

**Declarations of the All-Palestine Government, September – October 1948 in Documents on Palestine Volume II: 1948-1973, Jerusalem: The Palestinian Academic Society for the Study of International Affairs, 2007.<sup>1</sup>**

**(I) Cablegram from the Premier and Acting Foreign Secretary of the All-Palestine Government, Ahmed Hilmi Pasha, to the UN Secretary General Concerning the Constitution of the All-Palestine Government**  
*28 September 1948*

I have the honor to inform Your Excellency that in virtue of the natural right of the people of Palestine for self-determination which principle is supported by the Charters of the League of Nations, the United Nations and others and in view of the termination of the British Mandate over Palestine which had prevented the Arabs from exercising their independence, the Arabs of Palestine who are the owners of the country and its indigenous inhabitants and who constitute the great majority of its legal population have solemnly resolved to declare Palestine in its entirety and within its boundaries as established before the termination of the British Mandate an independent state and constituted a government under the name of the All-Palestine Government deriving its authority from a Representative Council based on democratic principles and aiming to safeguard the rights of minorities and foreigners, protect the Holy Places and guarantee freedom of worship to all communities.

Ahmed Hilmi Pasha  
Premier and Acting Foreign Secretary

**(II) Palestine Arab Higher Committee, Palestinian Proclamation of Independence, Gaza**  
*1 October 1948*

Acting on the basis of the natural and historic right of the Arab people of Palestine to freedom and independence - a right for which they have shed the noblest blood and for which they have fought against the imperialistic forces which together with Zionism, have combined to meet (these people) and prevent them from enjoying that (right),

We, members of the Palestinian National Council, meeting in the city of Gaza, proclaim on this day, the 28th of the Dhi al-Qi'da, 1367 (A.H.), corresponding to October 1st, 1948, the full independence of the whole of Palestine as bounded by Syria and Lebanon from the north, by Syria and Transjordan from the east, by the Mediterranean from the west, and by Egypt from the south, as well as the establishment of a free and democratic sovereign State. In this (State), citizens will enjoy their liberties and their rights, and (this State)

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will march forward, in a fraternal spirit, side by side with its sister Arab States, in order to build up Arab glory and to serve human civilization. (In doing this, they) will be inspired by the spirit of the nation and its glorious history, and will resolve to maintain and defend its independence. May God bear witness to what we say.

### **(III) National Council Conference, Temporary Statute of the All-Palestine Government**

*Gaza, 1 October 1948*

*[Following a meeting on 23 Sept. 1948 in Gaza, the Palestinian Interim Civil Administration, appointed by the Political Committee of the Arab League earlier that year, decided to consider itself the govt. of All-Palestine. Members were: Ahmad Hilmi Abdul-Baqi (Prime Minister), Jamal Husseini (Foreign Affairs), Awni Abdul Hadi (Social Affairs), Michele Abokorios (Treasurer), Raja'i Husseini (Defence), Hussein Al-Khalidi (Health), Awni Freij (Economy), Amin Akil (Agriculture), Yousef Sahioun (Public Affairs), Akram Zuheir (Education), Ali Hassan (Justice), Anwar Nuseibeh (Govt. Secretary). The following resolutions were declared at the final session of the Conference in Oct. 1948 in Gaza].*

*Article 1:* The statute is to be known as the temporary statute of the All-Palestine Government.

*Article 2:* In accordance with this statute, the government is to consist of a national council, a cabinet and a supreme council.

This item specifies the following apparatus of the government:

*First,* The Supreme Council: consists of the chairman of the national council as chairman and, as members, the prime minister and the head of the supreme court. Among its duties: to appoint the prime minister, to approve members of the cabinet and to call the national council for meetings.

*Second,* The Defence Council: consists of the chairman of the national council as its

chairman, and the prime minister and defence minister, as members.

*Third,* The National Council.

*Fourth,* The Cabinet: it has, together with the Supreme Council, all executive and legislative powers.

*Fifth,* The Supreme Court.

*Article 3:*

(A). This statute will stay in effect until a founder committee writes a constitution for

the country, and determines the type of government.

(B). It is the National council that decides the date to elect the founder committee.

*Article 4:* The National Council consists of delegates from representational committees in Palestine. They are the delegates invited to attend the first meeting. The cabinet, however, has the authority to nominate a suitable person to replace another member who might have resigned, died or whose membership has ceased.

*Article 5:* The supreme Council consists of the chairman of the National Council, as its chairman, and the prime minister and the head of the supreme court as members.

*Article 6:* The National Council is to convene once every six months. The chairman, however, has the right to call for emergency meetings when necessary. On the other hand, the chairman has to call for such a meeting if it is requested in writing by at least 50 members.

*Article 7:* Members of this office are: the chairman, his two deputies, and the two secretaries, which the council elects. As long as the council exists, the office will continue to perform its own duties.

*Article 8:* The All-Palestine government is a legitimate system to practice all legislative, judicial and executive powers, in accordance with the texts of the statute, in the whole of Palestine within its borders prior to the end of the British mandate on 15 May 1948. The judicial system will carry out its duty independent from the legislative and executive powers. This would be guaranteed by a special law.

*Article 9:* The cabinet is the executive power of the government, which is authorized by, and answerable to, according to this statute, the council. The cabinet would continue its work as long as it has the confidence of the council.

*Article 10:* In case the cabinet resigned, the resignation would be submitted to the chairman of the council. If it was accepted by the Supreme Council the chairman would ask who was suitable to form a new cabinet.

*Article 11:* All international agreements, political treaties, financial loans and economic deals which the cabinet may sign, will become effective only after the council has ratified them. The Council will authorize the cabinet to negotiate necessary loans to run the affairs of the country, and to organise the national struggle. These loans would be effective as soon as they are signed.

*Article 12:* The legislative power is restricted to the National Council which has the right to ratify or refuse proposed laws presented by the cabinet. The cabinet, however, will still have the right to issue decrees, laws, regulations and orders related to war, such as martial law, without referring them to the Council, which would discuss them in its next session.

*Article 13:* It is the cabinet that has the right to propose laws and regulations, and to present them to the National council for discussion and ratification. Any member of the council, however, can propose to the cabinet, through the office of the council, any law or regulation he wishes the council to ratify. If the cabinet refuses to present the proposed law or regulation, they could be forced through for discussion by request of at least 30 members of the council.

*Article 14:* Jerusalem is the capital of the government. The cabinet enjoys the right to choose another centre for the government.

*Article 15:* A National Defense Council is to be formed of the chairman of the National council, the prime minister, and the defence minister. This council has the absolute authority to take all possible means to defend Palestine, and its unity within the whole of its borders.

*Article 16:* The Supreme Council has the following authorities:

Accepting the resignation of the cabinet.

To confirm or change a death sentence, or pardon a person convicted with a death sentence.

The head of the Supreme Court would have to be replaced by the justice minister when a death sentence issued by the head of the Supreme Court is being confirmed.

1. To order the execution of laws presented by the cabinet and ratified by the National Council.
2. To accept the credentials of diplomats representing Arab and foreign states.

*Article 17:* This statute will become effective after the approval of the National Council, which has the right to amend it or replace it in accordance with the national interest, by a majority of at least two thirds of the attending members of an official session.