

Cuba opposed the Partition Plan for Palestine in 1947



On the occasion of the 69th Period of Sessions of its General Assembly

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Sixty-seven years ago, during the 2nd General Assembly of the then newly-born United Nations Organization, the Cuban delegate, Dr. Ernesto Dihigo, opposed with conclusive and indisputable arguments the Partition Plan for Palestine, which was going to come into effect later on with the approval of Resolution 181 (II). Cuba was among the 13 countries that voted against and was one of the two non-Islamic countries that maintained that position.

That event led to the first Arab-Israeli war and caused the emergence of the conflict in the Middle East that has existed up to our

days. The Palestinian State was not created and still today, its acceptance as member of the Organization with full rights is still rejected by a small group of countries, particularly by the United States of America and Great Britain, which originally caused a conflict that has existed already more than half a century and which at this very moment is undergoing a dangerous terrorist warlike expansion, encouraged precisely by these imperialist powers that persist in their insistence to dominate the entire region, control its huge energy resources and support the Zionist entity they sponsor in its criminal expansionist and genocidal policy, as recently occurred in Gaza.

Because of its relevance and full topicality, we reproduce the most important aspects of the speech and the arguments of the Cuban delegate:

Mr. President and Messrs. Delegates:

“We wish to explain very briefly the reasons why the Cuban delegation is compelled to vote against the partition plan for Palestine by the ad hoc Commission.

“We have followed the debates with interest, analyzing the arguments of one and the other in order to reach the conclusion that would seem more just to us. Cuba has evidenced its sympathy toward the Hebrews and appreciation for their qualities, since it has admitted thousands of them in its territory, who today live among us freely and peacefully, without discriminations or prejudices, but we cannot vote here according to their wishes because in our opinion the partition of Palestine is contrary to law and justice. In the first place, the initial basis for any claim is the Balfour Declaration, cause of the entire problem we face today; and the Balfour Declaration, in our opinion, totally lacks legal value, because the British government offered in it one thing it had no right to make use of, because it was not his. However, to accept its validity, what is now intended goes far beyond its terms, because it promised the Hebrews a “National Home” in Palestine, safeguarding the civil rights of the Arab population, but it did not offer a Free State, whose creation will necessarily affect those rights it was intending to safeguard.

“The partition is also contrary to law if we abide by the mandate conferred by the League of Nations. One could ask if the League of Nations could, justly, do what it did, that is, order the establishment of a National Jewish Home, with the severe demographic and political consequences they have had in a foreign land even without the consent of its inhabitants.

“But even accepting what has been done, the partition we are considering goes against the terms of that mandate, since its 6th Article ordered that the rights and position of the non-Hebrew population of Palestine should not be impaired, and it can poorly be argued that those rights are not being impaired when **more than half of their territory was to be snatched away from the natives and several hundred thousand Arabs were to remain submitted to the Hebrew government and placed in a subordinated situation there where they had formerly been owners.**

“In the third place, the project is also contrary to law, in our opinion, because it goes against the free determination of the peoples, which was an essential principle of the Pact of the League; **the destiny of a nation is being made use of here, depriving it of its national soil, of the soil it has had for many centuries, without having consulted it in order to know its opinion.** And if we turn over from the Pact of the League to the Charter of the United Nations, we will find that an identical violation is going to be committed, because the principle of the free determination of the peoples is recognized in general in the 2nd paragraph of Art. 1, and reiterated in paragraph (b) of Art.76 in the case of non-autonomous peoples, when stating that the fiduciary administration (equivalent to the League’s mandate) must take into consideration “the freely-expressed wishes of the peoples concerned”.

“We are not convinced by the argument posed by someone that Palestine is not a State and therefore does not have the condition of subject of International Law, because in any case those precepts do not speak of States but of peoples, and there is no doubt that the Palestinian is one.

“We have solemnly proclaimed the principle of the free determination of the peoples, but with great concern we see that when the time has come to enforce it we forget it.

“Such a system, in our opinion, is disastrous. The Cuban Delegation is firmly convinced that the true peace and the world of justice so much spoken of by the Second World War leaders does not depend of putting down certain essential principles in the conventions and treaties and having them remain there as dead letter, but that, at the right moment they be fulfilled by all and for all, big and small, weak or strong.

“Why wasn’t a democratic procedure followed in this case, consulting the will of the entire people of Palestine? Was there fear that the result of the consult would be contrary to what there was a will to carry out anyway? And if that is the case, where are the principles and where is the democracy we constantly invoke? Our legal doubts do not end there. In the course of the debate the powers of the Assembly to agree on the partition have been contested. It has been answered that, according to Charter Arts. 10 and 1, the Assembly may make recommendations on any issue within the limits of that document or related with the maintenance of peace and international security. Without discussing right now if the Palestinian issue is within those limits or if it is a threat to international peace, we cannot fail to notice that one thing is to make a recommendation and another, very different one, is to adopt a plan impairing the territorial integrity of a people and its legal and political position, and entrust the implementation of the project to a Commission from the Assembly itself.

“Neither does it seem possible to us to uphold that that project is a mere recommendation, since any recommendation implies the possibility of not being accepted, and the approved plan undoubtedly has coercive character, as evidenced by the fact that, according to one of its provisions, “any attempt to alter by force the arrangement foreseen in the resolution” will be considered a threat or violation of peace or act of aggression, according to Charter Art. 39. It is therefore something that is imposed by force, not a mere recommendation, and since, in our opinion, it infringes the Charter we cannot vote in favor of the project.

“Because we had all those legal doubts we voted in the Commission in favor of previously consulting the International Court of Justice, so that we could continue forward on firm ground. The consultation was rejected by the majority, which we regard as error that is not justified by the delay it might have originated, since it would have been better to wait a few months than to undertake an action that presents so many doubts, in addition to the fact that the negative to appeal to the Court might give the impression that the Assembly rejected the possibility of finding solutions according to law. On the other hand, we consider that the project is also unfair.

“Throughout many centuries the Arab people has uninterruptedly had the territory of Palestine, and according to the official data presented to us, at the end of the First World War it made up for almost 90% of the country’s total population. Through the United Kingdom as mandatory power and in fulfillment of the decisions of the League, it opened its doors to a foreign immigration, offering it a place to live and develop its existence according to its wishes, with religious freedom and without humiliating discriminations, and now those individuals are paying the generous hospitality of those who received them by taking away by force half of their native soil.

“We have said foreign immigration consistently, because with all respect to the opinion of the Hebrews, they are, in our opinion, foreigners in the territory of Palestine. Indeed, during the Commission debates information was provided to prove that the forefathers of a large number of the Hebrews that have already gone to Palestine or still want to go there were never in that region, but even in the case that the remote ancestors of all of them would have been born there, it is undoubtable that they abandoned that land such a long time ago to establish themselves in other countries, that their descendants have ceased to belong to Palestine, in the same way that we, men of America, born of immigrants who came from all corners of the Earth, cannot consider ourselves entitled to any right to the fatherland of our fathers in the old continent.

“The intimate and fervent desire of the Hebrews to return to Palestine, perhaps for tradition, perhaps for mystical reasons or religious obsession, is something that may have our entire consideration and sentimental sympathy, but, in our opinion, it is not a title for them to receive what does not belong to them, much less if in order to do it others with better right have to be dispossessed by force.

“We likewise consider the project unjust because it is the imposition of the standpoint of a minority over a huge majority, against a cardinal principle of democracy. In the present case, that minority, not wanting to submit itself to the opinion of the more, pretends to settle elsewhere, but taking with it a portion of the territory of the people that admitted it in its bosom.

(...)

“Let us not be told that sometimes one has to accept a political solution even though it may be unjust, because it will never be possible to establish peace and cordiality among the peoples on the basis of injustice.

“As regards the refugees, Jewish or non-Jewish, that today are in concentration camps, a problem that has been insisted upon by the supporters of the project, Cuba stated that it should be solved with an approach of good will by all the United Nations, accepting them proportionally in accordance with the particular conditions of each country; but Cuba understands that it cannot be imposed to Palestine to solve it all by itself, particularly if one takes into consideration that Palestine is totally strange to the causes that have determined the displacement of all those persons.

“For those reasons we will have to vote against the partition plan, as we already did in the Commission, and once our criterion has been reached we consider ourselves in the duty to express it through the vote, maintaining it firmly, despite the actions and pressures that have been made around us.”



Fidel greets Russian Ambassador Mikhail Menshikov during the reception given for the Diplomatic Corps accredited to Washington. In the middle Ernesto Dihigo, then Cuban Ambassador to the US. Photo: Archive of Granma.



ERNESTO DIHIGO Y LÓPEZ TRIGO. Was a member of the Cuban Language Academy, PhD in Philosophy and Literature and in Civil Rights at the University of Havana and Professor and specialist of Law studies. He chaired

the Organizing Committee of the Inter-American Academy of Comparative and International Rights. Permanent Delegate of Cuba, he represented the country in various sessions of the General Assembly of the UN. He belonged to the Cuban Association of the United Nations (UNCA). Already during the revolutionary period, he had served as the Extraordinary and Plenipotentiary Ambassador of Cuba in the United States.



April 25, 1945 - San Francisco Conference, meeting of Commission IV (Judicial Organization), Committee 1 (International Court of Justice) (left to right): Miguel Cruchaga (Chile); Eduardo Zuleta Angel (Colombia); and Ernesto Dihigo y Lopez Trigo (Cuba). UN Photo Archive.