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LAND OWNERSHIP IN PALESTINE

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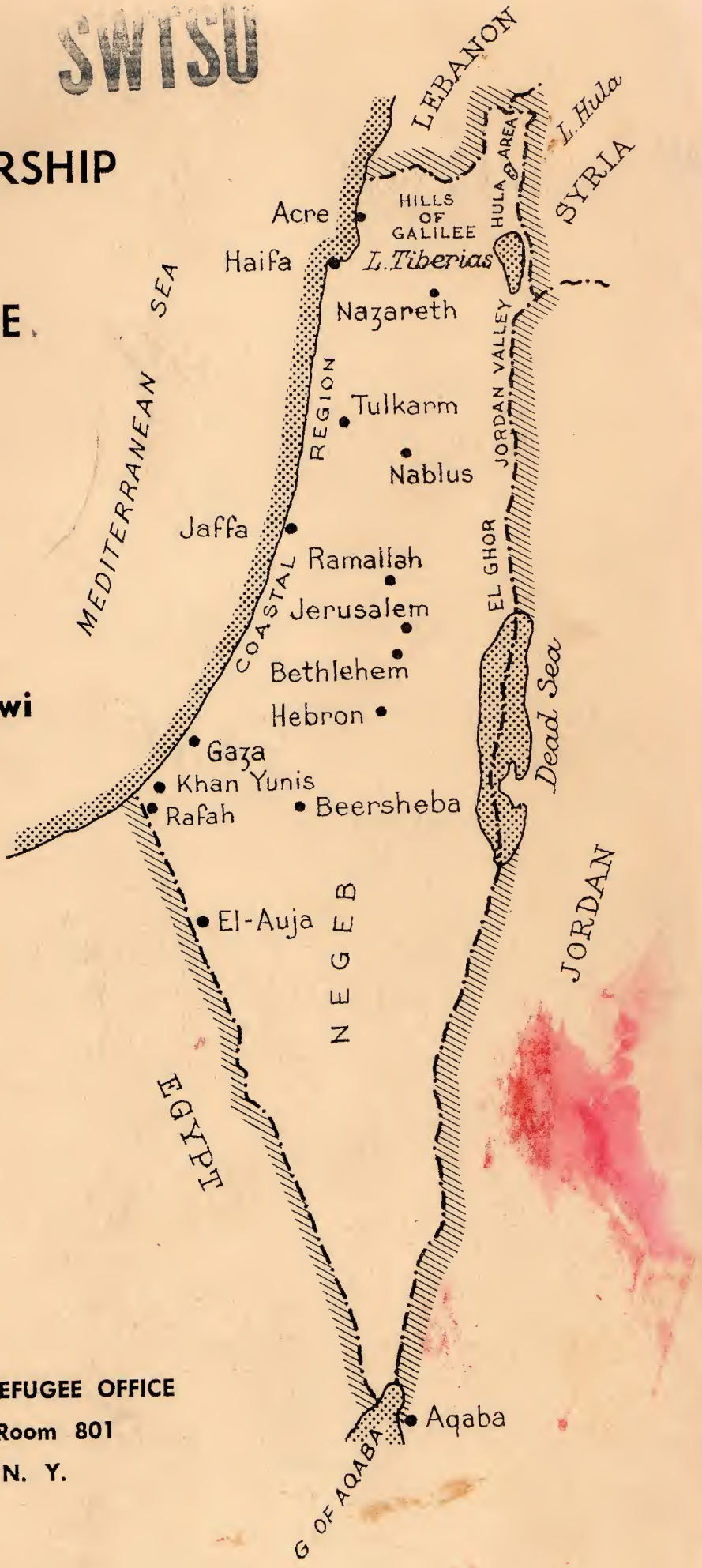
Sami Hadawi



THE PALESTINE ARAB REFUGEE OFFICE
801 2nd Avenue, Room 801
New York 17, N. Y.

LAND OWNERSHIP IN PALESTINE

By

SAMI HADAWI

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Southwest Texas State Teachers College
San Marcos, Texas

THE PALESTINE ARAB REFUGEE OFFICE
801 2nd Avenue, Room 801
New York 17, N. Y.

January 1957

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FOREWORD

Most of the material which has been written about Palestine since the tragedy of 1948, has dealt with the political side of the issue. The Israeli propaganda machine tries to give the impression to the outside world that the Palestine problem is nothing more than a case of a dispute over a country which legally and legitimately belongs to the Jews and which the Arab States covet to annex to their own vast territories. As such, all other problems affecting the rights and interests of the Arab inhabitants of Palestine are of a secondary nature.

The fact that is generally over-shadowed by this Israeli and Zionist propaganda, and which, as a result, has been overlooked by world opinion so far as Palestine is concerned, is that the status of a country as belonging to a particular people is judged by the natural rights of the individuals who have been born and have tilled its soil for generations, rather than governed by political or other considerations.

For the last four decades, Zionist propaganda has given a distorted picture of the situation in the Holy Land. Statements have been made that Palestine was an undeveloped country; that it was sparsely populated by nomad tribes ruled by "feudal lords"; that there was room for Jewish immigration; and that Zionist achievements are able to make "the desert blossom." The effect of this propaganda on the average person has been that many were led to believe that the lands of Palestine legally belong to the Jews and that the Arabs, who had sold their lands at high prices, were now trying to get them back by aggression against Israel.

The aim of the Palestine Arab Refugee Office in New York has been to refute such falsehoods and to place before the American people, the Government, and the United Nations, the true facts about the situation in Palestine from the date of the "Balfour Declaration" until the present deadlock. For that purpose, the Office started with the issue of two pamphlets, the first, called "Tension and Peace in the Middle East," gave an historical background of the Palestine problem and the causes which led to the present crisis; the other is under the title of "Persecution of the Arabs in Israel," setting out from Jewish and Israeli sources the harsh and discriminate treatment meted out to the Arab residents of the Israeli-occupied territory. So much for the political side of the case.

The Office has now gone a step further. It has been observed that much of the material which has been written about land ownership in Palestine has been marred by omissions and distortions of fact, either deliberate or accidental, that we find it will be useful to students of international affairs, to read a factual and accurate account of the geography and demography of the Holy Land.

Mr. Sami Hadawi, the author of this booklet, by reason of his office and experience in the Palestine Government during the period of the Mandate, is considered qualified and able to write on

the subject. He served in the Palestine Government for twenty-eight years. From 1937 to 1948, he was Chief of the Land Taxation Section and Official Valuer for the classification and categorization of rural lands, as well as Chief Inspector of Valuation of property in urban areas. His duties also included responsibility for the compilation and publication of the "Village Statistics" showing Arab and Jewish land ownership in Palestine on which most of the detail in this booklet is based, and had ready access to all government records pertaining to land. After 1948, Mr. Hadawi served in the Government of the Hashemite Kingdom of Jordan as Chief of the Inland Land Revenue Section in the Ministry of Finance, and later held the post of Land Specialist in the United Nations Organization in New York.

It therefore gives me pleasure to introduce to the public this booklet, and it is our sincere hope that the material contained therein will help to meet a need so often expressed by many of our friends and others to understand the truth about the land problems of Palestine which, in a way, cannot be separated from the political issue.

New York
January, 1957

Izzat Tannous
Director
Palestine Arab Refugee Office

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INTRODUCTION

Statements have been made from time to time since the termination of the Mandate in May, 1948, and estimates have been given, of the extent of Arab or Jewish land holdings in Palestine. Some of these statements were a deliberate distortion of fact; others were made by persons whose source of information was either inaccurate or incomplete.

An attempt is made in the following pages to give as accurate an account as possible of the situation, based on Government of Palestine records and statistics.

The Department of Land Settlement of the Government of Palestine, for obvious reasons, maintained and published from time to time, detailed statistical information regarding area ownership of land as between Arabs, Jews, Others, and Government, based on land registry and land taxation records. These publications classified property, by community, in the various categories of land and plantations as categorized for taxation purposes.

The figures of areas set out in the following tables, are based on **Village Statistics,** the last of which was published by the Palestine Government in 1945. Every effort was made to work out as accurate a division as possible between the area allotted to the "Arab State" and the area allotted to the "Jewish State," as resolved under the United Nations Partition Plan of 1947.* The same effort has been made to give as near an estimate as possible of the territory of Palestine now occupied by the Israelis under the Armistice Agreements and those territories which have remained in Arab hands, namely, the West Bank of Jordan, and the Gaza Strip under Egyptian control.

It should be noted that the Armistice lines have not until this date been demarcated on the ground, and therefore the figures given on either side of the lines must be considered as approximate. They are, however, sufficiently accurate for the purpose of this study.

The figures of land holdings as between Arabs and Jews, have been extracted from the urban and rural taxation records. These records embodied all lands the title of which had been decided upon under a proper system of Land Settlement; and where Land Settlement operations had not been completed by the date of the publication of the **Village Statistics,** the records were based on "reputed ownership," that is, those persons who were in actual occupation and liable for the payment of the tax.

The unit of land measurement in Palestine during the period of the Mandate was the "dunum."** For the convenience of those in countries where the standard of measurement is the "acre," dunums have been converted into acres. To return the areas given in these pages to dunums, simply multiply by four.

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* U. N. General Assembly Resolution 181 (II) of 29 November 1947. Official Records, Second Session

** One dunum = 1,000 square metres
4.05 dunums = one acre
1000 dunums = one sq. kilometre
2590 dunums = one sq. mile

I — GEOGRAPHY OF PALESTINE

The territory of Palestine — or the "Holy Land" — lies on the western edge of the continent of Asia, at the eastern extremity of the Mediterranean Sea, between latitude 29°30' and 33°15' N. and longitude 34°15' and 35°40' E. It is bounded on the north by the Republics of Lebanon and Syria, on the west by the Mediterranean Sea, on the south by the Egyptian Province of Sinai, and on the east by the Kingdom of Jordan.

It is about the size of the State of Vermont in the United States, or about one and one-half times the size of Wales in the United Kingdom. It is geographically an integral part of Greater Syria, having no natural frontier on the north; it is separated from the Kingdom of Jordan by the River of that name; and on the south, as in the north, it has no natural border.

Geographically, the country may be divided into seven regions:

a) **The Maritime Plain,** extending north from the Egyptian frontier and terminating at Mount Carmel, just south of the City of Haifa. The northern section of this plain was called the "Plain of Sharon";

b) **The Coastal Plain of Acre,** extending from Mount Carmel north to the promotory of "Ras En-Naqura," on the Lebanese border. The southern section between Mount Carmel and the Arab town of Acre, was known as the "Emek Zevulun";

c) **A broad Plain,** running south-east from Haifa to the Jordan Valley. The western portion of this plain was called the "Plain of Esdraelon";

d) **The Central Range,** comprising the Hills of Judea and Samaria. The south-eastern portion of the Judean Hills, falling away to the Dead Sea, was described as the "Wilderness of Judea";

e) **The Hills of Galilee,** comprising the whole of the north of Palestine except the narrow Plain of Acre and the Jordan Valley;

f) **The Jordan Valley,** extending from the Syrian frontier to the Dead Sea. The northernmost section was considered separately and known as the "Hula Basin";

g) **The Negeb,** an immense triangle with its apex at the Gulf of 'Aqaba on the Red Sea, and constituting nearly half the lands of Palestine.

During the period of the Mandate, the country was divided into six administrative districts which in turn were divided into 16 sub-districts, comprising the following number of towns and villages on the date of the British withdrawal in 1948:

	Towns*	Villages	Total
Wholly Arab	20	841	861
Wholly Jewish	16	207	223
Mixed	4	—	4
German	1	3	4
	41	1051	1092

II — AREA OF PALESTINE

The total **land area** of Palestine was estimated by the British Mandatory Government to be 10,163 square miles. In addition, there is an inland **water area** of 272 square miles, making a **total area** of 10,435 square miles.**

The **water area** is made up of:

a) **Lake Hula,** in the extreme north, with an area of five square miles, 230 feet above mean sea level;

b) **Lake Tiberias** (Sea of Galilee), with an area of 64 square miles, 696 feet below mean sea level;

c) **The Dead Sea,** with a total of 405 square miles, 1,286 feet below mean sea level. The length of the Dead Sea is 51 miles and its breadth is 10 miles. Its maximum depth is 1,310 feet. It has no outlet, its surplus being carried off by evaporation. Half the area of the Dead Sea was considered to be in Palestine, the other half belonging to the Kingdom of Jordan.

The **principal rivers** are:

a) **The River Jordan.** The snows of Mount Hermon in Southern Lebanon and Syria feed the streams which converge above Lake Hula to form the headwaters of the Jordan. The most important source, the Hasbani River in Lebanon, starts from a generous spring at the foot of Mount Hermon at a height of about 3,000 feet above mean sea level. It is joined by a smaller stream, the Bareighit, just above the junction of the waters of the Banyas Wadi and the Dan. At the confluence of these, about seven miles above Lake Hula, the Jordan becomes a river in its own right, passing along and being enlarged by the numerous springs which feed the swamp area*** above the Lake. The total length of the River Jordan is 157 miles.

Between Lake Hula and Lake Tiberias (Sea of Galilee), the River drops 915 feet in a distance of 11 miles and becomes a turbulent stream until it enters Lake Tiberias. After Lake Tiberias, the Jordan falls 591 feet through the Jordan Valley until it reaches the Dead Sea;

* For names, see Appendix A.
** 27,027,023 dunums (2,590 dunums to the square mile)
*** These swamps have now been drained by the Palestine Land Development Co. under a concession granted by the Palestine Government in 1934.

b) **The Yarmuk River**, originates in Syria and enters the River Jordan at "Jisr El-Majami' ", south of Lake Tiberias; it is 25 miles long of which 10 miles run along the eastern boundary of Palestine;

c) **The Kishon (or Muqatta')**, enters the Bay of Acre a short distance east of Haifa, and is eight miles long;

d) **The 'Auja (Yarkon)**, enters the Mediterranean Sea through the Jewish City of Tel-Aviv, and is 16 miles long.

The **Highest Points** in Palestine (above mean sea level) are:

	Height in feet
Jebel Jarmaq (in the Hills of Galilee)	3963
Jebel Heidar (in the Hills of Galilee)	3435
Tel 'Asur (in the Hills of Judea)	3333
Jebel 'Adathir (in the Hills of Galilee)	3301
Mount Ebal (in the Hills of Samaria)	3084
Jebel Gerazim (in the Hills of Samaria)	2890
Mount of Olives (Jebel Et-Tur in Jerusalem)	2710
Mount Tabor (in the Hills of Galilee)	1929

III — NATURE OF SOIL

Palestine was largely an agricultural country. Generally speaking, the country may be divided into four distinct soil zones, namely:

a) The **coastal plains** consisted of first class fertile land with an abundance of underground water and a plentiful rainfall. The territory was highly developed and contained large stretches of citrus groves which made the "Jaffa Orange" famous the world over.

b) The soil of the **hill-country**, on the other hand, varied even within narrow limits, and agriculture was dependent solely on rainfall. Owing to the nature of the terrain, the olive became the principal tree of the country-side, and a large proportion of the existing groves go back as far as the time of the Crusades. Other types of fruit trees also covered the hill-side, prominent amongst these next to the olive was the vine.

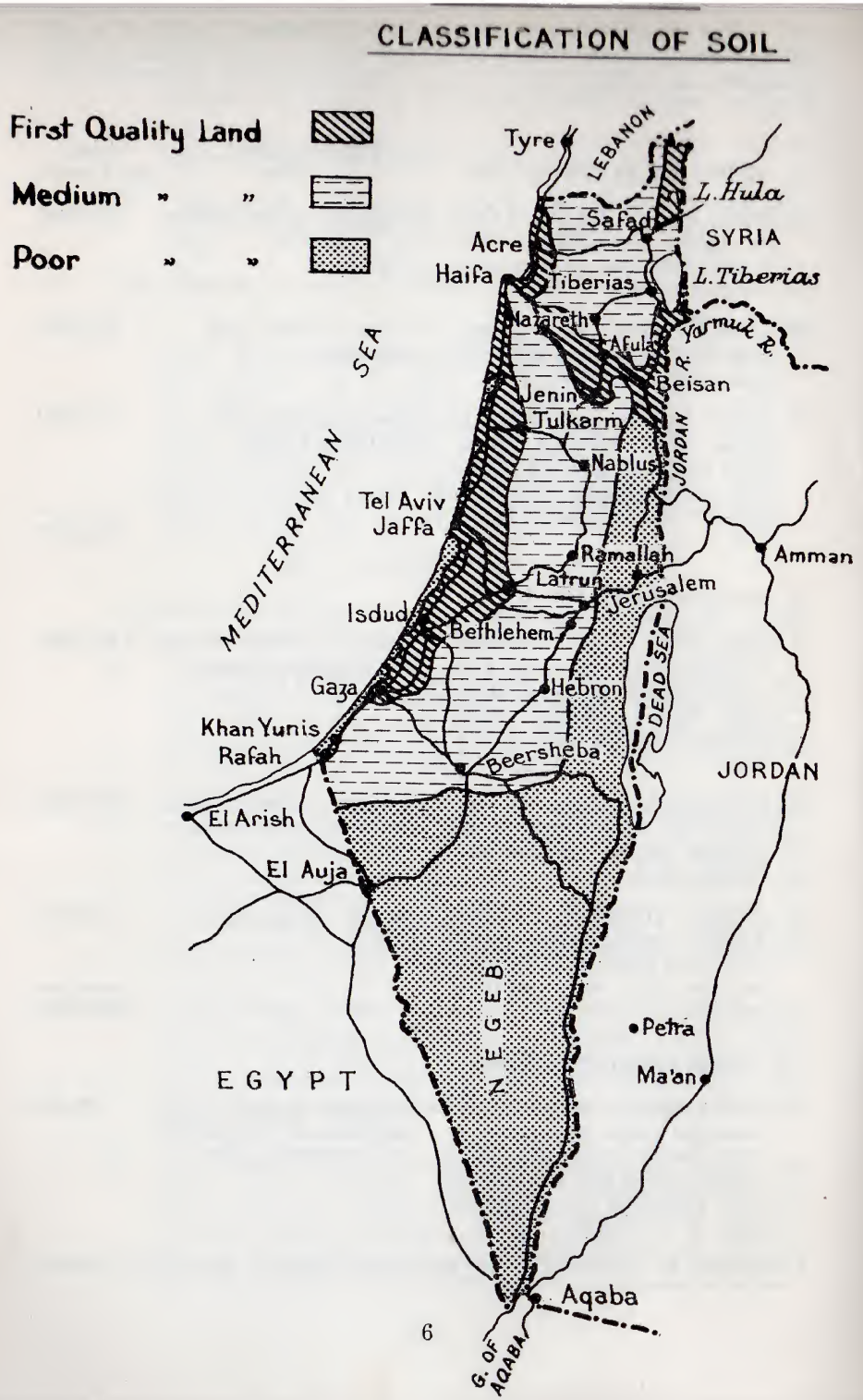
c) In the **Jordan Valley**, below sea-level, cultivation depended on the existence of streams or pumped Jordan River water. The moderate temperature and humidity in the winter produced vegetables and fruits at a time in the year when these commodities were not available in other parts of the country.

d) **The Negeb**, about half the area of Palestine. Except for small regions suitable for patch cultivation and only when there is a sufficient rainfall, the territory consists of deeply eroded uplands and rift valleys. It is unsuited for any form of irrigation scheme because of the nature and topography of the terrain.

The classification of the lands of Palestine, based on a soil survey carried out in 1946 by the Departments of Agriculture, Lands, Irrigation and Statistics for the Anglo-American Committee of Enquiry, was as follows:

	Predominant Use	Area in Acres*
A. GOOD QUALITY LAND		
1. HIGH CLASS LAND. Level or gently undulating, with fertile soils and an adequate water supply.	Intensive citrus, fodder and vegetable cultivation	296,000
2. GOOD LAND, with loamy soils similar to (1), but with lower rainfall.	Citrus, cereals, and vegetables.	206,000
3. GOOD LAND, with deep alluvial soils, suitable for a wide range of ground crops, and where irrigation is available, for intensive farming.	Cereals, fodder, and deciduous fruits.	316,000
		818,000
B. MEDIUM QUALITY LAND		
4. UPLANDS OF LIMESTONE, with steep and terraced slopes, much shallow and rock outcrop, with tracts of deeper soils in valleys.	Cereals, olives, vines and deciduous fruits.	1,230,000
5. UPLANDS, similar to (4) but with more bare rock, steeper slopes and less cultivable land.	Cereals, olives, vines and deciduous fruits.	597,000
6. SEMI - DESERT LOWLAND, with good loess soils, but cultivation limited by low and very variable rainfall.	Barley, wheat and melons.	619,000
		2,446,000
C. POOR QUALITY LAND		
7. LOWLANDS, with limited seasonal crops and grazing, some broken land and some highly saline soil and extensive stretches of cultivable land if irrigated.	Seasonal pasture with patches of irrigation on favourable sites.	106,000

* Calculated by the writer on the basis of the divisions made by the Departments referred to.



8. DRY ERODED HILLS:		
(a) Northern Belt, with sufficient moisture for patches of cultivation where sufficient soil;	Seasonal grazing and patches of cultivation	168,000
(b) Wilderness, with very arid conditions.	Limited seasonal grazing	570,000
9. COASTAL SAND DUNES		86,000
10. SOUTHERN DESERT, OR NEGEB, deeply eroded uplands and southern rift valley.*	Desert with scanty patches of cultivation only when rainfall is sufficient	2,386,000
		3,316,000
Grand Total -		6,580,000

IV — CLIMATE

Palestine has a transitory climate between the Mediterranean and the desert type. The summer is hot but made comfortable in most parts of the country by westerly winds from the Mediterranean. The transitory seasons are characterized by occasional dry and very hot weather, often combined with easterly desiccating winds. The winter is the rainy season lasting approximately from October to April; between December and February is the time of maximal rainfall.

Palestine can be divided into four climatic regions:

a) **The coastal plain** - Warm and moist in summer; mild in winter and tempered by westerly winds from the Mediterranean. Rainfall abundant.

b) **The hills** - Cooler and dryer in summer; cold in winter. Rainfall abundant.

c) **The Jordan Valley** - Hot and dry, without tempering west winds in summer. Moderate in temperature and humidity in the winter. Rainfall scarce.

d) **The Negeb** - The desert to the south from Beersheba to 'Aqaba. Hot and dry in summer; cold and dry in winter. Rainfall poor.

V — DEMOGRAPHY OF PALESTINE

In 1918, when the Allies occupied the country, Palestine had a population of about 700,000 inhabitants, of whom 574,000 were Moslems, 70,000 were Christians and 56,000 were Jews.

* It should be noted that the "irrigation schemes" proclaimed by the Israelis to turn the Negeb into a "rose garden" do not - and could not - irrigate these lands because of the nature of the terrain.

Reliable data, however, on the whole population of Palestine were collected twice during the thirty years of British Administration. The first census of population was taken on October 23rd, 1922, and the second (and last) on November 18th, 1931. The second census was a very detailed one conducted along scientific lines, and gave a complete picture of the demography of the country.

After the census of 1931, regular quarterly and annual estimates of the population, classified by religion, were kept by the Palestine Government Department of Statistics. These estimates were obtained by adding to the figures of 1931 the natural increase and the net migratory increases in the period between the census of 1931 and the year for which the estimate was prepared.

The census of 1931 enumerated all the persons present in Palestine at midnight on November 18th, 1931, irrespective of whether they were residents of the country or not. Residents of the country who happened not to be present in Palestine at the time of the census were not included. This same principle was adopted in the estimates for the period 1932 to 1946.

For various technical reasons, however, the estimates after 1931 diverged from the criterion of the **de facto** population in that two categories of the population enumerated in 1931 were excluded from the current estimates because reliable data on vital occurrences or migrations were not available to the Department of Statistics. These were:

a) Members of the British forces stationed in Palestine, numbering about 2,500 at the census of 1931, were deducted from future estimates; and

b) The 66,553 bedouins of the Beersheba Sub-District, enumerated in 1931, were also excluded.

The following tables illustrate the distribution of the population of Palestine, classified by religion, according to:

Table 1 - The censuses of 1922 and 1931, and as estimated at the end of 1944;

Table 2 - Increase of population of Palestine during the same periods as in **Table 1**;

Table 3 - Estimate of population by race:

(i) As at end of 1944;

(ii) As at end of 1946 - the last period in respect of which an estimate was made by the Government of Palestine; and

(iii) Estimated as on 14th May, 1948, the date the Mandate officially came to an end.

Table 1*

Population of Palestine by Religion

(Excluding British Forces)

	Census 1922	Census 1931	Estimated 1944
Moslems (including nomads)	589,177	759,700	1,061,277
Jews	83,790	174,606	528,702**
Christians	71,464	88,907	135,547
Others	7,617	10,101	14,098
Totals:	752,048	1,033,314	1,739,624

Table 2***

Increase of total population of Palestine

(Excluding British Forces)

	Total	Moslems	Jews	Christians	Others
Population at Census of 1922	752,048	589,177	83,790	71,464	7,617
Estimated population at end of 1944	1,739,624	1,061,277	528,702	135,547	14,098
Total Increase:					
Natural	622,247	453,405	117,226	45,590	6,026
Migratory	365,329	18,695	327,686	18,493	455
	987,576	472,100	444,912	64,083	6,481
%Natural Increase	63	96	26	71	93
%Migratory Increase	37	4	74	29	7
	100	100	100	100	100

* Survey of Palestine 1945-1946, Vol. I, Chapter VI, Table 1, p. 141
** **De facto** revised estimate: 553,600
Note: Difference being illegal immigrants whose entry was later legalized.
*** Survey of Palestine 1945-1946, Vol. I, Chapter VI, Table 3, p. 142

Table 3

Estimate of Population of Palestine

by RACE

	1944*	1946**	May 1948
Arabs	1,179,000	1,293,000	1,380,000
Jews	554,000	608,000	700,000
Others	32,000	35,000	35,000
	1,765,000	1,936,000	2,115,000

(a) The estimated figure of 1,380,000, representing the total Arab population of Palestine as in mid-May 1948, had the expulsion of the inhabitants not taken place, was arrived at by using as a guide the increase of 114,000 in the Arab population which had occurred during the 24-month period of the years 1945 and 1946 and by calculating the estimated increase for the 17.½-month period of 1947 to mid-May 1948. It is realized that this may not be a proper method for the calculation of an increase in population, but the resulting figure, it is considered, is near enough to give an idea of what the Arab population might have been on the 15th of May, 1948, had the Mandate over Palestine not been terminated;

(b) The Government Department of Statistics estimated the Jewish population in July 1947 to have increased to 626,000.*** Jewish sources claimed, however, that the Jewish population at the end of the Mandate was in the neighborhood of 700,000;****

(c) No increase in the estimate of "Others" has been shown because they bear no relation to the present study. In any case, the English civilian population had left the country by May, 1948.

VI — THE LAND PROBLEM*****

The Israelis, on every occasion, in the press, on television, on the radio, in speeches whether in the United Nations or at functions, declare:

"All that we ask of the Arabs is to allow us to live in peace and without interference in our own country, in our homes, and on our own lands."

Until recently, those who listened to such declarations could not but be impressed that the demand was reasonable and just,

* Survey of Palestine 1945-1946, Vol. I, Chapter VI, Table 5, p. 143
** UNSCP Report, Vol. I, Supplement 11, Chapter II, paras. 12-13 & Footnote, p. 11.
*** UNSCP Report, Vol. I, Supplement 11, Chapter VI, Part II, footnote p. 54
**** De facto population on 8 November 1948: 716,000 - Government of Israel Year Book, 1950, Table 2, page 359
***** The statistics in this Chapter are the same as those in **A Nation Uprooted From Its Soil** by Sami Hadawi (Ramallah, Jordan, January 1952) except that areas are calculated according to "acre" instead of "dunum"

and no government or society should be allowed to exist if it denies such rights to a people who legitimately possess them. The wanton invasion of the Sinai peninsula by massed Israeli military units, last October, exploded the myth that Israel was the victim of Arab aggression. The Zionists were not content to "stop Nasser" - whatever that dubious explanation for their attack on Egypt may mean. They were determined to hold Egyptian territories three times the size of the present Israeli-occupied area of Palestine and for which even the pretence of an "historical claim" could not be made.

What is not generally known, however, is the extent to which Israel itself has been fashioned out of lands expropriated from Palestinian Arabs and retained by violence against claims that would be honored by all standards of justice and humanity. It may be safely asserted that the Zionists never "colonized" Palestine. They simply seized it. The magnitude of that terrible expropriation, the means employed to perpetuate it, and the disastrous situation it has inflicted upon hundreds of thousands of Arab men, women and children, is comparable to the most barbarous acts of our times. Once the facts are assessed, the Arab refugee may, in all fairness, turn to world opinion and declare:

"Indeed, all we ask the zionists is to live in our own country, in our own homes, and on our own lands. Kindly judge - not by propaganda but by the facts - on whom the guilt for expropriation and violence must be placed."

When the British forces occupied the Holy Land in 1918, the Jews, who then numbered 56,000 out of a population of 700,000 owned only two percent of the total area of Palestine. During the ensuing thirty years, the Jews purchased additional land bringing their total holdings on the date of the termination of the Mandate on 15th May 1948, to 5.67 per cent of the total land area of the country.

Palestine can be said to have passed through three stages between the period of the "Balfour Declaration" in 1917 and the date of the signing of the Armistice Agreements in 1949. The following three sections indicate the extent of land holdings, by community, and the categories of the soil and plantations as classified for taxation purposes:

A - Palestine, during the period of the Mandate;

B - Palestine, according to the Partition Plan of 1947; and

C - Palestine, as a result of the Armistice Agreements signed between Israel and the Arab States of Egypt, Jordan, Lebanon and Syria.

Land Area according to ownership, is as follows:

	Area (in acres)*	Percentage
Arab individually-owned	3,143,693	47.79%
Jewish-owned	372,925	5.67%
Others	35,512	0.54%
State Domain (registered and recorded)	3,028,625	46.00%
	6,580,755	100.00%

These statistics, however, require certain emendations. To the area clearly owned by Arabs should be added 52,925 acres of citrus groves, other fruit plantations, irrigible land, and cultivable land. These lands, settled, abandoned and resettled in Ottoman times, were held by persons whom the Sultan regarded as his tenants but who maintained with great obstinacy that they had clear and greater rights equivalent to "freehold" tenure. The right of occupation of the Arabs to these lands was derived from the Ottoman Regime prior to 1918 and had never been disputed by the Palestine Government. In fact, prior to the termination of the Mandate, the Government had decided on a policy of transferring title to these lands to the cultivators against the payment of a nominal sum representing the unimproved capital value.

The Jews, on the other hand, "purchased" from individual Arabs an additional 25,232 acres which included "registrations" in the old defective land registers to which they hoped to establish title during the process of land settlement operations. In many cases, however, these Jewish "purchases" could not be located on the ground, and where they could, their areas were inaccurate and unreliable. It should be explained that, **firstly,** Turkish registration of title to land was not based on a survey of the land and was carried out in a very perfunctory manner. Areas were given only approximately, and the description of boundaries usually consisted of the names of adjoining owners, or physical objects, by reference to the four cardinal points; **secondly,** it was soon realized by the people that the land registers furnished the Government with information of value as a basis for taxation and conscription. In consequence, registration was not always sought, and when it was, fictitious figures were given to the Land Registry official, while persons liable to military service often procured registration in the names of nominees. As a result, the land registers at the time of the British occupation were both inaccurate and incomplete.

As regards state domain, or the public lands of Palestine, these include lands varying greatly, not only in physical characteristics, but also in the extent and nature of the ownership and control of Government in them. There were at the end of the Mandate in May, 1948, large areas in which the precise interest of the State had not yet been determined. State domain in Palestine consisted of the following types of property:

* Based on figures in dunums in **Village Statistics 1945**, p. 3. Changes between 1945 and 1948 negligible.

(a) Properties in urban and rural areas in actual permanent occupation of the Government, such as government offices, police buildings, hospitals, schools, post offices, railway yards and premises, agricultural research stations, etc.;

(b) Closed forest areas and areas reserved therefor;

(c) Roads, railway tracks, storm-water beds, marshy lands, and wasteland incapable of growing any vegetation;

(d) Cultivable land over which Government held a nominal title only. It has already been explained that the Arab farmers possessed hereditary cultivation rights over these lands and their occupation was never disputed by the Palestine Government. The Arab cultivators paid to Government an annual rental equivalent to the amount of tax;

(e) Uncultivable land incapable of cultivation by the ordinary Arab means of husbandry, used by the villagers as a whole for grazing and "fuel gathering" purposes. Their registration in the name of "the High Commissioner for the time being in trust for the Government of Palestine" was to protect these lands from private encroachment and to enable improvements to be made in them for the benefit of the village as a whole. Such lands were considered as the "communal" lands of the village;

(f) The uncultivable lands of the Negeb, that immense triangle from a point some five miles south of the town of Beersheba to its apex at the Gulf of 'Aqaba on the Red Sea. This territory of some 2,643,844 acres, which constituted almost half the area of Palestine, had never been surveyed. Some 90,000 nomad tribes roamed the area, cultivating what patches of land they could when the rainfall was sufficient, and grazing their camels and other flocks over the territory from time immemorial to the end of the Mandate without let or hindrance. The rights of these nomad tribes in this vast area were never challenged, and therefore the title of Government to the land as state domain was only "presumed."*

The following schedule shows how state domain was distributed at the end of 1943:**

* Government of Palestine admitted that, pending Land Settlement Operations, it was not possible to assume with certainty that those lands are part of state lands.
See Survey of Palestine 1945-1946. Vol. I, Chapter VIII, Para. 77 p. 256

** Ibid para. 104, p. 267

	Title Settled (acres)	Title "Presumed" (acres)
Lands used for public purposes, e. g. forests, railways, roads, etc.	54,924	154,964
Lands occupied under tenures deriving from the Ottoman Regime	26,335	19,087
Leased to Jews for long periods	18,818	24,953
Leased to Jews for terms of less than 3 years	597	11
Leased to Arabs for long periods	198	107
Leased to Arabs for terms of less than 3 years	4,398	11,233
Leased to others than Arabs or Jews	664	148
Earmarked for communal or public use	1,178	–
Uncultivable sand, marsh, or rocks	41,857	–
Unoccupied, including "paper" claims	–	21,177
Available for and offered on short term lease	5,021	–
	153,990	231,680
	385,670*	

* Excludes the Negeb

Classification of Land

The total land area of 6,580,755 acres referred to earlier, broken into its varied composites, by community, shows:

(a) Palestine (Excluding Negeb)

(Areas in acres)

	Arabs	Jews*	Others	State Domain	Total
Town Areas	15,152	18,655	3,411	3,132	40,350
Roads in Towns	–	–	–	5,559	5,559
Village Built-up Areas	8,382	10,424	317	96	19,219
Citrus**	33,842	34,932	1,229	359a	70,362
Other Fruit Trees	255,652	22,912	2,910	4,541a	286,015
Irrigable Land	7,866	899	–	7,526a	16,291
Cultivable Land	1,135,386	219,155	16,262	57,916a	1,428,719
Non-Cultivable Land	1,203,322	48,261	11,382	93,172b	1,356,137
Forests	–	1,379	–	212,478	213,857
Sub-Total	2,659,602	356,617	35,511	384,779	3,436,509

(b) The Negeb

Town Areas	381	20	1	454	856
Roads in Towns	–	–	–	116	116
Cultivable Land	483,712	16,288	–	–	500,000
Non-cultivable Land	–	–	–	2,643,274c	2,643,274
Sub-total:	484,093	16,308	1	2,643,844	3,144,246
Grand Total:	3,143,695	372,925	35,512	3,028,623	6,580,755
Percentage in relation to total area	47.79%	5.67%	0.54%	46.00%	100.00%

* See map on page 16

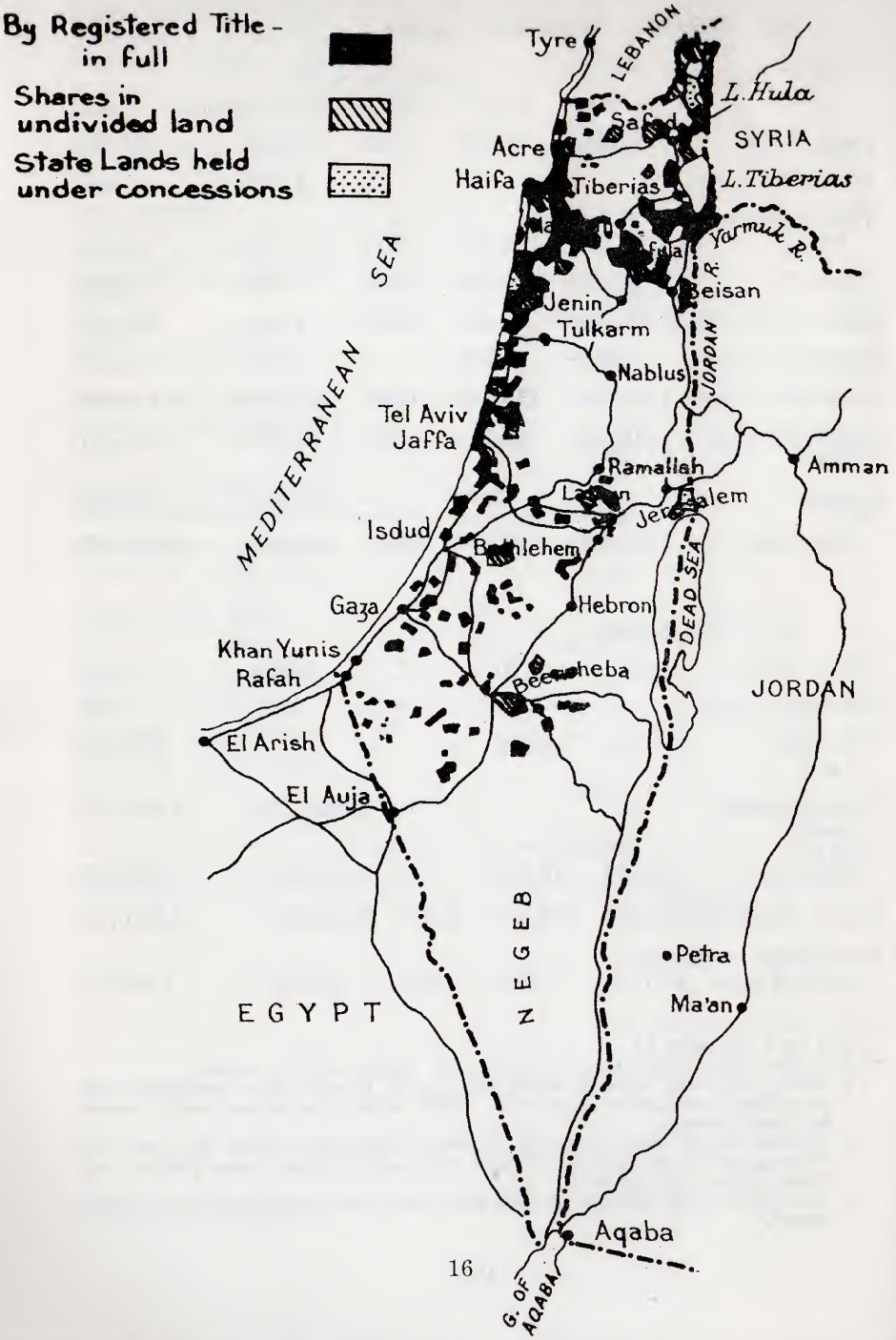
** Excludes citrus plantations in town and village built-up areas.

a Out of this total area of 70,340 acres, Arab farmers have undisputed and hereditary occupation rights over 52,925 acres. Plantations solely owned by Arab farmers.

b Includes 40,960 acres of roads, railways, storm-water beds, etc., and the "Communal" lands of Arab villages over which villgers have grazing and "fuel gathering" rights.

c Government title to this uncultivable area in the Negeb was only "presumed."

LAND IN JEWISH POSSESSION OR OCCUPATION
(MARCH 31ST 1945)



It would be appropriate to explain at this juncture how the area of 1,203,322 acres of "non-cultivable land" appearing under the column of "Arabs" in table (a) above came to be classified as such, particularly in view of the denial by the Israeli authorities of Arab ownership of such land.

The soil of Palestine differed considerably even within the limits of a single village, particularly in the hill regions; and the usage to which certain lands could be put depended largely on the availability of a sufficient rainfall. It was for these reasons that the Government of Palestine decided on as many as sixteen categories of land for the purpose of taxation, while classification was not as rigid as it might have been since it bore no relation to capital value.

Arab methods of cultivation were still primitive, and owing to the hunger for land, especially in the hill regions, the Arabs paid no attention to economic considerations, and could be seen engaged in the cultivation of small patches of soil between the rocks sometimes by means of a pick-axe, or in terracing still smaller pockets and placing olive tree shoots in them in the hope that they will survive. Many village families were able to subsist, though miserably, on such land which, according to Government standards, was classified as "non-cultivable." Non-cultivable land was defined as "land which could not be cultivated by the ordinary means of husbandry" and included land of a low productivity value, that is, land where the costs of production exceeded the gross income. Such lands were generally regarded as belonging to the inhabitants of the village (or clan) as a whole and classified in a non-taxable category. In order to encourage the farmer to improve and develop this type of land, the Palestine tax law provided for the exemption from taxation of improvements for a period of ten years.

It can be safely said that, except in the salty hills and lands in the vicinity of the Dead Sea, there is hardly any land in Palestine which could not be utilized in one way or another as olive orchards or for afforestation. The vast areas of olive orchards and vineyards that can be seen covering the hillsides, sometimes standing in localities barely having any soil, are evidence and a credit to the tenacity and skill of the Palestine Arab farmer. It is significant that the extent of Arab ownership of olive orchards in Palestine was 99 percent.

It is important to note these emendations because, during this period, the Zionists raised an extensive propaganda against restrictions imposed by the Mandatory Government on Jewish land acquistions in certain zones to protect Arab agricultural interests. They accused Government of violating the spirit and purpose of the "Balfour Declaration," and they did not relax their demands that all state lands should be handed over for Jewish colonization. The Government, on the other hand, made it clear that there were no vacant state lands which could be so assigned without prejudicing the rights of the Arab villagers, which, under the terms of the "Balfour Declaration" the British Government was duty bound to protect. Nevertheless, the Zionists persisted in their demands to the last day of the Mandate.

The foregoing gross statistics and the Government's attitude toward Jewish colonization of state lands, clearly establish that the soil of Palestine - even where its specific ownership was in doubt - was Arab soil. To convert it into Jewish soil could only mean the dispossession by one means or another of its hereditary owners. What the gross statistics do not disclose, however, is that the Jews owned a nearly equitable percentage of the best cultivable land in Palestine.* In the statistics of a soil survey of Palestine supplied to the Anglo-American Committee of Enquiry which visited Palestine in 1946, the Government divided the soil of the country into three main categories, namely, **First Quality Land,** comprising the coastal and other plains - 818,000 acres; **Medium Quality Land,** comprising the hilly regions and semi-desert lowlands - 2,446,000 acres; and **Poor Quality Land,** comprising the dry eroded hills of Judea and the deeply eroded uplands and rift valley of the Negeb - 3,316,000 acres. It can be safely said that Jewish holdings were located in the First Quality Land zones while the predominance held by the Arabs in land ownership was due not only to the fact that they comprised the bulk of the population, and especially of the agricultural population, but they also worked inferior lands which Jewish farmers generally disdained.

B - Palestine - According to Partition Plan of 1947

On the 29th of November, 1947, the General Assembly of the United Nations, by a majority vote of one, adopted Resolution 181 (II), providing for the partition of Palestine into two independent states - one Arab and the other Jewish - linked together by an economic union. It also provided for the creation of an international zone of Jerusalem to include Bethlehem and the Holy Places in and around Jerusalem to be administered by the United Nations.

The Partition Plan provided that Palestine was to be divided into six principal parts, three of which were allotted to the "Jewish State" and the other three to the "Arab State." The reason for this extraordinary and unnatural division, was to include within the "Jewish State" all areas owned and inhabited by Jews even though this meant the inclusion of large areas owned and inhabited entirely by Arabs. The "Arab State" on the other hand, was to include the least possible number of Jews and the smallest amount of Jewish property. The result, as will be seen from the following tables, was that more than half the territory of Palestine was allotted to the "Jewish State," including the majority of the most fertile and developed areas, whilst the population of the "Jewish State" was to consist of 498,000 Jews and an Arab minority of 497,000 - a difference of only 1,000.

* In a memorandum on the evidence given to the United Nations Special Committee for Palestine up to 12 July, 1947, the Palestine Government said: "The Jews hold over 15 per cent of the cultivable area of Palestine, mostly on the plains, where the best land lies."

The following tables illustrate the position, size and area ownership of each "State" according to the Partition Plan:

a) Land and Water Surface Area

	Area in Square Miles	Area in Acres*	Percentage
The "Arab State"	4,476	2,897,467	42.88%
The "Jewish State"	5,893	3,815,412	56.47%
Jerusalem - (International Zone)	68	43,876	0.65%
	10,435	6,756,755	100.00%

(see map on page 20)

b) Land Area According to Ownership

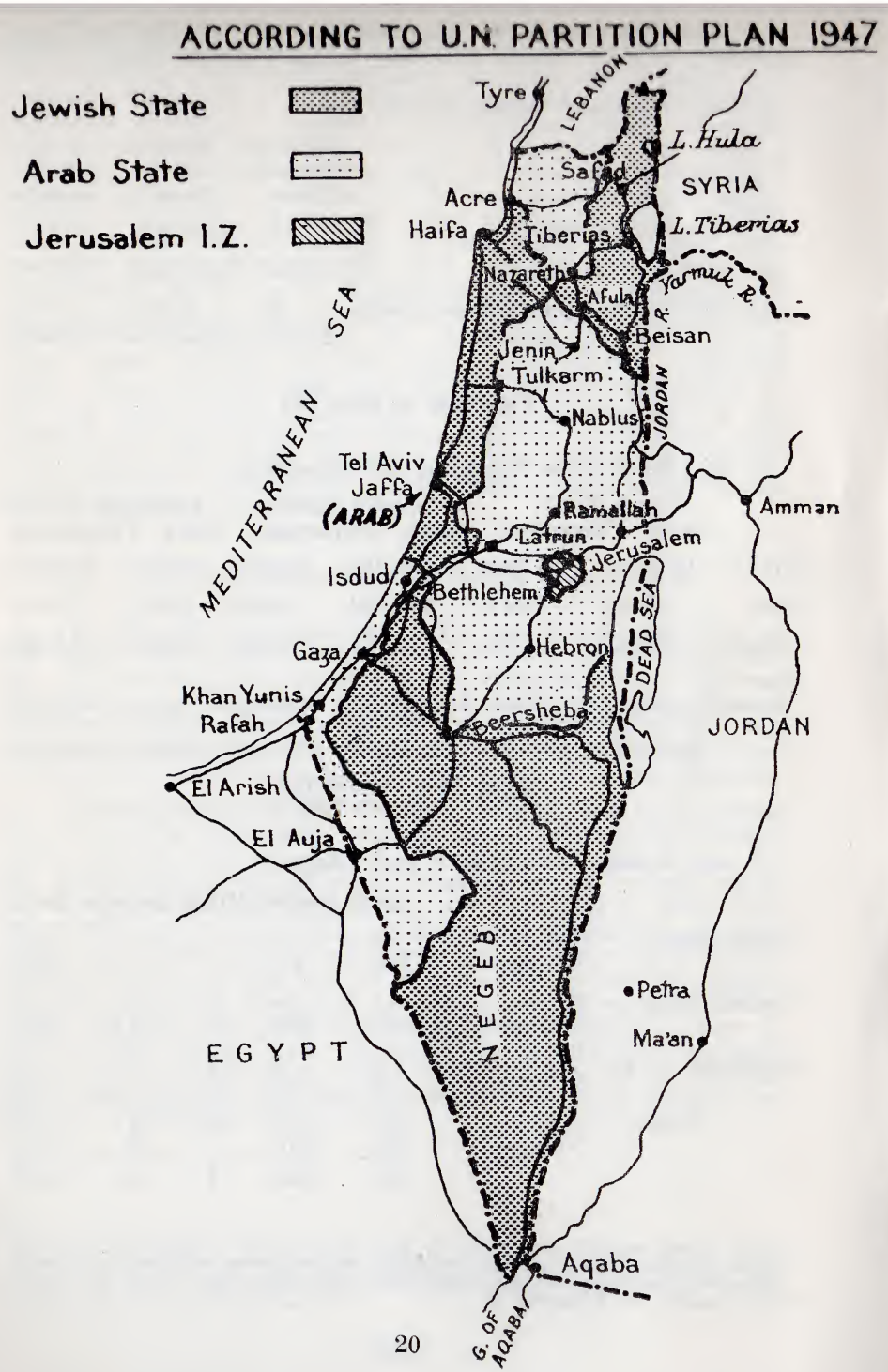
	"Arab State" Acres	Percentage	"Jewish State" Acres	Percentage	Jerusalem (I. Z.) Acres	Percentage
Arabs	2,212,075	77.69%	894,456	24.24%	37,165	84.70%
Jews	23,885	0.84%	345,964	9.38%	3,074	7.01%
Others	20,864	0.73%	12,522	0.34%	2,126	4.85%
State Domain	590,645	20.74%	2,436,469	66.04%	1,510	3.44%
	2,847,469	100.00%	3,689,411	100.00%	43,875	100.00%

Total Area - 6,580,755

c) Number of Towns** and Villages

		Arab	Jewish	Mixed	German	Total
"Arab State" -	Towns	16	1	—	—	17
	Villages	552	22	—	—	574
"Jewish State" -	Towns	1	15	3	1	20
	Villages	272	183	—	3	458
Jerusalem, I. Z.	Towns	3	—	1	—	4
	Villages	17	2	—	—	19
Totals:	Towns	20	16	4	1	41
	Villages	841	207	—	3	1,051
		861	223	4	4	1,092

* Areas calculated from textual description of boundaries indicated in General Assembly Resolution 181 (II) dated 29th November 1947 - Part II.
** For names, see Appendix B



d) Population

The Partition Plan of Palestine as resolved by United Nations Resolution No. 181 (II) dated 29th November, 1947, attempted on the one hand to include within the "Jewish State" the maximum number of the Jewish inhabitants even though that meant the inclusion of large numbers of Arabs, and on the other hand, the inclusion of the least number of Jews in the "Arab State." This pattern of justice resulted in the grant of more than half the area of Palestine to the "Jewish State" and the creation of a minority of 497,000 among a Jewish majority of only 498,000. The "Arab State," however, included only 10,000 Jews and an Arab population of 725,000. The division of the population, had the Partition Plan been put into effect, would have been as follows:*

	Jews	Arabs & Others	Total
"Arab State"	10,000	725,000	735,000
"Jewish State"	498,000	497,000**	995,000
City of Jerusalem	100,000	105,000	205,000
Totals:	608,000	1,327,000	1,935,000

C - Palestine - As a result of the Armistice Agreements.***

On the 15th May, 1948, the Mandate over Palestine came officially to an end and the British troops and Administration moved out of the country. The sporadic Zionist attacks which commenced earlier, were intensified, culminating in the massacre of 250 men, women and children in Deir Yasin on 9th April, 1948, which precipitated the flight of the Moslem and Christian population from areas within range of the Zionist forces. Encouraged by their successes, the Zionists began to attack and occupied the towns of Tiberias and Samakh on 19th April; Haifa on 22nd April; Jaffa on 29th April; Katamon Quarter of Jerusalem on 30th April; Safad on 10th May; Beisan on 11th May; and Acre on 14th May, 1948.

The Arab States came to the rescue of the Moslem and Christian inhabitants of Palestine, entering Palestine soil for the first time after 15th May, 1948. Fighting ensued for a few weeks, but ceased as a result of a cease-fire order issued by the Security Council, after which Count Folke Bernadotte, United Nations Mediator, commenced his efforts to bring about peace between the disputing parties. Count Bernadotte was, however, assassinated by the Zionists as soon as they became aware that his plans for peace included the return of territory acquired beyond the Partition Resolution.

* UNSCP Report, Vol. I, Supplement No. 11, Chapter VI, Part II, Para. 5, p. 54
** Includes 90,000 nomads.
*** Agreements signed between Israel and Egypt on 24th February 1949
Lebanon on 23rd March 1949
Jordan on 3rd April 1949
Syria on 20th July 1949

Open hostilities came to a formal end in 1949 when Armistice Agreements were signed between the Israelis and the Arab States of Egypt, Jordan, Lebanon and Syria. Under these Agreements, the Israelis were permitted to remain in control of the extra territory which they had occupied beyond the territory allotted to the "Jewish State" under the Partition Plan of 1947. The Armistice Agreements declared that the "armistice demarcation lines" then delineated were "dictated exclusively by military considerations," and were "not to be construed in any sense as a political or territorial boundary."*

As a result of the Armistice Agreements, the situation regarding territory and population is now as follows:

a) Land and Water Surface Area

	Area in Square Miles	Area in Acres	Percentage
West Bank of Jordan	2,222	1,438,750	21.30%
Israeli-occupied territory	8,078	5,230,505	77.40%
Gaza Sector	135	87,500	1.30%
	10,435	6,756,755	100.00%

b) Land Area According to Type of Soil

	Israeli-occupied Area (in acres)	West Jordan (in acres)	Gaza (in acres)	Total (in acres)
A - Good Quality	782,000	21,000	15,000	818,000
B - Medium Quality	1,576,000	826,000	44,000	2,446,000
C - Poor Quality				
a) Eroded hills and sand dunes	360,000)			
b) Negeb	2,386,000)			
	2,746,000	542,000	28,000	3,316,000
	5,104,000	1,389,000	87,000	6,580,000

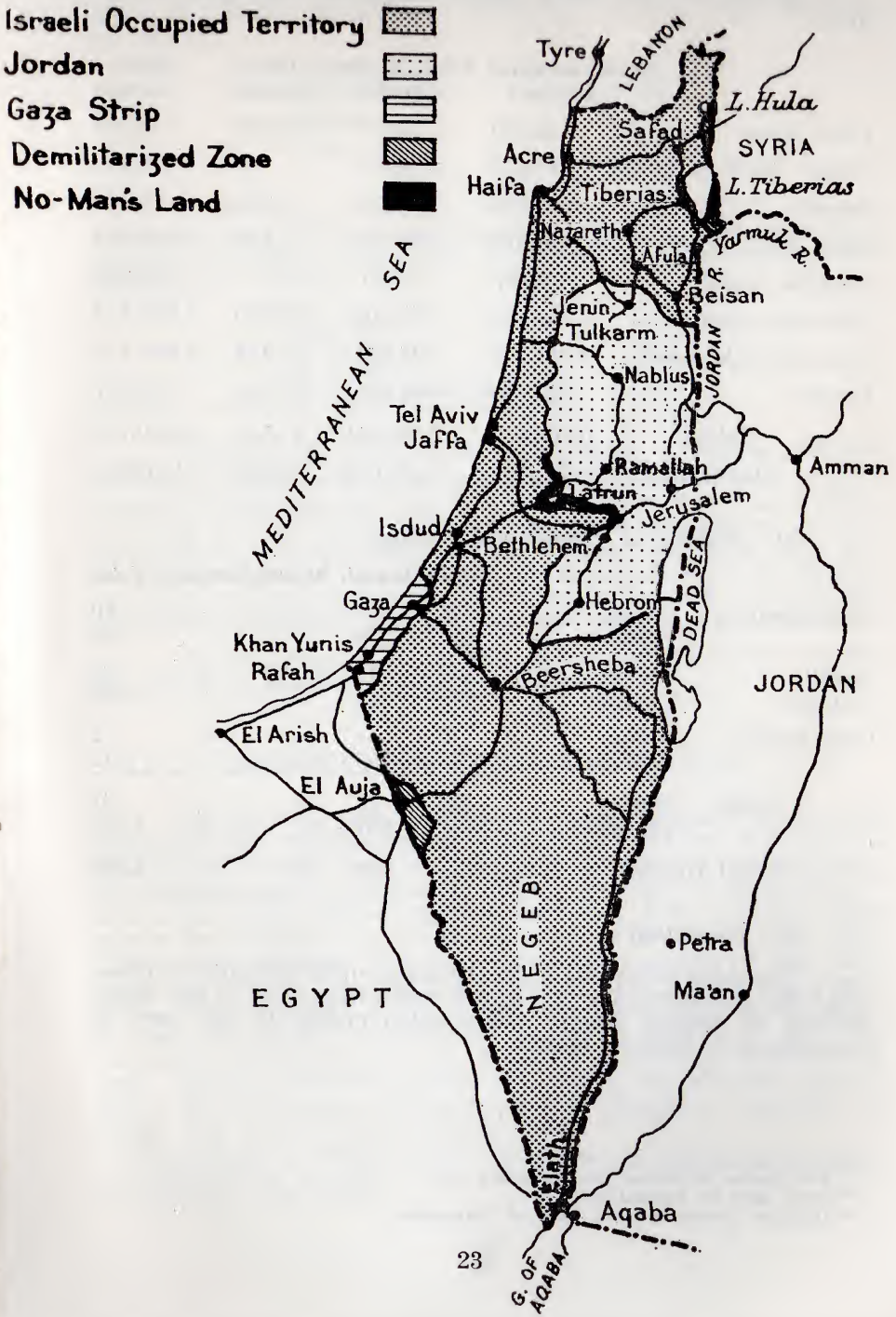
c) Land Area According to Ownership

	Israeli-occupied** Acres	Percentage	West Jordan Acres	Percentage	Gaza Sector Acres	Percentage
Arabs	1,870,492	36.64%	1,211,456	87.24%	61,745	70.57%
Jews	360,941	7.23%	3,918	0.28%	65	1.07%
Others	26,308	0.52%	9,188	0.66%	17	0.02%
State Domain	2,838,765	55.61%	164,188	11.82%	25,672	29,34%
	5,104,505	100.00%	1,388,750	100.00%	87,500	100.00%

* See map on opposite page and compare with map on page 20

** The Israelis now occupy a land area of 1,414,589 acres or 21% in excess of the land area allotted to the "Jewish State" under the Partition Plan of 1947.

AS RESULT OF ARMISTICE AGREEMENTS



d) Classification

Broken up into their varied composites, the same totals, show:

	Israeli-occupied (Acres)	West Jordan (Acres)	Gaza (Acres)	Total (Acres)
Town Areas	38,951	4,837	3,092	46,880
Village Built-up Areas	15,672	3,457	90	19,219
Citrus	69,537	175	650	70,362
Other Fruit Trees	121,767	157,750	6,500	286,017
Irrigable Land	13,787	2,500		16,287
Cultivable Land	1,518,218	373,000	37,500	1,928,718
Non-cultivable Land	3,192,216	778,781	28,418	3,999,415
Forests	134,357	68,250	11,250	213,857
Totals:	5,104,505	1,388,750	87,500	6,580,755
Percentages:	77.57%	21.10%	1.33%	100.00%

e) Number of Towns* and Villages

		Arab	Jewish	Mixed	German	Total
West Jordan -	Towns	9	—	1**	—	10
	Villages	334	6	—	—	340
Israeli - occupied	Towns	9	15	4***	1	29
	Villages	496	201	—	3	700
Gaza Sector -	Towns	2	—	—	—	2
	Villages	11	—	—	—	11
Totals:	Towns	20	15	5	1	41
	Villages	841	207	—	3	1,051
Grand Totals:		861	222	5	4	1,092

f) Population

The Arab population of the Israeli-occupied territory of Palestine today is estimated by the Israeli authorities to be in the neighborhood of 180,000 persons concentrated mainly in the town of Nazareth and Western Gailee.

* For names of towns, see Appendix C.
** Arab part of Jerusalem.
*** Includes Israeli-occupied part of Jerusalem.

g) Palestine Arab Refugees

The number of refugees registered with the United Nations Relief and Works Agency for Palestine as on June 30th, 1956, was as follows:

Gaza Sector	216,971
Jordan	512,706
Lebanon	102,625
Syria	89,977
	922,279*

To this figure should be added those refugees who are not registered with the Agency because they are either self-supporting, or had emigrated to other parts of the world. Those refugees are estimated as follows:

In Iraq	5,000
In Egypt	5,000
In Lebanon	40,000
In Other countries	10,000
	60,000

According to U. N. R. W. A. records, a further 200,000 persons in Jordan and in the Gaza Sector became destitute in 1955 because in 1948 they had lost their lands and their means of livelihood, but not their homes. This category of refugee does not classify for rations under the definition of "refugee," and their fate was left, by Resolution of the **Ad Hoc** Political Committee, to the charity of private relief organizations. In his report for 1956, the Director of UNRWA stated that the need "has been unmet and still exists."**

The total number of persons directly affected by the Israeli aggression is therefore close to 1,200,000.

VII — DEMILITARIZED ZONES AND NO-MAN'S LAND

The land area of 5,104,505 acres, estimated above as the area comprising the Israeli-occupied territory of Palestine, includes approximately 100,000 acres which, under the terms of the Armistice Agreements, were set aside as "demilitarized zones," "no-man's land," and areas under United Nations control. Their inclusion was purely for technical convenience, because at the time that these figures were compiled, the exact extent and location of the zones were not known - in fact up to this day the "demarcation lines" have not been marked on the ground. At the same time, the areas of front-line villages whose lands have been divided by the "demarcation lines" could not be calculated accurately because the Arab military authorities would not permit, for security reasons, either the government surveyors or the villagers to approach to within 500 yards of the "armistice line."

* Annual Report of UNRWA 1956 - Official Records; Eleventh Session, Supplement No. 14 (A/3212), p. 34.
** Ibid, paras. 10-12, page 2.

It must therefore be clearly understood that the inclusion of the "demilitarized zones" within the area occupied by the Israelis should not be taken to mean that they form part of the Israeli-occupied territory. The Israelis have, since the signing of the Armistice Agreements, attempted to incorporate these areas into the territory they now control which has led to many serious incidents on the borders during the past eight years.

The extent of each of these areas is approximately as follows:

a) **Israeli-Syrian Sector** - The Armistice Agreement provides for three demilitarized zones, namely:

	Acres
i) The northern sector of "El-Absiya - Khan Ed-Duweir in the extreme north-easterly tip of Palestine, comprising some:	1,000
ii) The central sector from Mazari' Ed-Daraja to 'Arab Esh-Shamalina on the northern shores of Lake Tiberias, and including "Jisr Banat Ya'qub," comprising some:	7,000
iii) The southern sector, running along the east ern shores of Lake Tiberias from the Arab village of Nuqeib to Samakh, and including the Hot Springs of El-Himme, comprising some:	8,750
Total:	16,750

With the exception of the Hot Springs of El-Himme, which are under Syrian control, the above three sectors are being administered by Israel. The 'extent' of the area of the Hot Springs is 423 acres.

b) **Israeli-Jordan Sector** - The Armistice Aggreement provides for:

i) A "No-Man's Land" zone in the Latrun - Bab El-Wad area on the main road between Jerusalem and Jaffa, comprising some: ..	15,500
ii) A "No Man's Land" within the City of Jerusalem between the Jordan and Israeli lines, comprising some:	212
Total:	15,712

iii) The site of Ex-Government House which served as the residence of the British High Commissioner during the period of the Mandate, and the ex-Arab College on "Jabal El-Mukabbir," to the east of Jerusalem, are occupied by the United Nations Truce Supervision Organization and are outside the jurisdiction of both Jordan and the Israelis.

The area is included in the 212 acres shown under (ii) above.

iv) The Hebrew University - Hadassa Hospital area to the northeast of Jerusalem is surrounded on all sides by Jordan territory and is considered to be under United Nations jurisdiction but guarded by Israeli personnel who are changed once every two weeks under United Nations supervision. This area is also included in the 212 acres shown under (ii) above. It is significant that the Israelis have not permitted United Nations personnel to enter this enclave which officially is under United Nations control.

c) **Israeli-Egyptian Sector** - The Armistice Agreement between Egypt and the Israeli authorities provides for a "demilitarized zone" in the El-'Auja area south of Beersheba on the road where it meets with the Sinai Province, comprising some: 65,000

VIII — LENGTH OF "ARMISTICE LINES"

The length of the "demarcation lines" along the borders of the Arab States that border the territory of Palestine is estimated to be as follows:

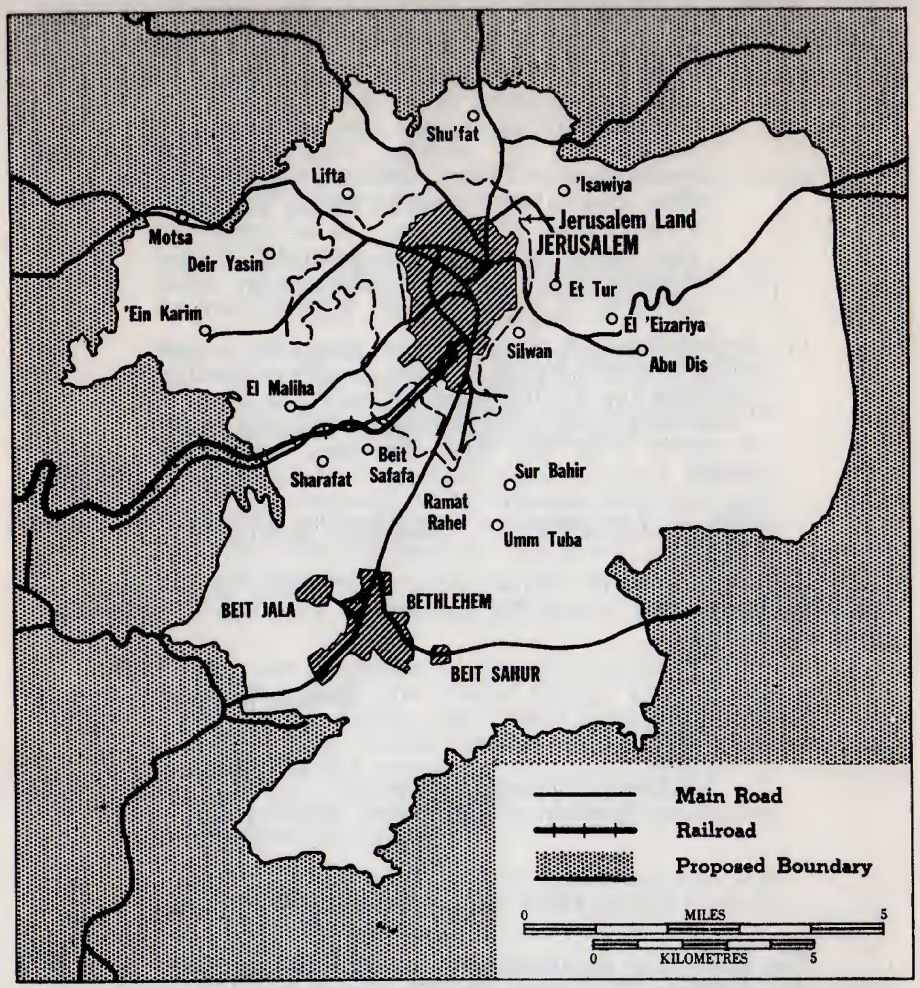
	Length in miles
Lebanon	49
Syria	48
Hashemite Kingdom of Jordan	332
Egypt (including Gaza Strip)	166
Total:	595

IX — CITY OF JERUSALEM

The Holy City of Jerusalem and its environs were decreed under the Partition Resolution of 29th November, 1947, to be an international zone under the trusteeship of the United Nations.* This decision of the General Assembly was reaffirmed in 1948 and again in 1949. Israel has not only refused to permit internationization, but has unilaterally declared the Holy City its national capital - despite the censure it drew from the Trusteeship Council of the United Nations on 20th December, 1949.

Zionist designs on the Holy City took violent shape a few days after the Partiton Resolution had been adopted, in order to drive the Moslem and Christian inhabitants away from their homes. On the 5th January 1948 the Zionists blew up the Semiramis Hotel in the Katamon Quarter which had the effect of clearing up

* See map on page 28



JERUSALEM INTERNATIONAL ZONE

As Resolved by General Assembly
Resolution No. 181 (11) of 29 November 1947

most of the area of its inhabitants, and on the 30th of April, 1948, before the British troops had left the country, they attacked and occupied the Quarter. Its occupation was significant because of its strategic position as it over-looked the remaining Arab Sections of the New City and served as a sniping center against the defenseless Moslem and Christian inhabitants. During the 15 days that ensued before the date of the termination of the Mandate, that section of the City was cleared of its inhabitants and the Zionists found themselves in possession of the western and northern sections of the New City before the last British soldier had left Jerusalem.

The limits of Jerusalem comprised the Old City within the City Wall and containing the principal shrines of Judaism, Christianity and Islam, and the New City that had sprung up during the past generations. The population consisted of Moslems, Christians and Jews, and in 1948, when the Mandate was terminated, numbered slightly over 100,000 persons.

The area of the City of Jerusalem in May, 1948, was:

The Old City	200 acres
The New City	4,833 acres
	5,033 acres

The ownership of the 5,033 acres between the various communities that populated the City, is as follows:

The Old City (Area 200 acres) - Except for three synagogues and their enclosures, there was no other Jewish-owned property within the City Walls. The Jewish community of the Old City had lived in houses owned by Moslems.

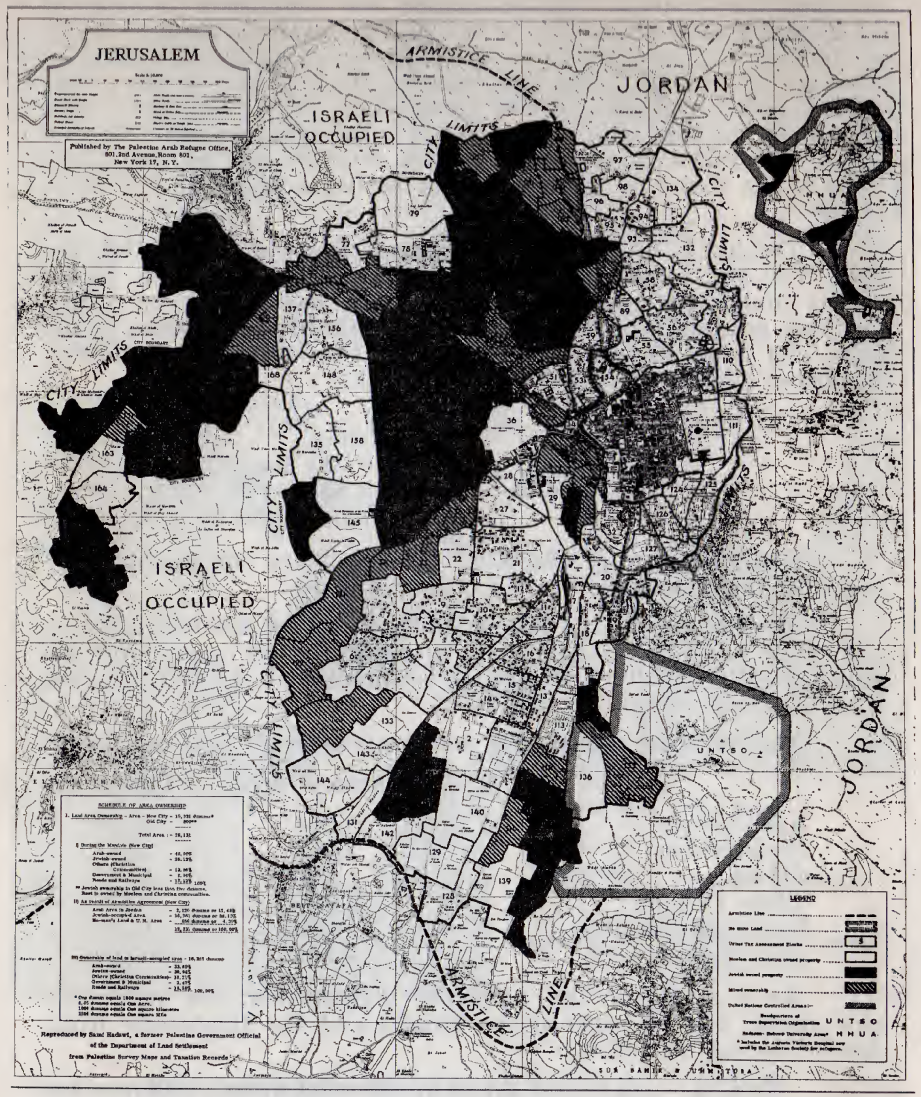
The New City (Area 4,833 acres) - Ownership* was as follows:

	Area in acres	Percentage
Arab-owned	1,934	40.00%
Jewish-owned	1,262	26.12%
Others	670	13.86%
State Domain	140	2.90%
Road and Railways	827	17.12%
	4,833	100.00%

As a result of the Armistice Agreements, the Holy City now stands divided between the Israelis and the Hashemite Kingdom of Jordan, as follows:

	Area in acres	Percentage
Hashemite Kingdom of Jordan	555	11.48%
Israeli-occupied	4,065	84.13%
United Nations area and No-Man's Land	212	4.39%
	4,833	100.00%

* See map on page 30



Dark areas — Jewish-owned blocks but including sporadically distributed Arab and non-Jewish properties.

Hatchured Areas — Mixed ownership with Arab predominance.

White Areas — Contain no Jewish properties.

Ownership of the area of 4,065 acres now occupied by the Israelis is as follows:

	Area in acres	Percentage
Arab-owned	1,370	33.69%
Jewish-owned	1,221	30.04%
Others	618	15.21%
State Domain	100	2.47%
Roads and Railways	756	18.59%
	4,065	100.00%

X — ARAB "SEIZED" PROPERTY

The survey in the preceding pages dealt with the extent of the territory of Palestine and the ownership of its land between Arabs and Jews. There are, however, comprised in these lands extensive developments and constructions, such as orange groves, olive orchards, vineyards and other fruit plantations, while cities, towns and villages contain buildings and other installations which go to make up a city, town or village. These comprise the homes and business premises of the inhabitants; in fact, the patrimony of an entire nation. All these have been usurped by the Israelis and exploited for the settlement of new Jewish immigrants to Palestine, contrary to every sense of morality and justice. The extent of this Arab fortune and its effect on the Israeli economy were described by Don Peretz in his "Thesis"* presented to Columbia University in 1955, as follows:

> "Abandoned property was one of the greatest contributions toward making Israel a viable State. The extent of its area and the fact that most of the regions along the border were absentee property made it strategically significant. Of the 370 new Jewish Settlements established between 1948 and the beginning of 1953, 350 were on absentee property. In 1954, more than one-third of Israel's Jewish population lived on absentee property, and nearly a third of the new immigrants (250,000 people) settled in urban areas abandoned by Arabs. They left whole cities like Jaffa, Acre, Lydda, Ramleh, Beisan, Majdal; 388 towns and villages; and large parts of 94 other cities and towns, containing nearly a quarter of all the buildings in Israel. 10,000 shops, businesses and stores were left in Jewish hands. At the end of the Mandate, citrus holdings in the area of Israel totalled about 240,000 dunums of which half were Arab owned. Most of the Arab groves were taken over by the Israeli Custodian of Absentee Property. But only 34,000 dunums were cultivated by the end of 1953. In 1951-1952, former Arab groves produced one and a quarter million boxes of fruit, of which 400,000 were exported. Arab fruit sent abroad provided nearly 10 per cent of the country's foreign currency earnings from exports in 1951. In 1949, the olive produce from abandoned Arab groves was Israel's third largest export ranking after citrus and diamonds. The relative economic importance of Arab

* Israel and the Arab Refugees, Vol. II, Chapter VIII, pp. 231-233

property was largest from 1948 until 1953 during the period of greatest immigration and need."

. . . . . .

"In 1951, abandoned cultivable land included nearly 95 per cent of all Israel's olive groves, 40,000 dunums of vineyards, and at least 10,000 dunums of other orchards excluding citrus."

"20,000 dunums of absentee property were leased by the Custodian in 1952 for industrial purposes. A third of Israel's stone production was supplied by 52 Arab quarries under his jurisdiction."

XI — ISRAELI MEASURES FOR THE EXPROPRIATION OF ARAB PROPERTY

The legislation enacted by the Israeli authorities for the expropriation and disposal of Arab property in Palestine between the period 15th May, 1948, when the state of Israel was established, and the end of 1955, was:

The Abandoned Areas Ordinance, 1948;
The Emergency Regulations (Cultivation of Waste Lands) 1948 and 1949;
The Absentee Property Regulations, 1948;
The Absentee Property Law, 1950;
Development Authority (Transfer of Property) Law, 1950;
The Land Acquisition (Confirmation of Past Actions & Compensation) Law, 1953.

In a detailed study of these Laws by the Research Section of the Arab Information Centre in New York, Dr. Fayez Sayegh summarized the provisions of these Laws as follows:

The first official Israeli statement of policy on occupied Arab property was embodied in the "Abandoned Areas Ordinance, 5708 - 1948" which was published on June 30, 1948, but which, according to Article 4, was declared to "have effect retroactively as from May 16, 1948.*

According to this Law, the Government of Israel was empowered to declare to be an "abandoned area" any area or place which:

a) had been conquered by its armed forces,

b) had surrendered to its armed forces,

c) had been "deserted" by all of its inhabitants, or

d) had been "deserted" by part of its inhabitants.
Articles 2(a) and 1 (a).

The Prime Minister, or any other Minister, was empowered, by Article 2(b), "to make such regulations as he may deem expedient as to matters relating to . . . the expropriation and confiscation of movable and immovable property, within any abandoned areas."

* Laws of the State of Israel (Translation), Vol. I, pp. 25-26

In paragraph (c) of Article 2, "a minister empowered to make regulations for the implementation of this Ordinance" was also empowered to "prescribe punishments therein and issue Directions concerning any movable or immovable property within any abandoned area."

The Abandoned Areas Ordinance was soon followed and supplemented by other legislation, equally designed to absorb the Arab refugees' property into Israeli economy: The "Emergency Regulations (Cultivation of Waste Lands), 5709 - 1948" of October 15, 1948, and its amended version of January 7, 1949. The latter was designated "Emergency Regulations (Cultivation of Waste Lands) (Extension of Validity) Ordinance, 5709 - 1949."*

The "Explanatory Note" annexed to this Ordinance reads as follows:

> "War conditions have resulted in lands being abandoned by their owners and cultivators and left untilled, plantations being neglected and water resources remaining unexploited. On the other hand, the interest of the State demands that, without prejudice to the right of ownership of land or other property, agricultural production be maintained and expanded as much as possible and the deterioration of plantations and farm installations prevented. For the attainment of these objects, it is necessary that the Minister of Agriculture should have certain emergency powers, which are conferred upon him by these Regulations."**

The interpretative section of this Ordinance (Article 1) defined "waste land" as "land capable of yielding crops and which, **in the opinion of the Minister of Agriculture,** is uncultivated." The definition of "cultivation" displayed the same arbitrariness: "the operation necessary to obtain crops from the land by a method which **the Minister of Agriculture deems efficient.**"

Having thus empowered the Minister of Agriculture to use his discretion in declaring a piece of land to be "uncultivated" or "waste land," without providing for any procedure for appeal from the "opinion" of the Minister, the Ordinance proceeded to specify the manner in which so-called "waste land" may pass to the control of the Government, as follows:

> "2.(a) The Minister of Agriculture may warn the owner of waste land to cultivate the land or to ensure that it is cultivated.
>
> . . . . . .
>
> (c) **No act done in respect of waste land under these Regulations shall be invalidated on the ground that the warning did not come to the knowledge of the owner of the land.**

* Laws of the State of Israel (Translation), Vol. II, pp. 70-77
** Ibid, p. 77

"3. The owner of the waste land may, within 14 days of the publication of the warning, apply to the Minister of Agriculture . . . and submit proof that he has already begun, or will begin as soon as possible, to cultivate the waste land and that he will continue such cultivation.

"4. If the owner of the waste land does not apply to the Minister of Agriculture as specified in regulation 3, or if the Minister of Agriculture **is not satisfied that the owner of the land has begun or is about to begin or will continue to cultivate** the land, the Minister of Agriculture may **assume control of the land** in order to ensure its cultivation.

. . . . . .

"7. To ensure the cultivation of waste of which he has assumed control, the Minister of Agriculture may:

(a) cultivate the land himself through workers employed by him; or

(b) hand over the land for cultivation to another person."

In view of the fact that the overwhelming majority of the owners of the abandoned Arab lands were, at the time of the promulgation of this Ordinance, and still are, refugees living in enforced exile outside Israeli-occupied territories, the provision for "warning" by the Minister of Agriculture or "applications" by the owners (in articles 2, 3, and 4) are practically meaningless. They are also rendered legally meaningless by the unconditional provision of paragraph (c) or Article 2. Despite any appearance to the contrary, therefore, the Ordinance empowered the Minister of Agriculture to "assume control" of the land abandoned by the refugees - amounting to about 80% of the land area of the Israeli-occupied territories - without the possibility of a challenge.

Between the promulgation of the original and the issuance of the amended versions of the Emergency Regulations on Waste Lands, another set of Emergency Regulations was issued. This was the Absentee Property Regulations, issued in December 1948.*

These Regulations enabled the Minister of Finance to appoint a Custodian of Absentee Property, who replaced the Custodian of Abandoned Property. All absentee property was vested in the Custodian, who was given broad powers over it. All rights in this property belonged to the Custodian, and he could take over all property which might be obtained in the future by an individual whom he certified to be an absentee. He could at any time liquidate absentee businesses. All businesses in which at least one half of the number of persons, partners, shareholders, directors or managers were absentees, or in which absentees were dominant or controlled at least half of the capital, were turned over **in whole** to the Custodian.

* Peretz, Israel and the Arab Refugees, op. cit, pp. 246-259

The Custodian could take over most Arab property in Israel on the strength of his own judgment, by certifying in writing that any person or body of persons was absentee, or that any property was absentee property. The burden of proof that any property was not absentee fell upon its owner.

The crucial provision of this body of Regulations was the definition of an "absentee." Any person was declared "absentee" who was, on or after November 29, 1947 (the date of the General Assembly Resolution concerning the partition of Palestine):

a) a citizen or subject of any of the Arab States;

b) in any of these States, for any length of time;

c) in any part of Palestine outside of the Israeli-occupied areas; or

d) in any place other than his habitual residence, even if such place as well as his habitual abode were within Israeli-occupied territory.

According to Don Peretz, "Every Arab in Palestine who had left his town or village after November 29, 1947, was liable to be classified as an absentee under the regulations. All Arabs who held property in the New City of Acre, regardless of the fact that they may never have travelled farther than the few meters to the Old City, were classified as absentees. The 30,000 Arabs who fled from one place to another within Israel, but who never left the country, were also liable to have their property declared absentee. Any individual who may have gone to Beirut or Bethlehem for a one day visit during the latter days of the Mandate, was automatically an absentee."*

Having empowered the Custodian and the Minister of Agriculture to assume control of "absentee property" and "waste lands" respectively, by virtue of the afore-mentioned Emergency Regulations and Ordinances, the Israeli Government moved one step further, in 1950, in the direction of "legalizing" the occupation of Arab property and establishing a "firmer constitutional basis" therefor. It did so by passing a law through the Knesset, to replace the various emergency regulations.**

Thus, the "Absentee Property Law, 5710 - 1950," which was passed by the Knesset on March 14, 1950, besides confirming most of the privileges bestowed on the Custodian by virtue of earlier regulations, empowered him to **sell** "absentee property." The law also gave legal recognition to the **de facto** distribution of Arab lands, which had already taken place.

Although the Absentee Property Law empowered the Custodian to **sell** absentee property to a Development Authority established by the Knesset, such authority was created several months after the law was promulgated.

* Peretz, Israel and the Arab Refugees, pp. 250-251
** Ibid. p. 277

The "Development Authority (Transfer of Property) Law, 5710 - 1950"* was passed by the Knesset on July 31, 1950. The Development Authority was empowered, **inter alia**, "to buy, rent, take on lease, take in exchange or otherwise acquire property." It was also empowered "to sell or otherwise dispose of" property. But its power to "sell or otherwise transfer the right of ownership of" property was limited by the following conditions:

a) Such transfer of ownership can be made only to the State, the Jewish National Fund, certain Government-approved institutions, or local authorities;

b) "The right of ownership of land so acquired may not be re-transferred except, with the consent of the Development Authority, to one of the bodies" in the afore-mentioned categories; and

c) Transactions of this nature, involving the transfer or re-transfer of ownership, must be "effected by decision of the Government in each individual case."

The last major legislation in the process of "legalizing" the control of Arab property was the "Land Acquisition (Confirmation of Past Actions and Compensation) Law of 1953," which was passed by the Knesset on March 10, 1953.*
This Law confirmed the acquisition by the Development Authority of lands it had already acquired, empowered it to acquire additional property, and enabled it to register in its name such property at the Land Registry - asserting that "non-registration will not . . . injure the validity of the acquisition of the property by the Development Authority."

This law thus goes further than any previous legislation on the subject, and constitutes a climax to the whole trend of legislation since 1948, in that it finally transfers the ownership of **all** the property belonging to the **1,000,000-odd Arab refugees-in-exile**, as well as **sizable portions** of the property of **many tens of thousands of the Arab residents of Israeli-controlled territories who have been arbitrarily declared to be "absentees,"** to the Israeli authorities."

Assessment of Arab Property

The Absentee Property Law 1950 now in force in Israel, empowers, in Section 19 (a) (1), the custodian to sell Arab property to the "Development Authority" at a price not less than its official value. The "official value" has been fixed in the Law to be as follows:

A.- In the case of property within the limits of towns, and industrial buildings with mechanically-driven machinery in rural areas. 16 and 2/3rd times the net annual value of the property as assessed for taxation purposes in respect of the year 1947-48.

* Text in State of Israel Government Yearbook 5712 (1951/52), published by the Government Printer, Jerusalem, 1951, pp. 217-219.
* Text in Middle East Journal, Vol. VII, No. 3, Summer 1953, pp. 358-360 See also Peretz, op. cit., pp. 306-311

B - In the case of rural lands — If the land belongs to the categories of citrus, bananas, or village built-on areas - 300 times the amount of tax charged on citrus for the year 1947-48.
All other land - 75 times the amount of tax charged on it in respect of the year 1947-48.

The said Law also provides in Section 32 for the following deductions to be made from the "official value" where the property is sold, or where it is released and returned to its Arab owner:

a) A remuneration of four per cent - As the share of the state;

b) Any expenses (including travelling expenses, costs of legal proceedings, the remuneration of advocates, agents or other persons employed by the custodian in connection with the property) incurred for the purpose of safeguarding, maintaining, repairing or developing any property of an absentee, **plus** interest at the rate of six per cent per annum from the day on which the expenses were incurred.

On the basis of the computation formula of the "official value" referred to above, Arab property is being sold by the Custodian to the "Development Authority" at the values listed hereunder:

A. Urban Properties and Industrial Buildings.

Example: A first class stone building with all modern conveniences standing on one-quarter acre plot of land in one of the best residential quarters of Jerusalem, consisting of 3 bedrooms, sitting-room, dining-room one closed and one open verandahs, kitchen, bathroom, lavatory, storeroom, and a well planted and tended garden and garage. Area of building 400 square feet. Owner - occupier. Assessment for tax purposes - 48 Palestine Pounds* per annum net annual value.

Valuation on basis of Israeli "official value" - Net annual value for 1947-48 - LP. 48 by 16.2/3 times - **790 Israeli Pounds.****

Similar plots of land in the vicinty of this house were, in 1947, fetching prices around LP.3,000; the costs of construction of an identical building at prices prevailing during the same year would have amounted to LP.3.500 - making a total capital value of **6,500 Palestine Pounds** for the whole property.

An offer of purchase was made to the owner in 1944 for LP8,000.

* The Palestine Pound was equivalent to the Pound Sterling. In 1947, the Palestine Pound was worth $4. Today the Sterling is worth $2.80 cents.
** In 1948, the Israeli Pound was equivalent to the Palestine Pound ($2.80 cents). The "official value" of the Israeli Pound today is 47 cents.

B. Rural Areas

Category	Description	Rural Tax Per Dunum(a) LP Mils(b)	Israeli		U. N Tentative Valuation(d) Pounds(e)
			Computation Formula	Value Per Dunum(a) Pounds(c)	
1-2	Citrus	-.100	300	30.-	80.-
3	Bananas	2.240	300	30.-	80.-
4	Village Built-up Areas	-.640	300	30.-	150.-
5	1st Grade Irrigated Land & 1st Grade Fruit Plantation	-.160	75	12	60.-
6	2nd Grade Irrigated Land & 2nd Grade Fruit Plantation	-.140	75	10.500	52.500
7	3rd Grade Irrigated Land & 3rd Grade Fruit Plantation	-.120	75	9.-	45.-
	Cultivable Land -				
8	1st Grade	-.100	75	7.500	37.500
9	2nd Grade	-.080	75	6.000	24.-
10	3rd Grade	-.072	75	5.400	21.600
11	4th Grade	-.060	75	4.500	18.-
12	5th Grade	-.048	75	3.600	14.-
13	6th Grade	-.032	75	2.400	9.600
14	7th Grade	-.016	75	1.200	4.800
15	8th Grade	-.008	75	.600	2.400
16	Non-Cultivable	Nil	Nil	Nil	Nil

It is not proposed to comment on the accuracy or otherwise of the "Tentative Valuation" carried out by the Refugee Office of the Palestine Conciliation Commission, as such a study would be lengthy and irrelevant at this stage. There are, however, a few relevant facts which are worth mentioning in relation to the Israeli "official value."

a 4.05 dunums equal one acre.
b One Palestine Pound (or 1000 mils) equivalent to one Pound Sterling ($2.80)
c Official rate of the Israeli Pound is 47 cents
d Progress Report of U. N. C. C. P. 1951 - Official Records, Sixth Session, Supplement No. 18 (A/1985)
e Pound Sterling equivalent to five Israeli Pounds.

Theoretically, the basis of assessment of property in urban areas follows the recognized "principles of valuation," and tends to give the impression that the Israelis are treating Arab property justly. There is, however one important difference, and that is, whereas this principle is applied to the **actual** income obtainable from the property **in the open market** under normal circumstances, the Israeli formula of the "official value" is applied to an **assessment** made for taxation purposes only which was never intended to represent the capital value. These assessments, however, were affected by many considerations, chief of which were the restrictions placed on rents during the years of the war and the manner in which the assessments were carried out.

In 1940, rents were controlled under a Rents Restriction Ordinance which remained in force until the termination of the Mandate in 1948. The effect of this law was that annual assessments made under the Urban Property Tax Ordinance no longer represented actual values or an average of the rental value of the property in the open market; there was no uniformity in assessments; and the whole structure of a proper method of valuation collapsed. The chaotic conditions in assessments during the period 1939-1948 can best be described by giving, as example, the circumstances of five identical properties in location, size, construction and maintenance, as follows:

(i) Building under continuous lease prior and subsequent to the enactment of the Rents Restriction Ordinance in 1940 - The building maintained its pre-war assessment throughout the period although rentals had gone up by about five times;

(ii) Building constructed prior to but changed occupants after the enactment of the Rents Restriction Ordinance - This building realized a higher rental than what the previous tenant paid, but the assessment was, nevertheless, retained at its pre-war level;

(iii) Building leased to Government before or after the Rents Restriction Ordinance - This building was assessed at its true rental value;

(iv) Building owner-occupied - The attitude of the assessment committee towards such buildings was that as the owner obtained no actual financial benefit from his property, it should be assessed at one-third the assessment of similar leased properties;

(v) Building constructed after the war when building material was no longer controlled - Such building was leased at the market rental value, but the assessment for tax purposes was much lower, on grounds that the owner had invested greatly in the construction and should therefore not be penalized by heavy taxation.

Although the first four properties may have had the same capital value, the assessments for taxation purposes varied to such an extent as to make reliance on the tax records impossible when it came to computing the capital value.

Furthermore, the Urban Property Tax Ordinance prescribed, for political reasons, that assessments for taxation purposes should be carried out by an assessment committee composed of two official and two non-official members. The only member among them who had received some practical elementary training in valuation was the Government official of the Department responsible for valuation who was described under the Law as the Surveyor-Valuer. As explained above, assessments were invariably lower than what the landlords actually received in rental and the attitude of the non-official members on the committee was to keep the assessments as low as possible because they felt they represented the interests of the landlord versus a government imposed on the country against the will of the people. Their argument against any increase in the valuation was strengthened by the provisions of the Rents Restriction Ordinance prohibiting any raise in rentals.

It should be remarked that the Palestine Government had recognized the inefficiency of the working machinery but was reluctant to make any change of replacing the unqualified committee of four by one qualified valuer, because such an action it felt would have removed the only participation of the people of Palestine in the administration of the country and would certainly have raised a storm of political objection.

With regard to lands in rural areas, it is not clear on what basis, if any, the so-called "official value" has been calculated. It certainly is not the market value of the property. It should be explained that the Rural Property Tax Ordinance of the Palestine Government prescribed that the rural property tax shall be a tax equal to 10% of the average of a low annual income after deducting two-thirds of the assessed income to cover costs of production. Land included fixtures, such as buildings, which were ignored in the fixing of the tax. On the other hand, land of a low productivity value was classified in a non-taxable category and remained non-taxable until the owner developed it into a fruit plantation or otherwise improved it. In such cases, the owner commenced to pay tax thereon after the lapse of ten years following the date of completion of the development or improvement. Whereas such undeveloped land may not have had an agricultural value, in some instances - especially if the land was situated in the vicinity of towns or cities - it had a high value as potential building sites. The capital value of such land ranged in 1947 between 50 pounds per dunum ($140* per one-quarter acre) and 5000 pounds ($1400).*

Whereas the Absentee Property Law provides for the disposal of such property at a fixed "official value," the Development Authority Law, while empowering the Director to dispose of the property

* Calculated at the rate of $2.80 cents per pound.

to a third party, is silent as to the conditions of the sale value. The following statement by Don Peretz explains the relation between the "paper" sale value as credited to the account of the property in the Custodian's office and the value in terms of actual currency that enters the Government's coffers:

> "The amount of money involved in most of these transactions was not published; however, the Director of the Development Authority stated that the first million dunums of absentee property which he purchased from the custodian were resold to the Jewish National Fund for about 12 million Israeli pounds, which was a greater sum than he paid for it."

XII — SAFEGUARDING ARAB INDIVIDUAL PROPERTY

Zionist and Israeli Promises and Declarations

Complete equality was guaranteed to the Arab inhabitants in the countless statements of Zionist leaders in their demand for a "Jewish Sate" in Palestine. The 22nd Zionist Congress passed a resolution on Arab-Jewish relations in 1946, which laid down.

> "The Jewish State will be based upon full equality of rights for all inhabitants, without distinction of religion or race in the political, civil, religious and national domains, and without domination or restriction."*

In 1946, Dr. Chaim Weizmann, as head of the Zionist movement, told the Anglo-American Committee of Enquiry that visited Palestine to find a solution for the Palestine problem, that there will be no question of:

> "our dominating the Arabs in the sense of taking away their natural rights."**

In 1948, Arab rights were guaranteed in Israel's Proclamation of Independence, which declared that the State:

> "will be based on the principles of liberty, justice and peace as conceived by the Prophets of Israel; will uphold the full social and political equality of all its citizens, without distinction of religion, race, or sex . . . "***

After the State of Israel was established, Dr. Chaim Weizmann, as the first President, said:

> "I am certain that the world will judge the Jewish State by what it will do to the Arabs."

In contrast, to these promises, declarations and guarantees, the Israeli authorities, by the end of 1955, had taken possession and transferred ownership into their name under the provisions of the Laws and Regulations dealt with in the preceding pages, of all rural land belonging to the one million Arab refugees, as well

* Resolution No. 10 of 22nd Zionist Congress, page 16.
** Jewish Agency Statements and Memoranda, page 43.
*** Laws of State of Israel, Vol. I. Ordinances 4 and 8.

as over 300,000 acres belonging to the Arabs who are still living in the Israeli-occupied territory.

International Instruments for Safeguarding Individual Property

Examination of the justice and equity of the Israeli legislation must be made in the light of the United Nations Charter, the Declaration on Human Rights, the General Assembly Resolution which was responsible for the establishment of the State of Israel and the latter's obligations under these instruments which the Israelis had undertaken to uphold when their State was accepted as a member of the United Nations.

The Charter of the United Nations provides that the peoples of the United Nations are determined:

"to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and

to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and

to promote social progress and better standards of life in larger freedom."

Paragraph 3 of Article 1 of Chapter 1 of the Charter, reads:

"To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and **in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion;"**

The Partition Plan adopted by resolution of the General Assembly No. 181 (II) dated 29th November, 1947, provided for the partition of Palestine into:

A "Jewish State";
An "Arab State"; and
An "International Zone of Jerusalem and its environs" under the trusteeship of the United Nations.

This Partition Plan established certain basic principles for the protection and the representation of the minorities within the two States. It laid down that the fundamental law and the political structure of these States was to be basically democratic, i. e., representative in character, and that this should be a prior condition to the grant of independence. In this regard, the constitution or other fundamental law of the new States should include specific rights respecting:

(a) human rights and fundamental freedoms, including freedom of worship and conscience, speech, press and assembly, the rights of organized labour, freedom of movement, freedom from arbitrary searches and seizures, and rights of personal property; and

(b) full protection for the rights and interests of minorities, including the protection of the linguistic, religious and ethnic rights of the peoples and respect for their cultures and full equality of all citizens with regard to political, civil and religious matters.

Article 8 of Chapter 2 of the Resolution pertained to property; and it contained an injunction against "expropriation of land owned by an Arab in the Jewish State." Where, however property was required for "public purposes," the Article permitted expropriation but prescribed that "in all cases of expropriation, full compensation as fixed by the Supreme Court shall be paid previous to dispossession."

The Universal Declaration on Human Rights on the other hand, which was proclaimed by the General Assembly on December 10, 1948, "as a common standard of achievement for all peoples and all nations" prescribes in Article 17 that "no one shall be arbitrarily deprived of his property."

The General Assembly of the United Nations at its third session adopted two resolutions based on the recommendations of the United Nations Mediator, the late Count Folke Bernadotte. The first resolution No. 194 (III) dated 11th December 1948. established the Palestine Conciliation Commission and charged it with the task of facilitating a peaceful settlement between the parties to the Palestine dispute. The Assembly adopted a further Resolution on 14th December, 1950, No. 394 (V) directing the Palestine Conciliation Commission to establish an office under its direction which would, **inter alia,**

"(c) continue consultations with the parties concerned regarding measures for the protection of the rights, property and interests of the refugees."

What effect Israel's promises, declarations and guarantees, or Israel's obligations and undertakings under the United Nations Charter and Resolutions has had on Arab property, can be observed in the actions of the Israelis during the past eight years. Most of the Arab property has lost its physical identity; the Land Registers have been altered to exclude all Arab names; property has been sold and resold, and the proceeds from the transactions have been utilized for the settlement of new Jewish immigrants to Palestine.

APPENDIX A

LIST OF TOWNS* IN PALESTINE

During Period of Mandate

A - Wholly Arab

Town	Area (acres)	Population (1945) Moslems	Christians	Jews	Others	Total
1. Acre	385	47,290	11,150	2,950	6,940	68,330
2. Beersheba	973	53,340	200	150	10	53,700
3. Beisan	166	15,920	650	7,000	20	23,590
4. Beit Jala	185	200	3,510			3,710
5. Beit Sahur	35	370	2,400			2,770
6. Bethlehem	424	2,370	6,430		20	8,820
7. Bira	242	2,640	280			2,920
8. Gaza	2,518	33,160	1,010	80		34,250
9. Hebron	698	24,400	150	0	10	24,560
10. Jaffa	3,268	50,880	15,400	28,000	30	94,310
11. Jesin	277	3,840	150			3,990
12. Khan Yunis	576	11,180	40			11,220
13. Lydda	964	14,910	1,840	20	10	16,780
14. Majdal	337	9,820	90			9,910
15. Nablus	1,393	22,360	680		210	23,250
16. Nazareth	1,247	5,600	8,600			14,200
17. Ramallah	464	640	4,440			5,080
18. Ramle	443	11,900	3,260			15,160
19. Shefa 'Amr	85	1,380	1,560	10	690	3,640
20. Tulkarm	418	7,790	280		20	8,090

B - Wholly Jewish

1. 'Affula	248	10		2,300		2,310
2. Bat Yam	780			2,000		2,000
3. Benei Braq	331			5,760		5,760
4. Hadera	634		20	7,810		7,830
5. Herzlia	310			4,650		4,650
6. Holon	544			3,280		3,280
7. Kefar Sava	348			4,320		4,320
8. Nahalat Itshaq	124			870		870
9. Nahariya	548			1,440		1,440
10. Nathanya	342			5,070		5,070
11. Petah Tiqva	1,142	140	10	17,100		17,250
12. Ra'anana	778			3,290		3,290
13. Ramat Gan	1,321			10,200		10,200
14. Rehovoth	702		20	10,000		10,020
15. Rishon le Zion	529			8,100		8,100
16. Tel-Aviv	3,181	130	230	166,000	300	166,660

* "Town" means an area to which the Urban Property Tax Ordinance had been applied and which had a municipal or local council.

Town	Area (areas)	Population (1945) Moslems	Christians	Jews	Others	Total
C - Mixed Towns						
1 Haifa	13,576	35,940	26,570	75,500	290	138,300
2. Jerusalem	5,033	30,630	29,350	97,000	100	157,080
3. Safad	358	9,100	430	2,400		11,930
4. Tiberias	777	4,540	760	6,000	10	11,310
	19,744	80,210	57,110	180,900	400	318,620
D - German						
1. Sarona	392		150			150

APPENDIX B

LIST OF TOWNS IN PALESTINE

Under Partition Plan

"Arab State"	"Jewish State"	Jerusalem (I. Z.)
1. Acre (A)	1. Safad (M)	1. Jerusalem (M)
2. Nahariya (J)	2. Tiberias (M)	2. Bethlehem (A)
3. Nazareth (A)	3. Beisan (A)	3. Beit Jala (A)
4. Shefa 'Amr((A)	4. Haifa (M)	4. Beit Sahur (A)
5. Jaffa((A)	5. Hadera (J)	
6. Jenin (A)	6. 'Affula (J)	
7. Tulkarm (A)	7. Nathanya (J)	
8. Nablus (A)	8. Petah Tiqva (J)	
9. Bira (A)	9. Herzlia (J)	
10. Ramallah (A)	10. Kefar Sava (J)	
11. Ramle (A)	11. Ra'anana (J)	
12. Lydda (A)	12. Bat Yam (J)	
13. Hebron (A)	13. Benei Braq (J)	
14. Beersheba (A)	14. Holon (J)	
15. Gaza (A)	15. Ramat Gan (J)	
16. Majdal (A)	16. Tel-Aviv (J)	
17. Khan Yunis (A)	17. Rehovoth (J)	
	18. Rishon le Zion (J)	
	19. Sarona (G)	
	20. Nahalat Itshaq (J)	

(A) indicates wholly Arab
(J) indicates wholly Jewish
(M) indicates mixed
(G) indicates German

APPENDIX C

LIST OF TOWNS IN PALESTINE

As Result of Armistice Agreements

	Israeli-occupied territory	West Bank of Jordan	Gaza Strip
A - Wholly Arab			
	1 Acre	1. Bethlehem	1. Gaza
	2. Beisan	2. Beit Jala	2. Khan Yunis
	3. Beersheba	3. Beit Sahur	
	4. Jaffa	4. Bira	
	5. Lydda	5. Hebron	
	6. Majdal	6. Jenin	
	7. Nazareth	7. Nablus	
	8. Ramleh	8. Ramallah	
	9. Shefa 'Amr	9. Tulkarm	
B) Wholly Jewish		Nil	Nil
	1. Affula		
	2. Bat Yam		
	3. Benei Braq		
	4. Hadera		
	5. Herzlia		
	6. Holon		
	7. Kefar Sava		
	8. Nahalat Itshaq		
	10. Nathanya		
	11. Petah Tiqva		
	12. Ra'anana		
	13. Ramat Gan		
	14. Rehovoth		
	15. Rishon le Zion		
	16. Tel-Aviv		
C) Mixed	1. Jerusalem (Part of)	1. Jerusalem (Part of)	
	2. Safad		
	3. Tiberias		
	4. Haifa		
D) German	1. Saroma*	Nil	Nil

* Since acquired by the Israelis and renamed 'Hakariya'