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Statement by D.H. on serious incidents
during last few days.

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The very serious incidents which have taken place during the last few days in the Middle East, raise the question of the continued validity of the cease-fire arrangement agreed upon in April. I consider it for that reason appropriate to make the following comments.

The Armistice Agreements between Israel and its Arab neighbours contain, all of them, an article prohibiting the use of the military or para-military forces of one party, including non-regular forces, for war-like or hostile acts against the other party. The same articles stipulate, further, that such forces may not advance beyond or pass over for any purpose whatsoever the Armistice Demarcation Lines. Thus, the cease-fire forms part of the Armistice regime itself, as established by the Armistice Agreements.

The arrangement made in April gave to these clauses an independent status so that a breach of the cease-fire could no longer be justified by a violation by the other parties of other clauses of the Armistice Agreements than the one establishing a cease-fire. The new arrangement also made the UN a direct party to the cease-fire, as the cease-fire obligation was reaffirmed in assurances given to the Organisation. The cease-fire, as established

in the Armistice Agreements and reaffirmed as an independent obligation to the United Nations, in fact reflects a basic duty of all Member Nations of the United Nations under the Charter.

The establishment in April of a general cease-fire of this legal nature served to alleviate the very tense situation prevailing at that time. It was, on the whole, observed until late in July. From that time on we have witnessed a mounting series of incidents, followed by counter-moves, the most serious of which took place on 10 and 12 September.

Established as an independent legal obligation in relation to the United Nations, the cease-fire obviously remains fully valid as such, irrespective of the incidents that may occur. As reflecting a general obligation under the Charter, it can never cease to bind a Member of the United Nations. As a formal obligation, accepted independently of the Charter and binding on the Nations, party to the Armistice regime in Palestine, it can be put out of existence only if formally repealed by one of the Governments concerned, or if challenged by actions clearly indicating that the Government does not consider itself as any longer bound by the obligation.

It may be felt that the cease-fire, through serious violations which have occurred, has been brought to an end. One could just as well say that the fact that all parties in the region, in varying degrees, are violating the Armistice Agreements has annulled the Armistice regime. If a Government, or the United Nations, were to accept such interpretations, it would amount to saying that they, because of various incidents, considered that a state of war had been reestablished. This is obviously unjustifiable. I am sure that no one in a responsible position would endorse such a stand. Neither the Armistice Agreements nor the cease-fire obligations have been repealed by any of the parties concerned, and to say that the cease-fire obligation has been annulled by the violations it has suffered, would be incorrect as well as irresponsible.