

**FURTHER CONSIDERATION OF THE QUESTION OF THE FUTURE GOVERNMENT
OF PALESTINE: PROTECTION OF THE CITY OF JERUSALEM
AND ITS INHABITANTS**

REPORT OF THE TRUSTEESHIP COUNCIL

I. SUMMARY OF PROCEEDINGS

1. The Trusteeship Council, in pursuance of the request of the General Assembly of 26 April to study and report on suitable measures for the protection of Jerusalem and its inhabitants, has considered a French suggestion to send immediately to Jerusalem a United Nations official with powers to recruit, organize, and maintain an international force of 1,000 police.
2. The Council has also considered a United States proposal for placing Jerusalem under temporary Trusteeship with provision for the maintenance of law and order.
3. The Council gave consideration to each of these proposals, in consultation with representatives of the two interested parties and with the Mandatory Power. The Council found it impossible to secure mutual agreement of the interested parties to either proposal.
4. The representative of the Arab Higher Committee declared that his people were opposed to the introduction of any foreign police or troops into Jerusalem or the placing of Jerusalem under Trusteeship. The representative of the Jewish Agency declared that any arrangement proposed should also guarantee free access to Jerusalem and the maintenance of food and water supplies. The Jewish Agency did not consider Trusteeship as a suitable form for an international regime in Jerusalem. The representative of the United Kingdom said that, since the Trusteeship proposal as submitted by the representative of the United States was not acceptable to both Arabs and Jews, he would have to abstain from voting in favour of the proposal.
5. The representatives of Australia and of the Jewish Agency considered that the proper course was to adopt the draft Statute for Jerusalem and as an emergency measure bring into force such portions of it as were applicable in the circumstances. This was not acceptable to the Arab Higher Committee
/for the reason

for the reason that this would amount to a total or partial implementation of the partition scheme, and the Council did not pursue this question.

6. At its forty-fourth meeting on 3 May, the Council was informed by the representative of the Mandatory Power that provision for carrying on the minimum necessary administrative services in Jerusalem after 15 May might be made through the appointment by the High Commissioner of a neutral person, acceptable to both Arabs and Jews, as Special Municipal Commissioner, and that he was advised that existing legislation would retain its effect after the mandate expires. Some members of the Council felt that the task of maintaining law and order in Jerusalem should also be entrusted to the Special Municipal Commissioner, but the representative of the United Kingdom explained that the Jerusalem Municipal Commission Ordinance did not give the Municipal Commissioner any power to maintain law and order in Jerusalem, and that therefore the Special Municipal Commissioner would not have any such powers. Having regard to this, and as the representative of the Arab Higher Committee objected on political grounds to any suggestion that the Special Municipal Commissioner should be entrusted with the function of maintaining law and order, the suggestion that he might undertake this function in addition to his ordinary municipal duties was abandoned.

7. The question of the relationship of the Special Municipal Commissioner to the United Nations was raised; for example it was suggested that he be nominated by the United Nations. No agreement, however, was reached with the representative of the Arab Higher Committee on this question.

8. The Trusteeship Council, while welcoming the information presented by the representative of the Mandatory Power, noted that the suggestion for the appointment of the Special Municipal Commissioner did not provide for the maintenance of law and order.

9. The Trusteeship Council gave its attention continuously to bringing about a truce in the entire municipal area of Jerusalem as a necessary preliminary step.

II. CONCLUSIONS AND RECOMMENDATIONS

1. Following consultations with the Trusteeship Council, the Arab Higher Committee and the Jewish Agency for Palestine ordered on 2 May 1948 within the Walled City of Jerusalem a cease-fire which is now in effect. The two parties have further agreed that the specific terms of a truce in respect of the Walled City will be elaborated in Jerusalem in consultation with the High Commissioner for Palestine.

2. The Trusteeship Council also brings to the notice of the General Assembly the undertakings given by the representatives of the Arab Higher
/Committee

Committee and the Jewish Agency for Palestine that their communities will respect and safeguard all Holy Places.

3. The Trusteeship Council has been informed that the Mandatory Power would be willing, if the General Assembly agrees, to appoint under Palestine legislation before 15 May 1948, a neutral acceptable to both Arabs and Jews, as Special Municipal Commissioner, who shall, with the co-operation of the community committees already existing in Jerusalem, carry out the functions hitherto performed by the Municipal Commission. The Trusteeship Council, therefore, recommends to the General Assembly that it inform the Mandatory Power of its full agreement with such measure.

4. The Council recognizes that the measure hereabove recommended does not provide adequately for the protection of the City and of its inhabitants. It considers also that urgent attention should be given by the General Assembly to the necessity of providing for the custody of the assets of the Government of Palestine in Jerusalem and for an effective maintenance of law and order in the municipal area pending a final settlement.
