

DRAFT TREATY ESTABLISHING THE HOLY LAND PROTECTORATE (HLP)

(based on the [Antarctic Treaty](#) of 1959)

The undersigned Governments [initially to include the United States, Canada, China, the E.U. States, the Russian Federation, Egypt, Jordan, Syria, and Lebanon. Ideally a large number of states in the Arab League, in Asia, and in the rest of the world would be among the first signatories as well.]:

Recognizing that it is in the interest of all mankind that The Holy Land, the region historically known as Israel and Palestine, should enjoy a peaceful existence and should no longer be the scene or object of international or internal discord;

Respectful of the region's special significance to three of the world's great religions, and optimistic that the provisions of this agreement will enhance free and open access to The Holy Land's sites by pilgrims and visitors from all nations and backgrounds, by enabling all and favoring none;

Convinced that the establishment of a firm foundation for peace in the region is impossible if The Holy Land is governed by competing sovereign nation-states;

Hopeful that this treaty ensuring the special status of The Holy Land as a Protectorate of the United Nations will defuse tensions in the region, will foster equal justice for all its residents, and will secure a lasting peace for them and for all who wish to visit The Holy Land;

Have agreed as follows:

Article I – Establishment of The Holy Land Protectorate

1. Effective the first anniversary of the signing of this treaty, the areas currently known as Israel and Palestine shall be named and known as The Holy Land Protectorate (HLP). No nation which subscribes to this treaty, modeled on the Antarctic treaty, shall either assert a claim of sovereignty in the region, or recognize such an assertion by any other nation.

2. The HLP shall be administered by a Governor General appointed by the signatories, under the auspices of the United Nations. Said Governor General will be advised eventually by a representative General Assembly. There will also be an independent Judiciary Service as described in Article IV. Current residents of the region will be issued United Nations passports and/or identity

documents in exchange for those issued by the State of Israel or the Palestinian Authority.

Article II – Freedom of religion; freedom of speech and movement

Freedom of religion in The Holy Land Protectorate shall be guaranteed to all residents and to all visitors; they shall also enjoy freedom of speech and movement, provided that such rights are exercised without harming others and without disturbing the peace.

Article III – Claims to land and property ownership

1. In light of the special status of The Holy Land Protectorate as a World Heritage belonging to all humankind, the signatories agree that:

a. No individuals or corporate entities may own land in the HLP. The Governor General, through the Judiciary Service, shall review Palestinian, Israeli, and other pertinent records and claims to land ownership, and shall mediate disputes that arise. The Governor General is authorized to grant renewable land leases (of up to 99 years) to those whose claims to land have merit, settling conflicting claims through arbitration by the independent Judiciary Service (Article IV). It will have broad power to grant land leases of comparable value and/or to compensate those who must be relocated in the interest of peace and justice.

b. Dwellings and other structures already erected on land in the HLP will be included in the long-term land leases governing the Protectorate. In lieu of ownership deeds, private or corporate long-term leases will be provided. Disputes regarding such housing leases shall be resolved by a Housing Commission of the Judiciary Service, in accordance with Article IV (1) (a), which reserves the right to acquire by eminent domain and lease back properties of disputed ownership.

c. Religious and archaeological sites in the HLP, as determined by the Governor General in consultation with a panel of experts, shall be administered by religious or archaeological trusts under the auspices of UNESCO.

2. In implementing this Article, every encouragement shall be given to the establishment of cooperative working relations with those Specialized Agencies of

the United Nations and other international organizations (notably faith communities) having a scholarly, cultural, or religious interest in The Holy Land.

Article IV – Governance

1. Governing Structures of The Holy Land Protectorate.

a. The Administration of the HLP, under the auspices of the Signatories acting within the framework of the United Nations, shall consist of three main branches: The Governor General (the executive), appointed by the Security Council of the U.N. and charged with maintaining peace, promoting development, and redressing grievances; an advisory Residents Assembly, to be elected to overlapping terms, proportionately representing residents of the HLP; and an independent Judiciary Service to oversee a code of civil and criminal law consistent with the Universal Declaration of Human Rights. The Housing Commission of the Judiciary Service, will have broad authority to arbitrate disputes regarding dwellings and other structures.

b. The Holy Land Protectorate shall be a demilitarized zone. Private ownership of firearms and explosives shall be prohibited. Law and order shall be maintained within the Protectorate by a multinational U.N. Police Force, reporting to the Governor General.

c. The Contracting Parties pledge themselves to the collective defense of the international borders of The HLP, and agree to send consular personnel to assist residents of the HLP with international trade, travel, cultural exchange, and so forth.

d. Official languages in the HLP shall be English, Arabic and Hebrew. The official currency shall be determined by the Administration. It may either be an international denomination, such as the Euro or Dollar, or a U.N. currency pegged to an international denomination.

Article V – Nuclear free zone

1. Nuclear weapons may not be introduced into the Protectorate or maintained within its borders. The disposal there of radioactive waste material shall be prohibited.

2. In the event of the conclusion of international agreements concerning the use of nuclear energy, to which all of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article VIII are parties,

the rules established under such agreements shall apply in The Holy Land.

Article VI – Area Covered by Treaty

1. The provisions of the present Treaty shall apply to the area of the Eastern Mediterranean basin which has been known through much of the latter twentieth century as Israel and Palestine (or “the occupied territories”). It is presently bordered on the north by Lebanon, on the east by Syria and Jordan, and on the south by Egypt.

2. Once the HLP is established, the Governor General shall have broad discretion to recommend the redrawing of the Protectorate’s borders in order to facilitate administration, to better accommodate population groups which may wish to align themselves with the surrounding states, or to improve the flow of trade through the establishment of free trade corridors through the region. With the support of the Contracting Parties, the U. N. General Assembly will consider such border adjustments from time to time.

Article VII – International Oversight

1. In order to promote the objectives and ensure the observation of the provisions of the present Treaty, each Contracting Party whose representatives are entitled to participate in the meetings referred to in Article VIII of the Treaty shall have the right to designate observers to carry out any inspection provided for by the present Article. Observers shall be nationals of the Contracting Parties which designate them. The names of the observers shall be communicated to the Governor General of the HLP, and like notice shall be given of the termination of their appointment.

2. Each observer designated in accordance with the provisions of paragraph 1 of this Article shall have complete freedom of access at any time to any or all areas of The Holy Land Protectorate.

3. All areas of The Holy Land Protectorate, including all stations, installations and equipment within those areas, and all ships and aircraft at points of discharging or embarking cargoes or personnel in The HLP, shall be open at all times to inspection by any observers designated in accordance with paragraph 1 of this Article.

4. Aerial observation may be carried out at any time over any or all areas of The HLP by any of the Contracting Parties having the right to designate observers.

Article VIII – Treaty states to meet periodically

1. Representatives of the Contracting Parties shall meet within two months after date of entry into force of the Treaty, and thereafter at suitable intervals and places, for the purpose of exchanging information, consulting together on matters of common interest pertaining to The Holy Land Protectorate, and formulating and considering, and recommending to their Governments, measures in furtherance of the principles and objectives of the Treaty including measures regarding:

(a) the status of the HLP as a World Heritage site, its security, and its accessibility to visitors;

(b) facilitation of archaeological research in the HLP;

(c) improvement of social services, including health, education, and welfare, in the HLP;

(d) questions relating to the exercise of jurisdiction and dispute resolution in the HLP;

(e) preservation and conservation of natural and archaeological resources in the HLP.

2. The measures referred to in paragraph 1 of this Article shall become effective when approved by all the Contracting Parties whose representatives were entitled to participate in the meetings held to consider those measures.

3. Any or all of the rights established in the present Treaty may be exercised as from the date of entry into force of the Treaty whether or not any measures facilitating the exercise of such rights have been proposed, considered or approved as provided in this Article.

Article IX - Discourages activities contrary to Treaty

Each of the Contracting Parties undertakes to exert appropriate efforts, consistent with the Charter of the United Nations, to the end that no one engages in any activity in the HLP contrary to the principles or purposes of the present Treaty.

Article X - Settlement of disputes

1. If any dispute arises between two or more of the Contracting Parties concerning the interpretation or application of the present Treaty, those Contracting Parties shall consult among themselves with a view to having the dispute resolved by negotiation, inquiry, mediation, conciliation, arbitration, judicial

settlement or other peaceful means of their own choice.

2. Any dispute of this character not so resolved shall, with the consent, in each case, of all parties to the dispute, be referred to the International Court of Justice for settlement; but failure to reach agreement on reference to the International Court shall not absolve parties to the dispute from the responsibility of continuing to seek to resolve it by any of the various peaceful means referred to in paragraph 1 of this Article.

Article XI - Review of Treaty possible after 30 years

1. (a) The present Treaty may be modified or amended at any time by unanimous agreement of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article VIII. Any such modification or amendment shall enter into force when the depositary Government has received notice from all such Contracting Parties that they have ratified it.

(b) Such modification or amendment shall thereafter enter into force as to any other Contracting Party when notice of ratification by it has been received by the depositary Government. Any such Contracting Party from which no notice of ratification is received within a period of two years from the date of entry into force of the modification or amendment in accordance with the provisions of subparagraph 1(a) of this Article shall be deemed to have withdrawn from the present Treaty on the date of the expiration of such period.

2. (a) If after the expiration of thirty years from the date of entry into force of the present Treaty, any of the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article VIII so requests by a communication addressed to the depositary Government, a Conference of all the Contracting Parties shall be held as soon as practicable to review the operation of the Treaty.

(b) Any modification or amendment to the present Treaty which is approved at such a Conference by a majority of the Contracting Parties there represented, including a majority of those whose representatives are entitled to participate in the meetings provided for under Article VIII, shall be communicated by the depositary Government to all the Contracting Parties immediately after the termination of the Conference and shall enter into force in accordance with the provisions of paragraph 1 of the present Article.

(c) If any such modification or amendment has not entered into force in accordance with the provisions of subparagraph 1(a) of this Article within a period of two years after the date of its communication to all the Contracting Parties, any Contracting Party may at any time after the expiration of that period give notice to the depositary Government of its withdrawal from the present Treaty; and such withdrawal shall take effect two years after the receipt of the notice by the depositary Government.

Article XII - Ratification and accession

1. The present Treaty shall be subject to ratification by the signatory States. It shall be open for accession by any State which is a Member of the United Nations, or by any other State which may be invited to accede to the Treaty with the consent of all the Contracting Parties whose representatives are entitled to participate in the meetings provided for under Article VIII of the Treaty.

2. Ratification of or accession to the present Treaty shall be effected by each State in accordance with its constitutional processes.

3. Instruments of ratification and instruments of accession shall be deposited with the Government of the United States of America, hereby designated as the depositary Government.

4. The depositary Government shall inform all signatory and acceding States of the date of each deposit of an instrument of ratification or accession, and the date of entry into force of the Treaty and of any modification or amendment thereto.

5. Upon the deposit of instruments of ratification by all the signatory States, the present Treaty shall enter into force for those States and for States which have deposited instruments of accession. Thereafter the Treaty shall enter into force for any acceding State upon the deposit of its instrument of accession.

6. The present Treaty shall be registered by the depositary Government pursuant to Article 102 of the Charter of the United Nations.

Article XIII - United Nations Archives is repository

The present Treaty, done in the English, French, Russian, Arabic, and Hebrew languages, each version being equally authentic, shall be deposited in the Archives of the United Nations, which shall transmit duly certified copies thereof to the Governments of the signatory and acceding States.

In witness whereof, the undersigned Plenipotentiaries, duly authorized, have signed the present Treaty.

Done at Washington [Geneva? Brussels?] the ____ day of _____, two thousand _____.

For The United States of America: _____

For Canada: _____

For The Russian Federation: _____

For The People's Republic of China: _____

For the European Union (or states to be determined) _____

For Egypt: _____

For Jordan: _____

For Lebanon: _____

For Syria: _____

etc.