

The gist of the joint proposal (Document A/C/1/SC/10/1) was as follows :—

Under Chapter XII of the Charter the General Assembly should decide to establish a "temporary authority" in Jerusalem. (The area envisaged as coming within the scope of the arrangement was the "town-planning area," which is somewhat smaller than that laid down in the partition plan.) The United Nations would be designated administering authority, and the Trusteeship Council, acting under its authority, would exercise the functions of the administering authority and have "full powers of administration, legislation, and jurisdiction over Jerusalem." These powers would be exercised "through the agency of the Government of Jerusalem," which would consist of a High Commissioner and "such organs of self-government as in the opinion of the High Commissioner will meet with co-operation from the various communities of Jerusalem." The High Commissioner (or United Nations Commissioner, as he was called in the final version) would be appointed by the Trusteeship Council and would receive instructions from that body. He would be responsible for the maintenance of law and order, and for this purpose would organize a police force recruited "from within or from outside Jerusalem" and, in addition to provide for local defence, he would be able to organize "volunteer forces from among the inhabitants of Jerusalem." Free access to the city for persons, food-stuffs, and other essential supplies, and the maintenance of the water-supply and other essential services, were to be ensured by the High Commissioner, as were protection of a free access to the holy places. The temporary authority of the United Nations in Jerusalem would be exercised in accordance with Article 76 of the Charter and would be "without prejudice to the rights, claims, or position of the parties concerned in Jerusalem or the final settlement of the Palestine problem." The special arrangement was to terminate on 31st December, 1949, unless otherwise determined by the General Assembly.

The sub-committee discussed the Franco-American proposal at great length, and a large number of amendments were proposed, of which the majority were accepted by the authors of the plan. In view of the fact that the Assembly had already recommended the appointment of a Special Municipal Commissioner and that it would be inadvisable and confusing to have overlapping powers, an article was inserted in the draft stating that the Special Municipal Commissioner would continue to exercise his functions under the authority of the High Commissioner. Further, to meet the point of view of the United Kingdom and New Zealand representatives that inadequate provision was being made for the provision of finance, an article covering the financial aspect was also included. The draft under a new title—namely, "The Temporary Administration of Jerusalem"—was eventually adopted by a vote of 8 in favour (including New Zealand) 2 against (Iraq and the Soviet Union), with 4 abstentions.