which were granted to it.

Then Ismail was obliged to pay to Britain the 5 per cent profit which he had relinquished This amounted to over 4 million pounds. In other words, Britain got Egypt's 44 per cent of the Company's shares free. This was the history which took place a century ago.

Is history to repeat itself again with treachery and deceit? Will economic independence... or economic domination and control be the cause of the destruction of our political independence and freedom?

Brothers, it is impossible that history should repeat itself.

Today, we do not repeat what happened in the past. We are eradicating the traces of the past. We are building our country on strong and sound bases.

Whenever we turn backwards, we aim at the eradication of the past evils which brought about our domination, and the vestiges of the past which took place despite ourselves and which were caused by imperialism through treachery and deceit.

Today, the Suez Canal where 120,000 of our sons had lost their lives in digging it by corvee, and for the foundation of which we paid 8 million pounds, has become a state within the state. It has humiliated ministers and cabinets.

This Canal is an Egyptian canal. It is an Egyptian Joint Stock Company. Britain
has forcibly grabbed our rights, our 44 per cent of its shares Britain still collects the profits of these shares from the time of its inauguration until now. All countries and shareholders get their profits. A state within the state, an Egyptian Joint Stock Company.

The income of the Suez Canal Company in 1955 reached 35 million pounds, or 100 million dollars. Of this sum, we, who have lost 120,000 persons, who have died in digging the Canal, take only 1 million pounds or 3 million dollars! This is the Suez Canal Company, which, according to the Firman, was dug for the sake of Egypt and its benefit!

Do you know how much assistance America and Britain were going to offer us ever five years? 70 million dollars. Do you know who takes the 100 million dollars, the Company’s income, every year? They take them of course.

It is no shame that I may be poor and borrow money to build my country. It is no shame that I should attempt to get aid for the sake of my country. But, it is shameful that I suck peoples’ blood and rights.

We shall not repeat the past. We shall eradicate it by restoring our rights in the Suez Canal. This money is ours. This Canal is the property of Egypt because it is an Egyptian Joint Stock Company.

The Canal was dug by Egypt’s sons and 120,000 of them died while working. The Suez Canal Company in Paris is an imposter company. It usurped our concessions.

When De Lesseps came over to Egypt, his arrival was the same as Black who came to Egypt to talk with me. The same action.

But history will never repeat itself. On the contrary, we shall build the High Dam. We shall restore our usurped rights. We shall build the High Dam as we want it. We are determined to do it. 35 million pounds the company gets every year; let Egypt take it. 100 million dollars are collected every year by the company which collects them for the benefit of Egypt. Let it be so, and Egypt will collect the 100 million dollars for the benefit of Egypt.

Thus, today, citizens, when we build the High Dam, we are actually building the dam to defend our dignity, freedom, and pride, and to eradicate humiliation and submission.

Egypt—the whole of Egypt—one national front—one unified and solid front—announces that it will fight to the last drop of its blood. Everyone of its sons will be like Salah Mustafa and Mustafa Hafez. We shall all fight to the last drop of our blood for building our country, for the sake of Egypt. We shall not let war mongers, imperialists or those who trade in human beings dominate us. We shall depend on our hands and on our blood. We are rich, but we were careless. We shall restore these rights. The battle continues. We shall restore these rights step by step. We shall realize everything. We shall build a strong and dignified Egypt, the Arab Egypt.

Therefore, I have signed today the following law which has been approved by the Cabinet: [reads text of decree Doc. 18]

Citizens,

We shall not let imperialists or exploiters dominate us. We shall not let history repeat itself once more. We have gone forward to build a strong Egypt. We go forward towards political and economic independence. We go forward towards national economy for the sake of the whole people. We go forward to work.
 whenever we look behind, we do so to destroy the traces of the past, the traces of slavery, exploitation and domination.

Today, citizens, rights have been restored to their owners. Our right in the Suez Canal have been restored to us after 100 years

Today, we actually achieve true sovereignty, true dignity and true pride The Suez Canal Company was a state within a state. It was an Egyptian Joint Stock Company, relying on imperialism and its stooges.

The Suez Canal was built for the sake of Egypt and for its benefit. But it was a source of exploitation and the draining of wealth.

As I said a short while ago, it is no shame to be poor and to work for the building of my country. But it is shameful to suck blood. They used to suck our blood, our rights and take them.

Today, when we regain our rights. I say in the name of the people of Egypt that we shall defend these rights and shall hold fast. We shall sacrifice our lives and our blood in defending them. We shall make up for the past.

Today, when we build the edifice of our dignity, freedom and pride, we feel that it will not be completely sound until we eradicate domination, humiliation and submission. The Suez Canal constituted an edifice of humiliation.

Today, citizens, the Suez Canal Company has been nationalized. This order has been published in the Official Journal. It has become a matter of fact.

Citizens, today we say our wealth has been restored to us.

Citizens. Today, the Suez Canal income is estimated at 35 million pounds or 100 million dollars per annum or 500 million dollars in five years. We shall not seek the 70 million dollar American aid.

Today, fellow-countrymen, by our sweat, our tears, the souls of our martyrs and the skulls of those who died in 1856, a hundred years ago during the corvee, we are able to develop this country. We shall work, produce and step up production despite all these intrigues and these talks. Whenever I hear talk from Washington, I shall say, "Die of your fury."

We shall build up industry in Egypt and compete with them. They do not want us to become an industrial country so that they can promote the sale of their products and market them in Egypt. I never saw any American aid directed towards industrialization as this would cause us to compete with them. American aid is everywhere directed towards exploitation.

On entering upon the fifth anniversary of the Revolution, as I said at the beginning of my speech, we feel stronger, more resolute and faithful than during the former years.

On embarking upon the fifth year of the Revolution, as Farouk was expelled on July 26, 1952, the Suez Canal Company will depart on the very same day. We are conscious of accomplishing glories and achieving true dignity. Sovereignty in Egypt will belong only to her sons.

We shall march forward united. one nation confident in itself, its motherland and its power, one nation relying on itself in work and in the sacred march towards construction, industrialization and creation. one nation, a solid bloc to hold out treason and aggression and resist imperialism and agents of imperialism.

In this manner, we shall accomplish much and feel dignity and pride and feel
that we are building up our country to suit ourselves . . . We build what we want
and do what we want with nobody to account to
When we obtain our usurped and stolen rights, we shall turn towards strength. We
shall become stronger each year, and, God willing, next year we shall become more
powerful with increased production, work and factories
Now, while I am speaking to you, fellow countrymen, brothers of yours are tak-
ing over the administration and the management of the Canal Company, the
Egyptian Canal Company not the foreign Canal Company. They are taking over
the Canal Company and its facilities for the direction of navigation in the Canal,
the Canal which is situated in the territory of Egypt, cuts through the territory of
Egypt, is a part of Egypt and belongs to Egypt. We now perform this task to
compensate for the past and build up new edifices for pride and dignity.
May God guide you and peace be with you.