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18 - 21 Jan. 57

Labouisse, Henry R. (Director, UNRWA)

- 2 interoffice memoranda to D.H.

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INTEROFFICE MEMORANDUM

TO: Mr. Dag Hammarskjold
Secretary-General

Date: 18 January 1957

FROM: Henry R. Labouisse
Director, UNRWA

FILE NO.: _____

SENDER'S TELEPHONE EXTENSION: 865

SUBJECT:

I have discussed with you some of the problems which require consideration in connection with an Israeli withdrawal from the Gaza Strip. As the time for that action may be drawing near, and as I am somewhat familiar with conditions in the Strip, I feel that I should emphasize the following:

1. The UNEF forces should be in position before the troop withdrawal. If there is any hiatus at all, I believe there will be serious trouble and bloodshed. I certainly would not consider it fair to leave our international staff in Gaza if there is to be any hiatus.
2. In addition to prior military occupation by UNEF forces, arrangements must be made for the general civil administration of the Strip. At the moment, this is being supervised by the Israelis: when they leave, there will be a vacuum which neither UNEF nor the local people can fill adequately.
3. It must be recalled that, in addition to the refugees, there is a population of about 100,000 people, largely unemployed. A large number of these have been receiving assistance from the occupying authorities, and something must be done to ensure their subsistence.
4. Arrangements will have to be made concerning currency. The Israelis have made the Israel pound the only legal tender in the Strip, replacing the Egyptian pound. Expert advice and management will be required to prevent complete financial and economic chaos.
5. The exportable surplus of the Strip - mostly citrus fruit - has been marketed through Egypt in recent years. That channel has been cut for the moment, and the Israelis have apparently made some efforts to move the crops through Israeli channels. I do not believe this has been too successful and immediate steps will have to be taken to try to find markets for, and to transport, whatever remains of the existing surpluses.

6. Arrangements must be made to ensure that the Strip is accessible by rail. UNRWA alone brings approximately 3,000 tons of supplies in to Gaza per month. This cannot be done by road or by sea (except in the good weather months). I understand the rail line from Rafah to Port Said has been severely damaged: it will therefore be necessary to continue using the Haifa-Gaza line for the immediate future.

7. It would be highly desirable for UNRWA to be consulted, well in advance, in connection with the plans for whatever new administration is to be established. That Agency is taking care of more than two-thirds of the population of the entire Strip, it is by far the largest employer in the Strip, and its services could be seriously disrupted by precipitate action.

8. If the Egyptians are to resume any authority in the Strip, it is essential that they change their attitude toward, and manner of treatment of, UNRWA and its officials. We cannot continue to operate in the Strip under conditions similar to those which existed during the last months of the Egyptian occupation. I regret to report that present indications are that the Egyptians have not changed their attitude. I have just received a copy of a memorandum sent by the Egyptian Government to my chief representative in Cairo objecting to the appointment of the present UNRWA representative in the Gaza Strip. As I believe you know, as long ago as last May, I asked the Egyptians to approve the appointment of this man (who has worked for us for several years and is highly commended by the Jordan member of my Advisory Commission), but they refused to act on my request. They did not turn him down: they just kept putting me off. They also forced several of the UNRWA international staff to leave the Gaza Strip during the last months of their occupation. Consequently, when the Israelis entered Gaza in November we were greatly under-staffed. I have now been able to re-build that staff, but if the Egyptian policy - as forecast by their recent memorandum - is to return to their past treatment of UNRWA personnel, none of us feel that we can continue to work in the Gaza Strip.

HL

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INTEROFFICE MEMORANDUM

TO: Mr. Dag Hammarskjold
Secretary-General

Date: 21 January 1957

FROM: Henry R. Labouisse
Director, UNRWA

FILE NO.: _____

SENDER'S TELEPHONE EXTENSION: 865

SUBJECT: UNRWA Egyptian Staff in Gaza

1. I have been informed by Mr. Carver that on Friday, 11 January, the Israel authorities in Gaza removed all Egyptians in the Strip (with the exception of the doctors and nurses employed by the Agency) to El Arish from which, it was expected, they would be sent to Egypt. Included in this group were some 18 members of the Agency's staff - mostly instructors in our Agricultural Training Centre and other educational activities.

2. The Agency's representative in Gaza, Mr. Lucas, was informed of this action when he returned to Gaza on the 11th, after a visit to Beirut on duty. He immediately, and with the permission of the Israel authorities, went to El Arish and talked with the staff members concerned. All but two of them expressed their desire to return to Gaza and remain in the employ of the Agency.

3. He then spoke to the local Israel authorities and subsequently to representatives of the Israel Foreign Ministry. He protested this action, which had been taken without the Agency's knowledge or agreement, and stated that the correct procedure now was to allow the staff members to return and then enter into discussions with the Agency if the Israel authorities felt that a security question was involved. (There has been no written statement to the Agency as to the reason for this action, but it is assumed that it is being taken for security reasons.) The Israel authorities, he reports, refused to agree to his suggestion and have stated that, in addition, the Egyptian doctors and nurses on the Agency's staff may soon also be removed.

4. Upon receiving this report from Mr. Lucas, Mr. Carver has conveyed a protest to the Israel Foreign Ministry. A copy of this protest, which was sent in the form of a code telegram, is attached as Annex A.

.....

5. Apart from the operational problems that are involved through the sudden removal of these staff members and the potentially more serious operational problems if the Egyptian doctors and nurses are removed, particularly if there is a change in the present administration of the Strip, there is, I believe, also an important matter of legal principle at stake.

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6. The Israel Foreign Office has rejected the protest in a memorandum sent to Carver. I am attaching a copy, marked Annex B.

7. The sentence of paragraph 6 of the records of the 7 November meeting referred to in the Israel reply reads: "UNRWA will also communicate to the Government lists of locally recruited personnel and any changes therein."

8. I believe the point the Foreign Ministry is making is that the Agency has not implemented this sentence and, therefore, the Israel authorities had no official knowledge that they were removing UNRWA staff members. If this is true, and it may well be as our staff has been very hard pressed in Gaza on strictly operational duties, I must acknowledge that on technical grounds the Israel authorities have a good point. Nevertheless, I believe that by any standard of correct relationships between a host government and a United Nations agency, the Israel authorities should have discussed this matter with our Gaza representative before taking action.

9. The reference in the Israel reply to my discussions with General Dayan is a distortion. The fact is that we discussed only the Egyptian doctors and nurses. It is, I acknowledge, possible for the Israel authorities to infer that, by omission, the General and I agreed that other Egyptian staff would be removed. But it would be equally correct for me to infer that, by omission, it was agreed that the other Egyptian staff could remain. The fact is, I believe, that no agreement was reached on this point, and thus further consultation should have taken place before further action.

10. Having said the foregoing, I should also record that on a comparative basis the general conduct of the Israel authorities thus far on this general question of control over Agency staff, has been far better than that of their predecessors in the Strip, the Egyptian authorities. Nothing the Israelis have done thus far compares with the Egyptian control over and interference with the internal affairs of the Agency in staff matters. I refer particularly to the persona non grata cases and the restrictions on movement on which I wrote to you shortly before the change in administration of the Strip and which, if not corrected, would have made our continued operations there impossible.

11. I bring this matter to your attention now for your information and with the suggestion that you may wish to support the Agency's protest in your conversations with the Israel authorities. I am, of course, available at any time to provide such further information as you or your staff may require.

HL

(Protest to Israel Foreign Ministry)

C O P Y

TO: ANDERSON

FROM: CARVER

Please pass following to Cidor, Foreign Ministry.

"I have received from our representative in Gaza, Mr. Lucas, a report of his conversation with you on Sunday, 13 January 1957, and wish to protest formally against forcible transfer of eighteen Egyptian staff members of Unations Agency. I consider this measure all the more serious since it was carried out without previous agreement of this Agency. This action is contrary your Government's international obligations under Article 105 of the Charter since it constitutes interference with the independent exercise of the functions of the Agency. It is also contrary to paragraphs 9 and 17 of General Assembly Resolution 302 (IV) and violates the spirit of the Convention on Privileges and Immunities to which your Government is a party. I therefore fully reserve the position of the Agency. In view of the gravity of the matter to the United Nations as a whole, am informing the Director of UNRWA in New York for such further action as he may deem necessary.

CABLE FROM ISRAEL FOREIGN MINISTER:

(Reply to Agency's Protest)

"AM AFRAID CANNOT AGREE LETTER AND SPIRIT YOUR SIGNAL 16 JANUARY AND DEFINITION REPATRIATION EGYPTIAN NATIONALS THROUGH RED CROSS AS FORCIBLE TRANSFER. PLEASE RECALL THAT SITUATION EGYPTIANS AMONG UNRWA LOCAL STAFF WAS MADE QUITE CLEAR DURING INITIAL TALKS LABOUISSSE/DAYAN AND THAT SPECIFIC EXCEPTION WAS MADE ONLY REGARDING SEVERAL DOCTORS WHO WERE RECOGNIZED ESSENTIAL IMMEDIATE CONTINUATION UNRWA ACTIVITIES. AM AT PRESENT CLEARING ADDITIONAL POINTS INCLUDING YOUR IMPLEMENTING LAST SENTENCE PARA 6 INITIALED SUMMARY RECORD MEETING 7 NOVEMBER AND SHALL ENTER LEGAL POINTS, IF ANY, LATER. MEANWHILE MUST MENTION THERE NO PRECEDENT THAT UNATIONS OR ITS AGENCIES HAVE EVER REPEAT EVER UPHELD MORE LEGITIMATE RIGHTS ISRAELI STAFF TO ENTER OR EVEN PASS THROUGH ANY ARAB COUNTRY OR ARAB OCCUPIED TERRITORY. HAVE CABLED FOREIGN MINISTER AND ISRAEL UNATIONS DELEGATION TEXT YOUR SIGNAL SO THEY PREPARED DISCUSS MATTER WITH LABOUISSSE IF, IN SPITE ABOVE REJECTION, HE WANTS BRING IT UP AT NEW YORK."