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- Report of D.H. on basic points for the presence and functioning in Egypt of the UNEF.
- Report of D.H. on administrative and financial arrangements for the UNEF
- Report of D.H. on compliance with the Gen. - Assembly resolutions of 2 and 7 Nov. 56 and annex 1-5.
(Gen. Assembly documents)



UNITED NATIONS
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ORIGINAL: ENGLISH

Eleventh session
Agenda item 66

QUESTION CONSIDERED BY THE FIRST EMERGENCY SPECIAL SESSION OF
THE GENERAL ASSEMBLY FROM 1 TO 10 NOVEMBER 1956

Report of the Secretary-General on basic points for the presence
and functioning in Egypt of the United Nations Emergency Force

After the adoption, 7 November 1956, by the General Assembly of the resolution concerning the establishment of the United Nations Emergency Force, the Government of Egypt was immediately approached by the Secretary-General through the Commander of the Force, Major General E.L.M. Burns, in order to prepare the ground for a prompt implementation of the resolution.

The Government of Egypt had, prior to the final decision of the General Assembly, accepted the Force in principle by formally accepting the preceding resolution on the establishment of a United Nations Command. Before consenting to the arrival of the Force, the Government of Egypt wished to have certain points in the resolutions of the General Assembly clarified. An exchange of views took place between the Secretary-General and the Government of Egypt in which the Secretary-General, in reply to questions addressed to him by the Government of Egypt, gave his interpretations of the relevant General Assembly resolutions, in respect of the character and functions of the Force. At the end of the exchange, he gave to the Advisory Committee a full account of the interpretations given. Approving these interpretations, the Advisory Committee recommended that the Secretary-General should proceed to start the transfer of the United Nations Emergency Force.

On the basis of the resolutions, as interpreted by the Secretary-General, the Government of Egypt consented to the arrival of the United Nations Force in Egypt. The first transport of troops took place on 15 November 1956.

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While the Secretary-General found that the exchange of views which had taken place was sufficient as a basis for the sending of the first units, he felt, on the other hand, that a firmer foundation had to be laid for the presence and functioning of the Force in Egypt and for the continued co-operation with the Egyptian authorities. For that reason, and also because he considered it essential personally to discuss with the Egyptian Authorities certain questions which flowed from the decision to send the Force, after visiting the staging area of the Force in Naples, he went to Cairo, where he stayed from 16 until 18 November. On his way to Cairo he stopped briefly at the first staging area in Egypt, at Abu Soueir.

In Cairo he discussed with the President and the Foreign Minister of Egypt basic points for the presence and functioning of the UNEF in Egypt. Time obviously did not permit a detailed study of the various legal, technical and administrative arrangements which would have to be made and the exchange of views was therefore related only to questions of principle.

The Secretary-General wishes to inform the General Assembly of the main results of these discussions. They are summarized in an "Aide-mémoire on the basis for presence and functioning of UNEF in Egypt", submitted as an annex to this report.

The text of this Aide mémoire, if noted with approval by the General Assembly, with the concurrence of Egypt, would establish an understanding between the United Nations and Egypt, on which the co-operation could be developed and necessary agreements on various details be elaborated. The text, as it stands, is presented on the responsibility of the Secretary-General. It has the approval of the Government of Egypt.

The Secretary-General, in this context, submits below a few indications as to the numerical development of the Force.

As of 20 November 1956 a total number of 696 were at the staging area in Egypt at Abu Soueir. At the same time a total number of 282 were at the staging area in Italy at Naples. According to the present planning a total number of 2,241 will be transferred to Egypt in the immediate future. A further number of 1,260 are to be transferred to Naples or directly to Egypt at times still to be determined.

The extensive practical arrangements, necessary for a successful development of the Force and its activities, are making progress. A report on the situation in this and other technically relevant respects will be presented to the General Assembly as soon as the initial stage is passed.

The initial activities of the Force are determined by the fact that, as yet, no withdrawals have taken place in compliance with the Resolutions of the General Assembly 2 and 7 November 1956. In pursuance of these two Resolutions I shall report to the General Assembly on this matter as soon as I receive clarifications from the Governments concerned. I am sure that the General Assembly, in view of the great urgency, will wish to give their immediate attention to the matter raised in this report so as, by consolidating the basis for the presence and functioning of the Force in Egypt, to contribute to speedy progress towards the ends it has set for the United Nations activities in the area.

ANNEX

AIDE MEMOIRE ON THE BASIS FOR PRESENCE AND FUNCTIONING OF UNEF IN EGYPT

NOTING that by cablegram of 5 November 1956 addressed to the Secretary-General the Government of Egypt, in exercise of its sovereign rights, accepted General Assembly resolution 394 of the same date establishing "a United Nations Command for an emergency international force to secure and supervise the cessation of hostilities in accordance with all the terms of the Resolution of the General Assembly of 2 November 1956";

NOTING that the General Assembly in its Resolution 395 of 7 November 1956 approved the principle that it could not request the Force "to be stationed or operate on the territory of a given country without the consent of the Government of that country" (paragraph 9 of the Secretary-General's report of 6 November 1956, A/3302);

HAVING agreed on the arrival in Egypt of the United Nations Emergency Force (UNEF);

NOTING that advance groups of UNEF have already been received in Egypt, The Government of Egypt and the Secretary-General of the United Nations have stated their understanding on the basic points for the presence and functioning of UNEF as follows:

1. The Government of Egypt declares that, when exercising its sovereign rights on any matter concerning the presence and functioning of UNEF, it will be guided, in good faith, by its acceptance of the General Assembly Resolution 394 of 5 November 1956.

2. The United Nations takes note of this declaration of the Government of Egypt and declares that the activities of UNEF will be guided, in good faith, by the task established for the Force in the aforementioned Resolutions; in particular, the United Nations, understanding this to correspond to the wishes of the Government of Egypt, reaffirms its willingness to maintain the UNEF until its task is completed.

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3. The Government of Egypt and the Secretary-General declare that it is their intention to proceed forthwith, in the light of points 1 and 2 above, to explore jointly concrete aspects of the functioning of UNEF, including its stationing and the question of its lines of communication and supply; the Government of Egypt, confirming its intention to facilitate the functioning of UNEF, and the United Nations are agreed to expedite in co-operation the implementation of guiding principles arrived at as a result of that joint exploration on the basis of the Resolutions of the General Assembly.



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On the basis of the resolutions, as interpreted by the Secretary-General, the Government of Egypt consented to the arrival of the United Nations Force in Egypt. The first transport of troops took place on 15 November 1956.

While the Secretary-General found that the exchange of views which had taken place was sufficient as a basis for the sending of the first units, he felt, on the other hand, that a firmer foundation had to be laid for the presence and functioning of the Force in Egypt and for the continued co-operation with the Egyptian authorities. For that reason, and also because he considered it essential personally to discuss with the Egyptian Authorities certain questions which flowed from the decision to send the Force, after visiting the staging area of the Force in Naples, he went to Cairo, where he stayed from 16 until 18 November. On his way to Cairo he stopped briefly at the first staging area in Egypt, at Abu Soueir.

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2. The United Nations takes note of this declaration of the Government of Egypt and declares that the activities of UNEF will be guided, in good faith, by the task established for the Force in the aforementioned Resolutions; in particular, the United Nations, understanding this to correspond to the wishes of the Government of Egypt, reaffirms its willingness to maintain the UNEF until its task is completed.

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3. The Government of Egypt and the Secretary-General declare that it is their intention to proceed forthwith, in the light of points 1 and 2 above, to explore jointly concrete aspects of the functioning of UNEF, including its stationing and the question of its lines of communication and supply; the Government of Egypt, confirming its intention to facilitate the functioning of UNEF, and the United Nations are agreed to expedite in co-operation the implementation of guiding principles arrived at as a result of that joint exploration on the basis of the Resolutions of the General Assembly.



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QUESTION CONSIDERED BY THE FIRST EMERGENCY SPECIAL SESSION OF THE
GENERAL ASSEMBLY FROM 1 TO 10 NOVEMBER 1956

Report of the Secretary-General on administrative and financial
arrangements for the United Nations Emergency Force

1. In accordance with the provisions of paragraph 4 of resolution A/RES/394 adopted by the General Assembly on 5 November 1956, and paragraph 7 of resolution A/RES/395 adopted on 7 November 1956, administrative and executive measures necessary for the establishment and operation of the United Nations Emergency Force have either been instituted or are in the process of being given effect to, in consultation as required, with the Advisory Committee, established under paragraph 6 of resolution A/RES/395. Subject to such action as the General Assembly may decide upon with respect to certain basic questions of administrative and financial policy to which attention is called in paragraphs 5 to 14 hereunder, it is the intention of the Secretary-General to issue such regulations and instructions as are necessary for the guidance of those concerned.

2. Having regard to the relevant provisions of the resolutions which the General Assembly has adopted, following consultation with the Advisory Committee on questions left open in my report (A/3302), the organization of the Force is proceeding on the basis of the following provisional arrangements:

- (i) All personnel assigned to the Force will be under the direct supervision of the Commander who, in consultation as required with the Secretary-General, will undertake the recruitment from Member Governments of officers for his Command. The Commander may hire such local personnel as he requires and arrange with the Secretary-General for such detailment of staff from the United Nations Secretariat as may be necessary.

- (ii) The Commander will have charge of the billeting and the provision of food for all personnel attached to the Force, and may negotiate with Governments and private suppliers for the provision of premises and food.
- (iii) The Commander will arrange for the transportation of personnel and equipment to and from the area of operations; will make provision for local transportation within the area; and will co-ordinate the use of all transportation facilities furnished by Governments.
- (iv) The Commander will be responsible for the procurement, storage and issuance of supplies required by the Force.
- (v) The Commander will make such arrangements as may be necessary for obtaining equipment required by the Force, other than the standard equipment expected to accompany national contingents.
- (vi) The Commander, in consultation with the Secretary-General, will make appropriate arrangements for the inclusion in the Force of such supporting units as may be necessary to provide for the establishment, operation and maintenance of communications within the area of operations and with United Nations Offices.
- (vii) The Commander, in consultation with the Secretary-General, will also arrange for the necessary supporting units to provide medical, dental and sanitary services for all personnel.
- (viii) The Secretary-General, in consultation with the Advisory Committee, will have final authority for all administrative and financial operations of the Force. He will be responsible for concluding agreements or making other arrangements with contributing Governments regarding the provision of troop units, supplies, or services required by the Force.

3. Arrangements have been made, pursuant to the provisional approval contained in paragraph 5 of resolution A/RES/395, for the finances of the Force to be handled under a Special Account outside the normal budget of the United Nations. As provided for in paragraph 7 of the draft resolution annexed to the present report, the Secretary-General will issue provisional financial rules for the operation of the Special Account as soon as the General Assembly has acted on the policy questions raised in this report. Such rules will provide, inter alia, for audit of transactions relating to the Special Account by the United Nations Board of

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Auditors and for the scope of such audit to be determined by the Board in consultation with the Advisory Committee on Administrative and Budgetary Questions. Established United Nations procedures for financial control and accounting will be applied to the extent that they are appropriate.

4. The Secretary-General believes that the arrangements provide a basis for the effective functioning of the Force. There are, however, administrative and financial questions involving broad policy considerations on which the Secretary-General requests the guidance of the General Assembly. Such matters relate to the method to be adopted for allocating to Member Governments the costs for the Force; the necessity of assuring necessary cash requirements; the problem of currency of payment of troops and related questions; and arrangements regarding compensation for service-incurred death or disability. The views of the Secretary-General with respect to these particular matters are set forth hereunder, and the draft resolution annexed is based on these views.

Methods of Assessment on Member States for the expenses in connexion with the Force

5. The Secretary-General considers it essential that the General Assembly decide at an early date on the method of allocating to Member States the costs of the Force to be financed by the United Nations.

6. In order to assist the General Assembly in considering this question, the Secretary-General recommends:

(a) That the expenses of the Force be allocated to Member States on the basis of the scale of assessments to be adopted for the United Nations budget for 1957.

(b) That the General Assembly decide now on an initial amount of assessment for the Special Account.

7. The Secretary-General is not, at this stage, in a position to inform the General Assembly of the likely total requirements. He would suggest, however, that, for the purpose of an initial assessment for the Special Account, an amount of \$10,000,000 should be approved. It would be understood that any balances ultimately remaining from assessments for the Special Account would be refunded to Member States in the same proportion as their contributions to this Account.

Cash requirements

8. The Secretary-General must be in a position to meet immediate cash needs. Accordingly, paragraph 4, 5 and 6 of the proposed draft resolution authorize the
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Secretary-General to advance monies from the United Nations Working Capital Fund to the Special Account and, should the necessity arise, to seek other means of providing for cash needs.

9. It should be emphasized that while the available balance in the Working Capital Fund may be expected to cover initial cash requirements, the Fund will also be called upon to meet normal budgetary expenses to the extent that receipts from current contributions are lower than the level of those expenses. Experience indicates that during the next few months the amounts thus required will be substantial. Consequently, the Secretary-General urges Member States to arrange, as soon as possible, for payment of their assessments to the Special Account and would welcome immediate information as to any advance payment which Members may be in a position to make.^{1/} In the event, however, of evident need for cash requirements, pending receipt of such payments or advances, the Secretary-General is of the opinion that, as provided in paragraph 4 of the draft resolution, he should be authorized to arrange for loans from appropriate sources.

10. In the light of developments during 1956, the Secretary-General proposes to submit a report to the General Assembly on the question of a suitable level for the Working Capital Fund in 1957. He believes, however, that a decision on this question might best be taken by the General Assembly after consideration by the Fifth Committee, following review by the Advisory Committee on Administrative and Budgetary Questions.

Currency of payment of troops and related questions

11. The troops assigned to the Force will need to be paid, to some extent at least, in the currency of the country in which they are stationed, and this may create foreign exchange difficulties for the nations which contribute the units and are responsible for their pay. The Secretary-General does not believe that it would be the wish of the General Assembly that such arrangements should operate to the disadvantage either of contributing Governments or of the troops which they have assigned to the service of the United Nations. To avoid this possibility, the Secretary-General considers that it would be appropriate for the United Nations to make available to the contributing Governments, against reimbursement in their

^{1/} For the immediate future, all such payments or advances would have to be in freely convertible currencies, more specifically in United Nations or Canadian dollars, or in Swiss francs.

own currencies, such foreign exchange as would be necessary for this purpose at a rate of exchange to be determined by the Secretary-General, in consultation with the Government concerned.

Compensation for death, injury or illness attributable to service with the Force

12. For staff members detailed for service with the Force, the normal staff rules relating to service-incurred death, injury or illness would apply. The Organization has re-insured itself by commercial coverage at relatively nominal cost against possible major loss.
13. With regard to troops of the United Nations Emergency Force, it has been assumed that in case of death, injury or illness attributable to service with the Force, such personnel or their dependants would qualify for benefits under their own national service pension or compensation regulations, and that they would not receive such benefits directly from the United Nations. However, in order to meet possible claims from Governments for reimbursement of pensions and compensation paid by them, it has been deemed expeditent for the Organization to take out commercial insurance covering death and dismemberment of members of the Force. Such coverage has been obtained on a temporary (one month minimum) basis in the unit amount of \$25,000 for death or dismemberment, at a cost of \$25 per month per member, commencing with initial travel (from the home country) in each case.
14. In view of the costs involved in providing such insurance, the Secretary-General believes that the General Assembly may wish to consider whether the existing commercial coverage should be continued or, alternatively, whether the Organization should assume the risks on a non-insured basis.

ANNEX I

DRAFT RESOLUTION

The General Assembly,

Having decided, in A/RES/394 and 395, to establish a United Nations international Force, (hereinafter to be known as the United Nations Emergency Force), under a Chief of Command (hereinafter to be known as the Commander),

Desiring to adopt arrangements regarding the costs of maintaining the Force,

Having considered and provisionally approved the recommendations made in this respect by the Secretary-General (A/3302, para. 15),

1. Decides that expenses of the Force, other than for pay and equipment of national contingents and such other supplies, equipment and services as may be furnished, without charge, by Member Governments, shall be borne by the United Nations; and shall be apportioned among the Member States in accordance with the scale of assessments adopted by the General Assembly for contributions to the annual budget of the Organization for the financial year 1957;

2. Authorizes the Secretary-General to establish a United Nations Emergency Force Special Account to which the contributions of Member States shall be credited and from which payments may be made for the purpose of meeting the expenses of the Force;

3. Approves an initial assessment for the Special Account in the amount of \$10,000,000;

4. Authorizes the Secretary-General, pending receipt of contributions to the Special Account:

(a) To advance from the Working Capital Fund such sums as the Special Account may require to meet any expenses chargeable to it;

(b) Where necessary, to arrange for loans to the Special Account from appropriate sources, including Governments and international agencies; provided that the repayment of any such advances or loans to the Special Account shall constitute a first charge against contributions as they are received;

5. Further authorizes the Secretary-General to treat as an advance to the Special Account, as he may deem appropriate and with the concurrence of

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the Governments concerned, the cost of services and supplies chargeable to the Special Account which have been furnished by a Member State;

6. Urges all Member States to remit promptly their initial assessment under the present resolution and, to the extent possible, to make advances to the Special Account;

7. Requests the Secretary-General to establish such rules and procedures for the Special Account as he may consider necessary to ensure effective financial administration and control of that Account. These rules shall apply in lieu of such of the United Nations Financial Regulations and Rules as are inconsistent with them.



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QUESTION CONSIDERED BY THE FIRST EMERGENCY SPECIAL SESSION
OF THE GENERAL ASSEMBLY FROM 1 TO 10 NOVEMBER 1956

Report of the Secretary-General on compliance with the
General Assembly resolutions of 2 and 7 November 1956

The General Assembly in resolutions, 2 and 7 November 1956, requested the Secretary-General to report promptly on compliance with the resolutions.

The Secretary-General addressed, 19 November, to the Governments of France, Israel and the United Kingdom orally a request for clarification of the present state of compliance as a basis for a report to the General Assembly. The Secretary-General indicated that he would wish to be in a position to clarify to the General Assembly whether any withdrawal of forces had taken place and, if so, to what extent, whether anything could be said concerning the plans for withdrawal, what were the reasons for the fact that so far no - or no more - progress had taken place in compliance with the General Assembly resolutions, and, finally, what, in the view of the Government concerned, was the state of compliance with the cease fire.

A question was addressed, 20 November, to the Government of Egypt whether it had any observations to offer on the last-mentioned point.

The Secretary-General has now received replies to his request to the Governments of France, Israel and the United Kingdom. The replies are circulated as annexes to this report (annexes 1-3).

At the present stage the Secretary-General does not wish to present any observations concerning the state of compliance reflected in the replies received. Nor does he find it to the purpose now to discuss the views expressed on the circumstances under which compliance was to be established.

As to the part of the letter from the Government of the United Kingdom which refers to the possibility of certain facilities being made available to the United Nations Emergency Force, the Secretary-General finds it premature now to comment on questions which form part of the general problem of supplies and transport to be treated in a later report to the General Assembly. Solutions will be sought to that problem which are fully in line with the international character of the Force, as set up for the specific purposes defined in the relevant General Assembly resolutions.

If and when the Government of Egypt should wish to reply to the question addressed to it, the reply will be circulated separately.

At the same time as the replies to the request for clarification, 19 November, are circulated, the Secretary-General circulates also a letter from him to the Foreign Minister of Israel, 21 November 1956, together with a preliminary reply received (annexes 4-5). This exchange of letters refers to the possibility of placing observers in an important part of the area from which, according to the request of the General Assembly, Israeli forces should withdraw. The final reply from the Foreign Minister of Israel will be circulated separately as soon as it is received.

ANNEX 1

Aide-memoire dated 21 November 1956 from the Government of France,
transmitted to the Secretary-General

/ORIGINAL: FRENCH/

The disposition of the Anglo-French forces has been adapted to the new conditions created by the cease-fire. It has now been almost stabilized so as to be in a position to fulfil the task of defence, policing and repairs, which is incumbent on our forces. Approximately one-third of the French forces which were deployed on 7 November has been withdrawn.

We are studying plans for withdrawal, but it is difficult to make them final until the necessary contacts have been made between the Franco-British Command and the Command of the International Emergency Force.

The French Government remains ready to proceed with the withdrawal of its forces as soon as the International Force, which is being established, is in a position to discharge the functions which have been entrusted to it under the General Assembly resolutions of 2, 5 and 7 November.

In particular it considers it essential that the Force be capable of seeing that, in the Port Said area, the cease-fire is strictly observed by the Egyptian authorities, ensuring that quiet is maintained and guaranteeing the protection of persons whatever their nationality during and after the withdrawal of the Franco-British forces.

The cease-fire is being strictly observed by the Franco-British troops. It has nevertheless been disturbed by at least four incidents since the date on which it was ordered.

(a) On 7 November at noon an Egyptian patrol opened fire from the zone north of El Kantara on Franco-British advance posts. The firing lasted for some time.

(b) In the night of 10 to 11 November about ten Egyptian light machine guns opened fire on El Cap wounding one person in the English lines.

(c) In the night of 16 to 17 November an explosion breached the sweet water canal at the northern limits of the village of El Kantara. This breach resulted in the town of Port Said being deprived of a part of its water supply.

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(d) On 18 November at noon a patrol of thirty-five Egyptians armed with a machine gun opened fire in the direction of the French positions. Firing continued regularly for half an hour and then became less frequent. The United Nations observers were informed of this.

21 November 1956

ANNEX 2

Letter dated 21 November 1956 from the Permanent Representative of
Israel to the United Nations, addressed to the Secretary-General

New York, 21 November 1956

I refer to the questions which you submitted on 19 November to the Minister for Foreign Affairs.

I have the honour on behalf of the Government of Israel to submit the enclosed aide-memoire in reply to those questions.

(Signed) Abba EBAN

AIDE-MEMOIRE

Reference is made to the questions submitted by the Secretary-General to the Government of Israel on 19 November 1956.

The reply of the Government of Israel, at this stage, is as follows:

1. There has been a withdrawal of Israel's forces for varying distances along the entire Egyptian front.
2. The Government of Israel reiterates the position conveyed to the Secretary-General on 8 November 1956. Israel will willingly withdraw its forces from Egypt immediately upon the conclusion of satisfactory arrangements with the United Nations in connexion with the Emergency International Force. The "satisfactory arrangements", which Israel seeks are such as will ensure Israel's security against the recurrence of the threat or danger of attack, and against acts of belligerency by land or sea.
3. The Government of Israel has not yet had an opportunity of discussing satisfactory arrangements with the United Nations in connexion with the Emergency International Force. It awaits information on the proposed size, location and stationing arrangements of the United Nations Emergency Force, and on the method proposed for the discharge of all the functions laid down in the resolutions of 2, 5 and 7 November. It is noted that the resolution of 5 November requires the United Nations Emergency Force

to secure the cessation of hostilities "in accordance with all the terms of the resolution of 2 November 1956". These terms include various provisions, in addition to those for the cease-fire and the withdrawal of forces. When the Government of Israel has studied the Secretary-General's report, which came into its hands a few hours ago, and elicits further information relating to the functions of the United Nations Emergency Force, it will be prepared to make its own observations and suggestions, with a view to implementing its undertaking of 8 November.

4. The Government of Israel also awaits a reply to the information sought from Egypt in a communication to the Secretary-General on 3 November. It is obvious that a knowledge of Egypt's policy and intention with respect to belligerency or peace with Israel must influence Israel's dispositions on matters affecting her security.
5. Israel is strictly observing the cease fire. There have been attempted penetrations of the cease-fire line by Egyptian forces within the past two days. These have been repelled.

The delegation of Israel is now ready to discuss with the Secretary-General, or his representatives, considerations which arise in connexion with the resolution of 2 November and the implementation of the Israel Government's declaration of 8 November.

New York,
21 November 1956

ANNEX 3

Letter dated 21 November 1956 from the Secretary of State for Foreign
Affairs of the United Kingdom of Great Britain and Northern Ireland,
addressed to the Secretary-General

21 November 1956

With regard to the withdrawal of British forces from Egypt I have the honour to make the following communication on behalf of Her Majesty's Government in the United Kingdom.

1. No significant withdrawal has yet taken place. In response, however, to requests made to me on your behalf in New York, the following arrangements have been agreed to by the Anglo-French Command:

- (a) A Norwegian-Danish Company of the United Nations Emergency Force is to enter Port Said today;
- (b) The main body of the Yugoslav Contingent for UNEF will disembark at Port Said and will be assisted in transit;
- (c) The Anglo-French Command will make provision for:
 - (i) The necessary vehicles for the Norwegian Medical Company;
 - (ii) Complete military transport for the Indian infantry battalion of some 800 men which will form part of the UNEF;
 - (iii) Fuel, medical supplies and food for the use of the International Force.

Detailed arrangements for implementing these and similar requests will be concerted between the Anglo-French Command and the Command of the United Nations Emergency Force.

2. It will be recalled that the following statement was made on behalf of Her Majesty's Government in the letter from the Permanent Representative of the United Kingdom to Your Excellency dated 6 November (A/3306). "If the Secretary-General can confirm that the Egyptian and Israeli Governments have accepted an unconditional cease-fire, and that the International Force to be set up will be competent to secure and supervise the attainment of the objectives set out in the operative paragraphs of the resolution passed by the General Assembly on 2 November, Her Majesty's Government will agree to stop further military operations." As a consequence of satisfactory arrangements

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being made regarding the cease-fire and of the steps taken, pursuant to the Assembly's resolution of 7 November, to establish the international force, Her Majesty's Government ordered the cessation of all military operations.

3. As soon as Her Majesty's Government are satisfied that the UNEF is in a position to assume effectively the tasks assigned to it under the Assembly resolutions, the Anglo-French forces will be withdrawn. At the present time, however, the UNEF is still in a process of being built up and is not yet in a position to carry out effectively the functions assigned to it.

4. Nevertheless the United Kingdom Government, as an indication of their intentions, have decided to withdraw at once an infantry battalion from Port Said. The withdrawal of other units will proceed as the United Nations Force becomes effective.

5. The cease-fire has and is being strictly observed by the Anglo-French forces. Egyptian regular troops and non-military Egyptian elements, who have been supplied with arms, have on several occasions opened fire, without provocation, on Anglo-French units.

(Signed) Selwyn LLOYD

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ANNEX 4

Letter dated 21 November 1956 from the Secretary-General, addressed
to the Minister for Foreign Affairs of Israel

New York, 21 November 1956

According to information received which I must consider as reliable, the situation in the Gaza strip, in particular in Rafah has been one giving rise to great concern. I will not here go into the question of the reasons for this unrest, nor into the information we have on the casualties ensuing. I hope that the situation has improved, and I gather from you that according to your information that is the case. However, the situation remains one which I cannot disregard in the execution of my obligations under the relevant General Assembly resolutions.

The other day I addressed to you a request that observers from the United Nations Emergency Force be permitted to enter, to be stationed and to function within the Gaza area. I now wish to repeat this request. It seems to me that such an arrangement is the only way in which I can fulfil my obligation to assist in securing the cessation of all hostilities within the area, which, in the light of the stand taken by the General Assembly, is the area where the United Nations Emergency Force has to function in support of the cease-fire.

The steps you have taken concerning the representatives of the Truce Supervision Organization in Gaza, has seriously limited their possibilities to fulfil their functions. I will not now enter on a discussion of the questions to which this policy on your side gives rise, but I mentioned it as an added reason for my request.

I may remind you of the fact that already at an early stage British and French authorities permitted United Nations observers to enter Port Said where we have at present also units of the United Nations Emergency Force.

I would appreciate an immediate reply to this request. I would also appreciate receiving all information you can furnish about the present state of affairs in the Gaza area. I am sure that you agree that in face of the concern felt in the light of previous events, and the possibilities implicit in the situation, it should be in Israel's own interest to receive observers, even if quiet would now prevail.

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ANNEX 5

Letter dated 21 November 1956 from the Minister for Foreign Affairs
of Israel, addressed to the Secretary-General

New York, 21 November 1956

I acknowledge receipt of your letter of today's date, with reference to the situation at Rafa.

As I have explained to you, there is now complete tranquility in that area.

I am, however, in communication with my Government on your letter, and hope to have an early reply.

Yours sincerely,
(Signed) Golda MEIR

*Text as finally established
of draft for annex III to
report.*

N O T E

1. The following considerations have guided the interpretation given to the functions of the UNEF under the relevant General Assembly resolutions.

2. The basic fact is the adoption by the General Assembly, in its resolution of 7 November concerning the UNEF, of the statement on the functions of the Force which is to be found in paragraph 12 of the Secretary-General's Report.

3. Paragraph 12 in the Secretary-General's Report quotes from the resolution 2 November, operative paragraphs 1 and 2, concerning the cease-fire and withdrawal. After this quotation follows the statement: "These two provisions combined indicate that the functions of the United Nations Force would be, when a cease fire is being established, to enter Egyptian territory with the consent of the Egyptian Government, in order to help maintain quiet during and after the withdrawal of non-Egyptian troops and to secure compliance with the other terms established in the resolution of 2 November 1956."

4. It is clear that the functions, as determined by this explicit reference in the Report, paragraph 12, to operative paragraphs 1 and 2 in the resolution of 2 November, link the activities to the areas where the dividing line would go between Egyptian and non-Egyptian forces. After the withdrawal of non-Egyptian troops from Port Said and the Canal Area, this dividing line, and therefore the functions, obviously would be outside Port Said and the Canal Area. This was reflected in the explanation given by the Secretary-General in the debate in the General Assembly, where he said: "The United Nations Force will have to come in at what is at present the dividing line between Egyptian and Israeli forces. It is at whatever may come to be the dividing line that they will have to function". This statement did not give rise to any comments or reservations before the vote was taken.

5. However, paragraph 12, as seen from the quote above, also says that the Force, in general, should have the duty "to secure compliance with the other terms established in the resolution of 2 November". In that resolution it is said, in operative paragraph 4: "... urges that, upon the cease-fire being effective, steps be taken to reopen the Suez Canal and restore secure freedom of navigation". Because of this operative paragraph seen in conjunction with the general reference in the Secretary-General's Report, paragraph 12, to the terms of the resolution 2 November, the question arises, whether the Force might have functions in the Area also after the withdrawal of the non-Egyptian forces from Port Said and the Canal Area, irrespective of the opposite conclusion reached on the basis of operative paragraphs 1 and 2.

6. When the resolution of 2 November was adopted, no proposal was on the table concerning the establishment of an international force. It is, thus, clear that the General Assembly then had in mind other steps when it adopted the wording of operative paragraph 4. As a means to the ends established in operative paragraph 4, the Force may yet come into the picture. It may do so as a new element which, by achieving the cease-fire and the withdrawal, helps to maintain a situation in which the other steps, envisaged by the General Assembly, can be taken. Such an indirect responsibility in relation to operative paragraph 4, however, obviously does not give the Force any other functions in the Area than those which follow from operative paragraphs 1 and 2. It follows that the indirect link that may exist with operative paragraph 4 does not lead to any functions in the Area, as soon as the withdrawal is achieved.

7. The steps envisaged in operative paragraph 4 may, in principle, be of two kinds:

either they may be steps taken in cooperation with and in full agreement with the Egyptian Government,

or, they may be steps taken without such cooperation, and against

the wishes of the Government of Egypt.

In the first case it is obviously not excluded that agreements made with Egypt might provide also for certain functions for elements of the Force in the Area. However, if that were to be the case, the functions would derive from a free agreement with the Government of Egypt and not from the General Assembly resolution.

On the basis of the second alternative, it is obvious that the Force cannot have any functions in the Area; the General Assembly has established that the Force should function with the consent of the Government of Egypt, and the General Assembly then cannot at the same time have reserved for the Force functions in implementation of steps which would not have the approval of the Government of Egypt.

8. It thus follows that, on the basis of the General Assembly resolution of 2 November, the Force has no functions in Port Said or the Canal Area after the withdrawal of non-Egyptian forces, and that operative paragraph 4 does not contradict this conclusion, as the Force can have significance in that context only through fulfilling the functions which it will have at the dividing line, or through undertaking additional functions based on a freely negotiated agreement with the Egyptian Government.

9. Another interpretation of the situation, than the one given here, might be attempted on the following basis. The acceptance in principle by Egypt of the United Nations Force, and its functions, was a condition for a cessation of military action by France and the United Kingdom. France and the United Kingdom, however, could not be expected to stop their action short of having a guarantee that their objectives would be achieved by the other means, provided by the United Nations and accepted by Egypt, i.e. France and the

United Kingdom must, in stopping their military action, have assumed that, with Egypt's consent, the United Nations Force would achieve their own proclaimed objectives, also as concerns the Canal. Nothing in the wording of paragraph 12 of the Report on the Force may be said clearly to contradict such an interpretation.

10. However, the standpoint just described is untenable. It would mean that the United Nations, in deciding on the Force, implicitly had condoned the British/French action and endorsed its specific objectives. In fact the opposite is true. The majority, when deciding on the Force, did so in order to put weight behind its demand for a withdrawal, clearly with an implied rejection specifically of one of the objectives of the Anglo/French action, namely the temporary military occupation of the Canal Zone as a means to safeguarding specific interests through an, if necessary enforced, solution of the Canal problem. How could, under such circumstances, the United Nations Force be considered a means to the same end? The alternative interpretation of paragraph 12 of the Report, mentioned in the previous point, thus, is unacceptable as negating the very basis for the United Nations action. The consent of the Egyptian Government, required by the General Assembly, was intended to be a consent freely given.