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Middle East / Suez story - 21

18 - 19 Feb. 57

- Memorandum for D.H. prepared by Malania  
sent to D.H. by Ralph Bunche
- Memorandum (final version on Gaza Strip),  
sent to D.H. by Ralph Bunche

2/19/57

To: The Secretary - General

Herewith the revised  
version of the memo  
prepared by Malania.

In view of the scant  
attention given to the  
too fat and neatly timed  
effort to exploit the  
Fedayeen issue once  
again, little purpose  
might be served by  
releasing it at this time.

R—

DRAFT

19 February 1957

1. On 14 February 1957 the Permanent Representative of Israel handed to the Secretary-General a list of eight incidents described as "Fedayeen Raids from Sinai since 22 January 1957." Later that day this document was issued as a press release of the Israeli Delegation.<sup>1/</sup> These incidents had not been reported to the United Nations Emergency Force's liaison officer in Tel Aviv or to the Truce Supervision Organization in Gaza or Jerusalem.

2. The Secretary-General immediately transmitted the list to General E. L. M. Burns, Commander of the United Nations Emergency Force, to Colonel Byron V. Leary, Acting Chief of Staff of the United Nations Truce Supervision Organization, and to Lieutenant Colonel W. M. Brown, Chairman of the Egyptian-Israeli Mixed Armistice Commission, stationed in Gaza, for their observations and comments.

3. In view of the significance which these reported incidents would assume should there be such confirmation of their occurrence and nature as to warrant referring to them within the context of "raids" as implied in the title of the Israeli list, the Secretary-General considers it necessary to communicate to the General Assembly the following comments and observations received from the United Nations officials mentioned in paragraph 2.

I

4. Colonel Leary, after consultation with Lieutenant Colonel

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~~1/ Text attached as Annex I~~

Brown, reported as follows:

"The eight incidents in the list submitted by the Israel Delegation can be subdivided as follows:

- (a) Mines struck by Israeli vehicles : 4;
- (b) Mines found by Israelis : 2;
- (c) Attempts by armed Egyptians from the El Arish area to penetrate the Gaza Strip : 2.

"With regard to mines, it may safely be assumed that there are in the area some Egyptian-type mines captured by the Israelis before, during and after the Sinai-Gaza operation and that the Rafah region in particular remains unswept. Several Israeli officers confirmed that. Brown considers new and old minefields still exist along the Demarcation Line, particularly on the Israeli side, from Nirim (MR 09230829) right up to the international frontier. Observers have seen these previously. Much of the area of Rafah and the vicinity of the international frontier may also be considered suspect."

## II

5. In connection with mining incidents, the following comments have been received from General Burns:

"Only the incidents numbered 1, 7 and 8 of your message are known to UNEF. On 13 February a United Nations military observer saw the vehicles damaged in 1 and 8 which were in a minefield when blown up. Hence no action by infiltrators is indicated. He saw the site of incident 7 and a destroyed vehicle on the road MR 076074,

also the tracks of two men leading from and to MR 079070 crossing into UNEF-held territory, into which a United Nations military observer was asked to allow Israeli trackers to continue but refused, having no instructions to allow them to do so."

### III

6. General Burns also included in his comments the following information regarding the activities of the United Nations Emergency Force in connection with alleged incidents, and with regard to general conditions in the area:

"Up to this time no formal arrangements existed for United Nations military observers with UNEF to investigate incidents complained of by the Israelis. After incidents 7 and 8 on 12 February, the Israel Defence Forces requested a conference to see what could be done to prevent similar occurrences. Lieutenant Colonel Moe met Lieutenant Colonel Zeira, Israeli liaison officer for UNEF matters. It was decided that, if the Israelis complained of an incident apparently committed by persons coming from the area controlled by UNEF, military observers with UNEF would investigate and facilities would be given for Israeli trackers to follow the tracks into UNEF territory.

"Unlike the rest of Sinai the coastal strip between El Arish and Rafah is populated and at present there are considerable numbers of Bedouin in addition to the sedentary population. There has always been a certain amount of traffic to and fro between this area and the Gaza Strip."

IV

7. Colonel Leary added the following general comments:

"Saboteur activities can come from inside as well as outside the Strip and are not necessarily connected with Fedayeen from Sinai. It is, moreover, difficult seriously to consider any reported or alleged incident unless submitted accurately and immediately in detail and investigated quickly on the spot by competent, experienced observers.

"None of the incidents submitted by the Israel Delegation have been reported to or informally discussed with UNTSO observers in Gaza.

"On 6 November 1956 the Israel Delegation to the Egyptian-Israeli Mixed Armistice Commission was officially 'disbanded' and no assistance has since been requested from the Truce Supervision Organization for the investigation of incidents in conformity with the General Armistice Agreement. The Truce Supervision Organization is accordingly not in a position to add any further comments on the fact alleged by the Israel Delegation and on their interpretation."

*Omit*

ANNEX I

Israel Delegation Press Release dated 14 February 1957

. FEDAYEEN RAIDS FROM SINAI SINCE 22 JANUARY 1957

1. On 30 January, at 0900 hours, an Israeli army vehicle travelling on a road in daily use struck a mine near the International Frontier in the vicinity of Rafah. Two soldiers were injured, one of them severely. Tracks led to UNEF occupied area on the other side of the frontier. An Israeli police investigation revealed that the mine was laid on the previous evening.

2. On 1 February a civilian bulldozer struck a mine north of Tel Yerucham. The driver was severely injured. Tracks of two barefooted persons led in the direction of the Beersheba - El Auja road in the direction of the International Frontier. The road on which this incident occurred is also in constant use.

3. On 10 February, at 2200 hours, an Israeli patrol near Rafah encountered a group of armed Egyptians from the El Arish area who had passed through the UNEF lines and were attempting to penetrate the Gaza Strip. In an exchange of fire three of the Egyptians were killed.

4. On 10 February, an Israeli patrol found an Egyptian plastic mine on a road south of Kerem Avshalom on the Israel side of the International Frontier.

5. On 11 February, another Egyptian mine was found in the same place.

6. On 11 February, at 1700 hours, six armed Egyptians from the El Arish area passed through UN lines and attempted to penetrate the Gaza Strip. They were driven off by an Israeli patrol.

7. On 12 February, at 1900 hours, an army vehicle struck a mine on a main road near the southern boundary of the Gaza Strip. Five soldiers were injured. Tracks led in the direction of the

X

UNEF lines.

8. On 13 February, an army half-tracked vehicle following the tracks of the mine layers in the previous incident itself struck a mine in the same area.

## The Gaza Strip

1. The key issue in this area, from the Israeli standpoint, is - or should be - security against any resumption of incursions or raids into Israel from Gaza territory.
2. From the United Nations standpoint, this is also the key issue, after Israeli withdrawal, based on the Assembly's resolution of 2 November 1956 and later resolutions, as well as reports of the Secretary-General.
3. The United Nations and Israel, therefore, are presumably seeking in Gaza the same objective, but in different ways.
4. Continued Israeli occupation of the Gaza Strip, by armed forces at at present, or later (as proposed by Israel) by Israeli police and civilian administration after the withdrawal of Israeli troops, regardless of Egyptian objection, cannot give the security sought for the following reasons:

(a) The prolongation by force of Israeli occupation of non-Israeli territory can only add new provocation of greater magnitude than any hitherto. This would arouse emotions in any event, and more so if the Israeli occupation is to be prolonged in defiance of the repeated UN demands for withdrawal. The Israelis should realize that these circumstances are almost certain to increase the likelihood of a resumption of incursions and raids.

(b) Israeli occupation of Gaza would only shift a little to the southwest the line between Israel and Egypt across which the raids might come. Since there will always be a line or frontier between Egypt and Israel, the only sure way to stop the raids across the Egyptian-Israeli border, wherever it may be, is by earnest intentions of the Government of Egypt,

to end the raids and incursions, with UN assistance. Assurance of this intention, given by the Government of Egypt, has been repeated by the Secretary-General in his last two reports. Similarly, Egyptian assurance on observance of the Armistice Agreement has been recorded. It is obvious that continuing Israeli occupation of non-Israeli territory beyond the Armistice line is not likely to encourage any implementation of that assurance by the Egyptian Government.

(i) With regard to the raids, it should be borne in mind that the organized raids which have become known as the "Fedayeen" operations, are comparatively recent, having begun only in 1955 following, and apparently in retaliation for, the Israeli attack on Gaza. There were no "Fedayeen" raids during the first five or six years of the armistice regime.

(c) The continuing Israeli occupation of Gaza by force, in itself creates a climate which is altogether adverse to constructive discussion of the complex problems of Gaza, for such occupation is a continuing act of belligerency, an overt breach of the armistice agreement and a flat rejection of the Assembly's call for unconditional withdrawal.

(d) The Gaza Strip was a part of the territory of the Palestine Mandate. Its indigenous population of 60-70,000 under the Mandate and since has been Arab, and this is now greatly augmented by some 230,000 Palestinian Arab refugees. It was occupied by Egypt immediately after the withdrawal of the United Kingdom administration and forces from the Mandate in May, 1948. Egyptian occupation pending final settlement was acknowledged in the Egyptian-Israeli Armistice Agreement of 1949, signed by Israel and Egypt. Egypt has not annexed the Strip and apparently has had no intention to do so. The territory had never been occupied by Israel prior to the 29 October 1956 invasion and since then, Israeli officials have disavowed any Israeli intention to annex the Strip, although unofficial English translations of the original version in Hebrew of the resolution adopted by the Knesset

in January indicate a reference at the beginning of the resolution to "keeping" or "holding" Gaza. Moreover, there has been a report from a reliable source of the establishment of a first Kibbutz in the Strip, near Rafah, which, together with other steps and plans for economic development of the area taken or projected, would seem to indicate an intention to open the Strip to Israeli settlement. Should this be the case, the result most certainly would be that most, if not all, of the indigenous Arab inhabitants of the Strip would eventually be forced into the ranks of the UN-supported refugees, either in the Strip or outside of it, since the territory is not viable even for the normal Arab population.

(e) There is no logic and no common sense to an arrangement whereby Israel, with 180-200,000 Arabs not fully assimilated already within its borders, should assume control of and responsibility for the administration of a belt of territory not belonging to the State of Israel whose resident population of some 300,000 is exclusively Arab - not Egyptian, but Palestinian Arab.

5. The 230,000 Arab refugees in the Strip constitute the major problem of the area and responsibility for them rests with the United Nations, being exercised by UNRWA. On the basis of presentations made by Israel

thus far, Israel does not intend to accept any responsibility for the refugees and the extent of responsibility for the indigenous Arab inhabitants is not clear.

6. The Gaza Strip will be a vital factor in any ultimate solution of the Arab refugee problem as a whole and nothing should be done with or in it which would in any way prejudice or limit its role in this regard.

7. Israeli occupation of the Gaza Strip in any form, without Egyptian consent, with or without UN acceptance, would be an alteration of and contrary to the Armistice Agreement which was endorsed by the United Nations. It is inconceivable, therefore, quite apart from the UN insistence for complete withdrawal by Israel, that the UN could be a party with Israel to an arrangement, of whatever type, for any degree of Israeli occupation of the Strip simultaneously or jointly with an exercise by the UN of some element of responsibility there. To do so, would probably be fatal to any further UN usefulness in the Strip, for it too would acquire the taint of an occupation force.

8. Following complete withdrawal of Israel from the Gaza Strip, the major UN responsibilities would be to move UNEF into the area, to continue and possibly enlarge its refugee activities, to give all possible assistance toward the reestablishment of effective local administration in place of the withdrawing Israeli administration, to assist the parties in observing the conditions of the Armistice Agreement.

9. Toward maintaining quiet in the area, including establishing security against raids, UNEF, immediately upon the withdrawal of Israeli armed forces, should be deployed on both sides of the Armistice line in such strength (possibly one or two battalions) and manner as may be necessary effectively to police that line from fixed positions and with both surface and air patrolling. The negative attitude of Israel thus far on UNEF in the Gaza area is based on sheer assertion, unsupported by any fact or test, that UNEF cannot give effective security against raids from that area.

10. Since the most difficult and burdensome single responsibility in the Strip is the conduct of the refugee program, the United Nations automatically has a large and vital function in the affairs of the territory. In the conduct of this responsibility the UN has never enjoyed satisfactory relations with the administration of the territory. An opportunity is now afforded to remedy this condition for the future.

11. The administration of Gaza is a complex operation. The territory with its present population, excluding the refugees, is not viable. The population is Palestinian Arab, and therefore Egypt before and Israel now have had to administer a "foreign" population. There is evidence to indicate that the Egyptians were not popular with the local inhabitants and the Israelis certainly are not.

12. It cannot be questioned that in view of all circumstances, including the Armistice Agreement, upon Israeli withdrawal Egypt formally has the right to return to the Gaza Strip with armed forces, police and civilian administration. The practical questions are really these: If UNEF is effectively deployed on the Armistice line, how much, if any, armed force should Egypt need to return to the area, especially since the Armistice Agreement limits Egyptian and Israeli forces on both sides of the Armistice line to "defensive forces" only? How much assistance may be entertained from the United Nations in reestablishing and maintaining effective and efficient civil administration in the area, in aiding economic development, avoiding reprisals, maintaining law and order, etc?

13. It clearly would be helpful to the situation if Egypt could be persuaded, after Israeli withdrawal, that there is no need to return Egyptian armed units to Gaza, particularly since UNEF will be deployed on the Armistice line and the Strip is so narrow as scarcely to afford room for both.

14. The United Nations is able to give a considerable amount of assistance to the civil affairs of Gaza. This could be done in the first instance by extending and expanding the responsibilities and functions of UNRWA in the area, since this body already has an administrative nucleus there. Through the UN technical assistance

machinery, the resources of the UN Secretariat, and the use of expert consultants recruited for specific purposes, the UN, if called upon, under the same sort of formula as the request to assist in the clearance of the Suez Canal, could provide administrative and other assistance to the administration and people of Gaza.

15. In view of the great refugee burden in Gaza already resting on the UN, and with the possibility of other UN roles there, it might be well to give early and serious consideration to the possibility of stationing in Gaza a "Commissioner of United Nations Affairs" who would be the top local UN official responsible for all UN activities in that area, including the operations of UNEF.

16. Assistance to the parties in the observance of the Armistice Agreement, including maintenance of the cease-fire, observers' functions including checking and reporting on alleged incidents of violation, should be undertaken by UNEF instead of UNTSO, without prejudice to UNTSO's role in the other three Armistice Agreements.

17. To put it in practical terms, as soon as Israel notifies the intention to withdraw from the Gaza Strip, the Secretary-General and his aides, including the Commander of UNEF, should promptly enter into consultations with the appropriate authorities as follows:

(a) With the Israeli Defense Forces on the withdrawal of Israeli troops and the entry of UNEF, including its deployment on the Armistice line.

(b) With Israeli civilian authorities on the simultaneous withdrawal of the Israeli police and civil administration and their prompt replacement, in order to avoid a dangerous vacuum.

(c) With appropriate Egyptian authorities on the assistance to be given by the UN in the civil affairs of Gaza.

18. In view of the status of the Gaza Strip as an area not belonging to the sovereign territory of any state, although Egypt has a right of control, making its consent necessary, any arrangement for the administration of the territory must be considered as an interim measure pending agreement as to the proper disposition of the territory.

19. All of the foregoing is definitely implicit in the two last reports of the Secretary-General, although not spelled out in detail.