

**Middle East conflict - Jordan.
Amman files: Middle East
conflict - Jordan. ...**

HS L 179:106b



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Feb-Sept (1959)

- 1 letter from Ralph J. Bunche to Carl Carlson
von Horn
- 2 letter from Ralph J. Bunche to Mr Tekoah
- 1 small note from Ralph J. Bunche to DH.
- Verbatim record from meeting
between Secretary-General and
Mr Yosef Tekoah, Delegation of Israel
- 8 sept. 1959

L 179: 106b

10 February 1959

Dear Mr. Tekoah,

In his talk with you by telephone this morning, the Secretary-General mentioned, I believe, the explanatory comments on the Bedouin incident which had been sent by General Burns after he had seen the Israel communique and letter to the Security Council concerning the matter.

..... Enclosed please find the full substance of the Burns message.

Sincerely yours,

Ralph J. Bunche
Under Secretary

Mr. Yosef Tekoah
Permanent Mission of Israel
to the United Nations
11 East 70th Street
New York 21, N.Y.

10 February 1959,

Memorandum

General Burns cables that following facts established by UNEF and EIMAC investigations are relevant to Israel's communique.

When the UNEF sergeant and corporal found the Israel patrol, the Israel members of the patrol merely alleged first that they were in Israel and expressed surprise at meeting the UNEF patrol. When shown the frontier, the Israel patrol withdrew with UNEF patrol willingly towards Israel. The Israel patrol did not mention that they had encountered Bedouins on the Israel side of the International Frontier; that they had fired on any infiltrators on either side of the frontier; that they had pursued any Bedouins across the Line, or had discovered any mine pins or mines on the Israel side.

Prior to intercepting the Israel patrol, the UNEF patrol had heard only bursts of fire from FN rifle with which three of Israelis were armed, and which has a distinctive sound quite different from that of Karl Gustav MGS with which Egyptian police were armed. As UNMO investigation subsequently revealed, the first bursts of fire by the Israel patrol were directed against an unoccupied Bedouin camp (tents were found pierced with bullet holes) and fire was also directed at fleeing Bedouin family, two members of which were subsequently found dead and the third wounded. The father managed to escape. There were four tents in a 500 metre square area.

When the UNEF and Israel patrols were moving together towards the International Frontier and had reached a point within 500 metres of the Line, a second burst of fire was heard. This fire was not directed against the Israel or UNEF patrol. When the UNEF sergeant and corporal investigated the origin of the fire, after having driven westward in their jeep for approximately 2 kilometres, they found an Egyptian policeman shooting a submachine gun into the air. No other bursts of fire were heard in the area that morning by the patrol or other UNEF forces. Other firing in that area could have been heard by UNEF forces without difficulty.

The UNMOS investigation disclosed footprints of four persons only crossing the International Frontier at GR 08060687. The tracks led in a south westerly direction to GR 07970680, then south to GR 07970663 and finally east to the International Frontier at GR 08130663. These tracks were caused by persons wearing boots. No other footprints were visible in that area except at the site of the Bedouin encampments.

After examining the bodies, the Observers determined that the fire was opened from a very short range. They noticed powder burns on the left arm of the woman.

The UNEF sergeant and corporal were alone in the jeep and no Bedouin accompanied them at any time. Nor was there a Bedouin in the armoured car.

When the UNEF patrol met the Israel patrol, one Israel member was in process of killing a goat.

The Israel patrol personnel were armed with three FN rifles and one submachine gun. Each also carried a bayonet.

The woman who pointed out to the UNEF patrol the location of the bodies had come from a nearby Bedouin encampment after the shooting. She was not interrogated by EIMAC since she, and most other Bedouins, had left the area soon after the incident.

9/11/59

To: The Secretary - General

Herewith your copy returned, sorry for the delay.

A copy has been sent to T. with the attached note.

Also to Van Name with note as attached.

Ralph

P.S. I re-edited your editing very slightly on p. 77
R-

Mr. Tekoah

Ralph J. Bunche

11 September 1959

As promised by the Secretary-General at the meeting on 8 September, I enclose a copy of the verbatim record of that meeting. This is an unedited record, except for the minor corrections which appear in blue pencil on the copy here made available to you.

11 September 1959

Dear Carl,

Herewith, for your information and edification, a copy of a confidential verbatim record of a recent meeting. You will find it, I think, quite self-explanatory.

Sincerely yours,

Ralph J. Bunche

Maj. Gen. Carl Carlson Von Horn
Chief of Staff
UNTSO, Jerusalem

Teboal.
8 Sept.

MEETING OF THE SECRETARY-GENERAL WITH MR. YOSEF TEKOA, DELEGATION
OF ISRAEL, HELD AT HEADQUARTERS ON 8 SEPTEMBER 1959 AT 11 A.M.

The SECRETARY-GENERAL: Well, gentlemen, I see that you always take notes, and rather detailed notes, even when we have what may be considered somewhat informal talks, and I feel in these circumstances that it would facilitate matters if our talks today were taken down verbatim.

Mr. EILAN (Israel): Our notes are not as detailed, I am afraid.

The SECRETARY-GENERAL: Oh you seem to be a good secretary. There would, of course, be the further advantage that we would have a record if one or two days later some leaks would appear, as you know often has happened. I would for my part, and it certainly applies to you too, consider that this record, which of course will not be edited and will be furnished to you as we get it, would be a text which both you and we could use as we felt free. I mean, there is nothing secret about it. Contacts are always necessary, and I think, on the whole, it would be advantageous to look at it in that way so as to avoid complications.

I have been away for a fortnight, which has been characterized by certain interesting developments which have led me to the conclusion that it is time for what I might call some plain speaking. In this regard, I note the following elements:

The press campaign in Israel against the UN and, more particularly, myself, of a scope and intensity I do not remember having seen since the termination of the Suez crisis. Second, a series of demarches here at Headquarters of a character which call for a special comment. Third, experiences in the course of three press conferences in Latin America which, when unavoidably combined with the demarches and the press campaign, shape up to something which, at least in my view, is rather unique. And, finally, the emergence of a new and striking theory according to which there is no conflict between Israel and the UAR but one between the UAR and the UN. This last theory might seem to lead to some rather bizarre conclusions. At least in an ironical mood, people may find that logic requires the interpretation that it is the UN which sits in El Auja in violation of the ^{democratic} military status or that

it was UN troops which made incursions into Egypt, ⁱⁿ some unfortunate cases leading to killing civilians or, to go back in history, that the UN shelled Gaza in 1956 or, for example, that it is the UN that is to pay compensation for refugee property. These are some examples that readily come to mind, and I think they are enough to show that the facts of the situation perhaps must lead us to the conclusion that this theory is not very well founded.

Concerning these various developments in turn, I note from the Israel press reactions, which we have rather fully, that our efforts in the Inge Toft case have been "easy-going and dilettantish", that in fact I have acted as an agent for President Nasser, that I pleaded with you to depend on my action instead of taking your own. I also note that we are ~~probably~~ ^{probably} pressing for simple human rights, as we see it, for the people of Issawiya, (which, incidentally, as you will remember, we have been doing for well over a year) only in order to prepare an alibi. That, again, is a quotation.

I also note, for example, that we, of course, are the villains in the case of the Ceylonese frigates, regarding which the press strangely has obtained such detailed information on a legal memorandum of ours as to be able to characterize it in highly derogatory terms even as regards the drafting.

In view of all these elements which seem to be related to the same equation, it would naturally appear that we, or I, have recently committed some sins of a grave order. However, I do not admit to anything beyond the fact that I have continued, that we have continued, with all the means at our disposal to try to get somewhere on the Inge Toft problem in particular, and the problem of free Suez navigation in general; while on the other hand, to be sure, I have had to continue in a role which I do not like at all, of bearing in mind wrongs committed by both sides, by Israel as well as by Egypt.

Regarding the first point, the continuing work on Inge Toft, I had not expected any gratitude; experience has made me know better. But, on the other hand, I had not expected denunciation.

As to the second point, is it really to be considered culpable even to mention any wrongdoing of Israel while it is a duty to proclaim before the world the sins of others? You know that we in the Secretariat cannot and do not apply such a double standard, and naturally I accept without hesitation any blame for adhering

to another principle, namely the natural one of equal treatment and strict objectivity in the evaluation of policies, whatever their source.

I need not tell you that this press campaign is conducted on a level to which I would never stoop to fight, even if I felt free to do so professionally. But the true measure of the situation and of the level of this campaign is found in the fact that it is well known that I neither can nor will reply.

I know that you say that Israel has a free press, but don't let us quibble about words. Is your press free even in the sense that it is in no way guided and cannot be guided? Does it never happen that someone in the Foreign Office has something to do with editorials in the Jerusalem Post? Do you never give a briefing? Do you not correct errors in fact, informally, at least, when those errors are detrimental to the Government itself? If not, I must say that your press is rather unique in the world. But let us assume that it has this unique position. May I then ask: does the Government not feel any responsibility for the correctness of facts used by the press in polemics against other Governments, and, if so, should not the same rule apply to the UN?

I know that these questions are rhetorical and for that reason the replies are obvious. But I must conclude that the Government of Israel cannot wash its hands of any concern for the press campaign of the last fortnight. I have no reason to define its responsibility, but that such a responsibility exists cannot, in my view, be denied.

But then, Mr. Tekoah, let me turn from this to your demarches. You have seen the Jerusalem reports of what I have said, or was alleged to have said, in Buenos Aires, Montevideo and Rio. I am told that you have come to Headquarters on instructions of your Government to offer objections and protest. Well, in principle, of course, you are fully within your rights, perhaps especially so in view of the rather close working relationship which we have with the Israel delegation traditionally. But in this case I must say that I find it difficult to understand that the delegate of a country should be instructed to protest, for example, the mere mention of an act committed by his Government, which is a hard fact and which indeed was mentioned in a context unknown to the Government and to the delegate at the time of the protest. Moreover, it would seem to me clearly questionable

to make any innuendoes about the lack of trust without a very firm basis indeed. Nor is it, in my view, defensible to raise the question of the proper interpretation of the word "conflict" -- which I did not introduce -- when in support of your thesis it is necessary finally to resort to such ideas as the one recently expressed, I believe officially, that there is no conflict between Egypt and Israel but only a conflict between Egypt and the United Nations.

I must go on record with a strong protest against these various demarches which, in all frankness, I find unwarranted and therefore discourteous. However, as I have already indicated, both the press campaign and these demarches seem to be somehow linked up with my recent press conferences and press experiences in Latin America. By way of introduction, let me say that I found a general lack of official interest in those particular issues which have been ^a common preoccupation for you and me. In the light of this circumstance, it was quite remarkable to observe that questions about Suez and related problems regularly framed exclusively from the Israel point of view were so prominent in the press meetings, so much so in fact that in one of the cities the Chairman of the press association interrupted the press conference and asked if we hadn't heard enough about Suez. So much for the background. Then to the story.

In Buenos Aires I was asked the somewhat surprising question: Is there a conflict between the United Nations and the UAR? It is surprising because it is not a question of a journalist but a question more to be expected of a lawyer. If you will permit me perhaps this weak joke, I will say a lawyer with a little bit of a special twist of mind, which is legendary for the scribes of olden times. My reply was the obvious and straightforward one which, however, I found later reported in the Israeli press in a distorted form -- I would even say a grossly misleading form.

This occurrence was followed by your first demarche. After that followed the press conference in Montevideo with questions on Suez so phrased as to be leading and therefore committing me to a non-objective stand if I did not make at least a modest attempt to make the picture more complete. I don't think that the journalists asking the questions fully realized that they were leading, but they were from the point of view of the Secretary-General. A leading question when you meet it is,

as you know, a very dangerous one; ~~As~~ I said, it would have committed me to a non-objective stand if I had not reacted, and the slightest reaction I could give was to make at least a modest attempt to make the picture more complete. As a matter of course, I did so in a very restrained way.

However,^a new demarche followed, this time regarding my mention of Karim. At a third press conference in Rio, a journalist repeated a question from Buenos Aires on the "conflict" in a somewhat more complete form, as he mentioned non-compliance by Egypt with the Security Council decision of 1951 as the reason for his question. There is no reason to assume that he reads Jerusalem papers or to suppose that more than a week later he, as a journalist, would repeat a question which had been asked in Buenos Aires if he had happened to read about it in the Argentine press. As a curiosity I may add that he read the question out from a paper.

Again, for a third time a new demarche followed. I have no right to say anything about facts which I do not know and I will not do so. But there is a commonsense interpretation and it requires no comments from me. I may say, however, that as you know, I am accustomed to the planting by others of questions at press conferences here in New York and I am accustomed to the immediate relaying of my replies to those initiating the questions. But with all due admiration for ~~the~~ efficiency, I still consider the recent experience most extraordinary.

Finally, on the theory of conflict, let us suppose that I accept this terminology. If I did so, wouldn't you admit that I could offer a long list of reasons in support of the thesis of conflict between Israel and the United Nations, even then restricting myself to a formal and legal view? Were the significance of the word to be discussed on a moral level I would -- and I emphasize this -- still not use it regarding myself in relation to Israel.

But what I brought to your attention today forces me to ask myself if I am obliged to use it for Israel in relation to me.

Before concluding what I wish to say, you might perhaps permit me to indulge in a bit of declaration of principles. We observe strictly here in the Secretariat some few rules in our diplomatic and political actions. We do not distort information to anybody or about anybody. We do not try to pry into anyone's secrets. We do not use anyone as a scapegoat. We try to keep our promises, and if we cannot do so

for reasons beyond our control, we frankly admit that that is the case. We try to assist irrespective of the reaction of the assisted. And for that reason I will not cease to continue in my efforts on the Inge Toft and the Canal. We try to maintain as balanced a picture of political events as possible, and we do that not in order to placate anybody or to balance out ~~our~~ guilt -- two words very often used in discussions with me in Jerusalem -- but because we believe that ^{peace} ~~this~~ is not possible without justice also in that sense.

Finally, we do not betray any of these principles even if this might seem to yield a short-term advantage in the direction of the aims we are serving. You, as all others with whom we have to deal, will have to accept these principles and you, like all others, will have to accept the consequences of their application.

I happen to believe that just as no propaganda in the world can move us from them, no propaganda in the world will be able to undo what is achieved on the basis of those principles. Were we to work in any other way on the basis of any other principles, it would indeed be a house built on sand.

I am very sorry for the length of what I have said in my statement here today and I am more sorry indeed that it has, in my view, become necessary for me to make it. I should perhaps add one word of warning. My first responsibility is in relation to this Organization, and if attacks are made on it in public which put in question its integrity, I will reply, and I can assure you that no one should any longer count on that silence which seems to have led some into temptation.

Well, gentlemen, I might have added one principle to those: I do believe in plain speaking.

Mr. TEKOA (Israel): Thank you very much. I appreciate indeed your frankness. May I perhaps say at the beginning that I understand very well the particular interest you have shown in the reactions, comments and interpretations which have appeared in the Israel press more or less in the past fortnight and in what I have had to say in connexion, in fact, with what I feared might become the comments of the Israel press.

I always try to look at things not only from the purely subjective Israeli point of view, and I do feel that the effectiveness of the Organization in general is tested in our area on matters which have preoccupied the United Nations for so many years perhaps to a degree greater than in any other part of the world. Consequently, I share, from the general point of view of the prestige and standing of the Organization, the interest which you have expressed in your statement in matters said and written by us in Israel and here.

Now as far as the press campaign and the Israel press are concerned, there is really very little that I could add to what I have already said to Andy and Ralph in our previous talks, and that is that we are aware of what is happening, we are aware of the various expressions of view which appear in the press. We do try to guide it. We have never denied that. On the contrary, I think that in the past few months we have had a number of instances in which I appreciated very much your drawing our attention to certain interpretations that appeared in the press which you regarded as not being correct. We did our very best to correct them. In a number of papers, at least, these corrections did appear. To the extent, in other words, that we can continue our interpretations in public of what is going on here and of the actions taken by the United Nations, we certainly do our very best to give the right guidance and the right interpretation to acts of the United Nations and of yourself.

I think, however, that there is a definite limit to what we can do in these cases and, as I already mentioned in previous conversations, one does reach a point beyond which it is impossible for spokesmen of the Government, even on a private, informal basis, on the basis of friendship and contacts, to try and persuade the press to see certain developments in a light which to them might seem illogical. I fear that what has happened in the past few weeks as far as the reaction of the Israel press is concerned is by no means a press campaign organized centrally by anybody. I can assure you that that is not so. What has happened is that during the past fortnight from all parts of the world there has been an avalanche of reports concerning statements made. These reports might have been incorrect -- and I know of at least one to which my attention was drawn by Andy and Ralph which, in fact, was incorrect -- but nevertheless these reports

were coming in in a flood both from Latin America and from other parts of the world. If you refer to the question of the frigates, here I might say in parenthesis that we did not discuss it at all with the Secretariat in New York. So that whatever interpretations the press might have received must have undoubtedly reached it from directions other than New York. There is, therefore, a certain point beyond which it is extremely difficult, probably impossible, to give any guidance which would, as I said, give an interpretation of events contrary to what the natural and the logical interpretation would seem to the journalists. That is, I think, what is happening in the developments concerning the frigates, which unfortunately became public, ^{and} the various comments which have been heard, to some extent perhaps, if we speak very plainly, ^{about} the introduction to the Annual Report which we discussed prior to its being made public -- and I must say that we have done our very best to give the correct interpretation here in New York as I received it from you here. Unfortunately, not everybody is prepared to accept our interpretation. There are also newspapers and journalists who do seek to create differences of opinion between us. I ~~have~~ made this very clear to Andy the other day in pointing out that it would be the last thing that the Government of Israel would consider in its interest to portray the present relations between itself and the United Nations Secretariat in the light that the Israeli press has been portraying them over the past fortnight. I think the natural interest of the Government would be in the other direction and there would be no logic and no reason in any press campaign to create the impression that the United Nations is in a conflict -- to borrow a word which belongs to a different realm -- with Israel.

You have mentioned in connexion with the press campaign a number of issues. You referred here to the problem of Issawiya. I noted when we discussed it the last time here that, to the best of my understanding, it appeared in only one newspaper, which I think definitely goes to prove that it was not a news item distributed by any official source. I must say that from the point of view of the press, one cannot completely ignore the feeling which they must have that, while a number of rather important Israeli ^{issues} have become buried over the years -- "buried" in inverted commas because I do realize that all of us are concerned with the fact that they continue to exist unsettled -- while at least nothing has been heard about such matters as the Doron, the Bat Galim, to come closer to present times, the question of those unfortunate three girls who are in the hands of the

Egyptians and who we understood would be released shortly after Ralph's visit to Gaza and to Cairo. Very little is heard about this, while these reports do come in about an active concern, perhaps justified in an objective way, less so perhaps in the light of the main crucial issues preoccupying yourself and ourselves.

The interpretation given by the press, therefore, might not be an illogical one, even if we do not agree with it, even if we do not feel ourselves to be responsible for this interpretation. I think we must try to understand why it does develop and why it is expressed in this form.

You referred to the question of gratitude, which was not expected. May I also recall that I did on a number of occasions express our appreciation of your efforts both before and after your visit to Cairo.

The SECRETARY-GENERAL: I referred to public reaction and not to our relationship.

Mr. TEKOAH (Israel): If we analyse the developments historically, I would like to say something that I said earlier to Andy and to Ralph. You must have noticed that after you returned from Cairo, though there was extreme disappointment and justifiable disappointment in Jerusalem, reflected also in the press, there was not the slightest hint of criticism of your efforts as such. I think that while we can understand, and the press can be expected to understand, the fact that efforts are made but that they fail not because of the lack of interest or the lack of firmness on the part of those who made those efforts, it is extremely difficult to convince them that statements which might be interpreted by them as confusing the issues, as creating equality between wrongs -- if you wish to refer to things that are on the other side of the balance sheet in the same terms -- it is extremely difficult to expect that under such circumstances the press should remain entirely silent.

As far as our official position is concerned, I would like to assure you that it is the one that I have expressed formally in the past and which is expressed in my letter to the Security Council. It does not go beyond it. It is no less than what I have said in the note to the President of the Security Council, as far as the general question of Suez is concerned.

The question of double standard and strict objectivity, I think, is an issue which has been discussed so many times in the past, both in formal meetings and in informal meetings privately between yourself and the Prime Minister. I do know that there is a philosophical difference of opinion on this particular issue. I must add that when actions are judged again by the press, it is unavoidable for the press of a certain country to look at things subjectively and to try to interpret situations from the subjective Israeli point of view. The only way to overcome difficulties like the one you feel has been created by the expressions of views of the press in the past fortnight is really to do everything possible to avoid inviting interpretations which, though regrettable, might nevertheless be understandable under certain circumstances.

I would like to pass to the second point which you entitled demarches. I regret that this is the term used in reference to our conversations, because you prefaced your statement by reference to the close relations that we have always maintained with the Secretariat, and it is really in that spirit and in that light that I considered, and would like to continue to consider, the two conversations which I had on these questions -- there were only two, you referred to a third one...

Mr. CORDIER: The last one came after the Rio press conference, you remember.

Mr. TEKOA (Israel): Though we did not know about it. Both you and we were not aware of the Rio press conference at the time. There was one which followed, I think, the Buenos Aires press conference.

Mr. CORDIER: There were two last week and one the week before.

Mr. TEKOA (Israel): I think there were only two.

Mr. CORDIER: We did not have information on the Rio press conference at the time.

Mr. TEKOA (Israel): That's right.

Mr. CORDIER: But I called you later by telephone and pointed out one paragraph.

Mr. TEKOA (Israel): Well, may I respectfully suggest that a telephone conversation...

Mr. CORDIER: I wasn't referring to that as a third one. I was referring to the fact that your last conversation came after the Rio press conference.

Mr. TEKOA (Israel): Yes, but as I said, neither of us was aware at the time of what transpired at the press conference. I would really appreciate it very much if we could regard these conversations in this spirit. They were meant in this spirit; they were definitely meant in this spirit. And here perhaps on a more personal note I would like to express my own appreciation for the way we have maintained contact on matters which were not always simple and not always pleasant, but I always appreciated the frankness with which we dealt with them. I think that in the past these frank conversations proved helpful. They should also be so in the future.

When I requested to see Andy and Ralph on these two occasions, there was really one purpose, both in Jerusalem and here, in mind, and that was to try to avert the kind of interpretations in the press which later on appeared. I think I made it clear in my first conversation after Buenos Aires because at that time I was not aware, in fact, of how the Israeli press had reacted to the statements made at the press conference there. I also referred to the possible interpretations of the introduction to the Annual Report, which at that time was still not public, and my intention was really to try and avoid interpretations which would create an unfortunate atmosphere. Having seen how the press and how perhaps the parties in Israel have used these issues in the past weeks, I realized that it would be necessary to draw attention in time and to try and correct whatever misinterpretation might have been created by some of the comments that were cabled by the press.

I think that to some extent we have succeeded, despite some of the articles that have appeared, and I have seen them today and yesterday and last week. I think that there is a definite change in the trend which follows the publication of the comments published in Rio.

It comes as a complete surprise to me that you felt, or that the impression might have been created in these three press conferences in Latin America, that they were leading questions, questions prepared in advance. All I can say is I would have known about it and I can assure you that I do not know about it. I would like to go further and say that the situation, as far as press interpretations are concerned, at the time of your departure for Latin America, was not one that should have warranted leading questions of the kind that could logically be expected to lead perhaps to the difficulties that were, in fact, created.

I think, however, that if you have gained the impression that there was great interest shown in the problem of Suez, it was particularly due to the general interest and concern, of which we are aware and which has been expressed in the world press in the past few months. I think that among the various issues that preoccupy the United Nations here and Governments in general, -- the press in many countries -- is the question of freedom of navigation, which has appeared in the press in one form or another for the past six months, since the first interferences with the passage through the Suez Canal.

You mentioned at the end of this second chapter the fact that you would like to protest against these demarches. May I express the hope that if we consider these conversations in the same spirit as we consider them on our part, both in Jerusalem and here, there would really be no need and no reason for any protest, though I do realize and understand your concern, as I said earlier in my opening remarks.

The third question is the question of press conferences, and I have already referred...

Mr. BUNCHE: Might I just make one intervention on that, Joe, so we could be fully clear on the record. As I recall it, with regard to the Secretary-General's statements in the Buenos Aires and Montevideo press conferences, you indicated

that on instructions from your Government you wanted their concern about these alleged statements conveyed to him.

Mr. TEKOA (Israel): Yes.

Mr. BUNCHE: It was on this basis I assume that the Secretary-General referred to the demarches.

Mr. TEKOA (Israel): ~~Yes~~ I received cables from Montevideo and from Jerusalem on this matter. That is so. I would not like really to open now a discussion of the precise definition of such a conversation.

Mr. BUNCHE: No.

Mr. TEKOA (Israel): I think that it would be right to consider it in that light rather than in the light of a demarche.

The SECRETARY-GENERAL: May I interject myself in order to close this chapter. If they can be regarded only as part of the current discussions about mutual problems and difficulties, I accept that gladly. But to the extent they would have had, as I felt they had, the accent of even the most informal demarche under instructions, my word stands. But I gladly accept your explanation that they should be regarded as part of the current discussion of how to keep things straight.

Mr. TEKOA (Israel): Finally, we have reached a point which is always close to my heart because it takes us into the realm of ^{the} philosophical and perhaps the semantic, and that is the question whether or not there is conflict between the UAR and the UN. I think here too there is really no difference of view basically and no misunderstanding between us. I believe that what has happened is that on the basis of a report which it seems was not very full...

Mr. BUNCHE: It was out of context.

Mr. TEKOAH (Israel): ... or out of context, perhaps, the Buenos Aires press conference report, the press in Israel reacted as it did. I must say that one could if one were to look into those words in order to seek out some way to say the Secretary-General does not give due weight to the conflict, -- let me put it this way -- to the conflict between the UAR...

Mr. CORDIER: Joe, we haven't seen them, but has the Jerusalem press followed up on his longer statement on the conflict in the Rio press conference?

Mr. TEKOAH: Yes, it has; I have seen the Press in the meantime -- and this is what I really wanted to say: that was apparently based on that report. There were other reactions, I think, based on that report. It is really a pity that, at the time we spoke about this, the full text was not available here. I think that the impression has been corrected somewhat by the Press reports following the Rio Press conference, which was fully reported in the Israeli Press and on which I have received comments in this vein from home.

You, too, drew a distinction here between the juridical and the moral. I think that in the ~~xxxx~~ Rio statement you left very little doubt that, from the point of view of the divergencies of view, there is -- if one wished to define it in these terms -- a conflict between the UAR and the United Nations. I think that from the broader point of view there is no doubt --

Mr. CORDIER: But that would be unfortunate semantics if it were used publicly, wouldn't it?

The SECRETARY-GENERAL: When I heard the question, I felt exactly as though I were reading certain very drastic episodes in the Gospels, when somebody cooked up a very shrewd question to which there is no sensible reply unless you make a lecture -- provided that you are not a genius.

Mr. TEKOAH: Again, historically and morally, in addition to the purely legal aspect of the situation, I think one could not very well compare the issues that have arisen (some more serious, some less serious -- the more serious, I think, have been settled in the meantime, as far as Israel is concerned) with the perpetual difference of position between the Charter provisions -- I would go so far as to say that -- and the policy actively pursued by the UAR and some of the other Arab States. Again, from the Israeli point of view, there is no doubt at all about this basic difference between the two sides. One cannot really compare the question of Issawiya (the question of people living in freedom -- perhaps inconvenient technically here and there, though even on this there is some difference of view) with the question of Suez. One cannot, I think, in all frankness, draw a comparison between the issue of freedom of navigation in Suez, even in the light of the rather grave developments which have been connected with this question in the past, and the problem of a small vessel, one of many which

are still being retained by the sides concerned -- I mean, the others are being retained by the Arab States and not by Israel, since this is the only vessel in our hands --

The SECRETARY-GENERAL: May I intervene here to say just one thing, in order that we may not deviate into unnecessary discussion. I do not in any way equate certain things. But there is another matter -- and that is that various elements, irrespective of size, may be parts of the same total picture. If we talk about Karim and Suez, I do not compare Karim and Suez at all; I do not equate anything, I do not want to make that kind of comparison. Seeing it in the objective way in which I must see it, I have a totality of problems which are interlocked and, in order to disentangle them, one must give attention to every single one. And, to maintain an understanding in the public mind of the character of the problem, one must always try to see to it that the picture is not, so to say, produced with only the red colours or only the green colours, so that one does not get these very funny pictures, that is *are* something that one can do with photographic tricks, but it certainly does not provide a sound basis for consideration of how the matter should be attacked or how a solution can be found.

Mr. TEKOA: Well, may I say that you probably remember our discussions prior to your departure for Latin America, in which ^{you} ~~we~~ did refer to Abdul Karim. And although, as I have said, we felt that there are other ships involved -- again, one is the Bat Galim, and another is the Doron, and we have made it very clear that we cannot consider the two issues of equal importance -- I am glad to note that you are of the same view on this --

Mr. CORDIER: That is not quite the right nuance.

The SECRETARY-GENERAL: It is not a question of semantics, not a question of legal or moral balance. The relationship, from my point of view, is an entirely different one; it is a qualitative one, so to say. For that reason, the whole problem of equating or not equating does not arise from my point of view. It is not a quid pro quo in any direction. But I might perhaps on this point add

something which refers to what you said at the beginning (you did not use these words, but I may use them): that, as time passes, problems of detail in the whole complex are brushed under the rug. That happens all along -- and partly, thank God, it is ^{because} ~~that~~ we haven't too good memories. But there is always something which is, so to say, in the field of vision, and in that field of vision it is necessary to have the totality. In that case, there is nothing which is black and white; you do not have the black on one side and the white on the other. That is rarely how it is in human life, and it is most definitely not how it is in this case. Black is black, wherever it is. A big spot or a small spot -- it does not make a decisive difference. And I must say that, especially in this process of getting things out of the way as time passes, and with the access that you have to the major media of communication to the world, the world has come to remember -- I do not complain, because every country has the full right to defend its own interests, its own viewpoint, and you have the means to do so -- but the world has come to remember exceedingly well one part of the picture, and it is very unaware of the other part of the picture. That is one of my problems, intellectually and morally and politically.

Mr. TEKOA: I was about to say that, in our conversations in the past, you referred to the Abdul Karim, of course -- and, although we could not agree with the framework within which the problem was raised, we nevertheless acted on the basis of your observations. The fact that we did respond to the views which you expressed in the case of the Abdul Karim, at least to a certain extent, made our disappointment so much greater when we saw the comments in Montevideo. But what I should like to bring out here --

The SECRETARY-GENERAL: May I remind you of the fact that we came more quickly to serious consideration of the question of the crew in the case of the Doron than we did in the case of the Karim. The Doron has never been dropped out of the picture from my side. But I must also remind you of the other side: that the Egyptians went just as far, in the case of the Doron, as you did on the Karim. They did not go further, I agree.

Mr. TEKOA: I think it did take longer, but --

The SECRETARY-GENERAL: Longer to get them back, but less time to know what it was all about. But that is a very minor issue. I don't think we should -- to quote the famous phrase in Jerusalem -- put those ^{this} on the table between us.

Mr. TEKOA: But what I did wish to point out here was that, after all, there is a difference between what can be said and done in our direct contacts and the picture which is created in the minds of the public in general. I can very well understand why ~~we~~^{you} felt it necessary in our conversations to refer to the Abdul Karim and even to press the question. But, in the eyes of the public, there is ~~such~~ really so little comparison that can be drawn between the two that, even if you feel that that is in a way part of the picture -- part of the general account, as are so many other minor or less minor issues -- the fact that these things are being mentioned together with a central issue of great concern to us would in a very natural way, I would say, have evoked the kind of reaction which it did evoke. The reaction was regrettable, and we tried to avoid it -- at least, I tried to avoid it here by our conversations -- but I think we must understand this difference of plane between the conversations which we hold here and the views which might be passed on to the public.

Generally speaking, I think that the interpretations given over the past year or so, and perhaps even longer -- as far as armistice problems are concerned, in the days when I was in charge of them -- have been such that there is very little that the United Nations could find cause to complain about. We have tried to give the public a balanced picture. We have tried in the past to avoid creating impressions of conflict between us -- and we have done so to the satisfaction, I think, of all concerned. If at a certain point we have not succeeded in preventing the kind of comments that have appeared, I can assure you that this is not due to any change of desire or initiative on our part.

May I refer at the end to a few matters which you mentioned and on which, in view of the record which is being taken, I think I should comment. Those are the questions of El Auja, Sinai, Gaza, the question of compensation of property to the refugees --

The SECRETARY-GENERAL: May I intervene here? I did not raise those questions, because I have no intention of discussing them. I simply mentioned them because they are such glaring illustrations of the highly theoretical attitude which is taken if it is said that there is no conflict between the UAR and Israel. All these things indicate very clearly a state of affairs which is very far from normal, and that is what I wanted to bring out. These are, as you know, things which figure very heavily in the picture -- I wouldn't say in Cairo, but in the Arab world. They are not brushed under the rug; they are very much alive. In fact, they have a relationship to the question of my mentioning Karim. Your reaction on that point is a curious illustration of the fact that sometimes it does not pay to be restrained. I took the most innocent and most recent little element in order to give them an impression which avoided the slant which was caused by the way in which the question was presented, as I understood it. If I had been realistic, I could have said "Well, from one point you are led on to another one in the Palestine problem", and I could have repeated what I have said in various other contexts and what I have said also in Press conferences here -- that finally you arrive at the totality of the Palestine problem, because, as you know, the fight around the question of the Canal and around the Inge Toft is closely linked, in the Press and political constellation, with the question of refugees. But I am *attached* for having taken a stand *on the refugees* which, I think, in spite of your misgivings, lies very close to what is basic Jerusalem thinking.

Mr. TEKOAH: Well, I understood the manner in which you referred to these matters. But I think that here perhaps we should concentrate for a moment on the question which explains some of the basic differences of approach to the fundamental issues between you and ourselves. Mrs. Meir, in a statement which she made just a few days ago and in which she was critical of the general development in the United Nations, did not at all refer to the Secretary-General or to statements made by him, but she put emphasis on one basic problem which has troubled us continuously, and that is the question of some of these actions to which you have referred. She did not mention them by name, but she did refer to the right of self-defence. Now, the United Nations has not yet reached the point of a precise legal interpretation of the right of self-defence. Therefore, the most

natural right would be acceptable, or should at least be acceptable, ~~at least~~ to all concerned, and this is the natural interpretation which we give to this right as regards the actions taken by Israel at El Auja, in Sinai and in Gaza, in response to what we considered to be, without any doubt whatever, attacks -- constant, perpetual attacks -- by Egypt.

If, on these matters, you feel that they are actions of the past and actions that are in a way completed, consummated--the question is still open whether or not Israel remains today in a position of divergence of views or conflict with the United Nations -- then we might perhaps find here the very key to some of the misunderstandings which unfortunately might have been created in the past, because we do consider that whatever has taken place in these areas mentioned by you was within the framework of the exercise of the right of self-defence taken by us. As I have said, I do not see how any Member of the United Nations, or the United Nations as an Organization, could deny this right to us. In fact, ~~it did not~~ it did not, even in those rather difficult days of 1956 and 1957. And I think that, if it is impossible for the United Nations to accept our point of view, then we should perhaps try to avoid at least presenting to us the picture of a continuous making of accounts on issues on which we feel we were not only justified but constrained to act in full accordance with the Charter provisions. This is one of the basic difficulties as I have been saying, and it undoubtedly mars to some extent the full accord and the understanding which, I think, there is full reason to have prevail between the Secretariat and ourselves.

May I, in closing, express full agreement with the principles which you enunciated as far as relations between the Secretary-General and the Secretariat, on the one hand, and the delegations of Member States, on the other, are concerned, and the manner in which you approach the various issues which concern the United Nations and Member nations. We agree that it is in this light and this spirit that our actions should be taken. But I must perhaps add something that we have been hearing from home continuously in the past few weeks in the light of these various conversations: that sometimes, perhaps, silence on issues like this -- not to speak of statements which might confuse, in our view, the rights and wrongs -- but silence on the very matters on which you are actively engaged, silence on efforts made by you, silence on whether or not the UAR is justified in pursuing its policy in the Suez, might in itself lead to a feeling that perhaps not everything that could

or should be done is being done. I am putting this in parentheses, but I must mention it because there is some feeling in Jerusalem to this effect.

The SECRETARY-GENERAL: Thank you. First of all, I note, in the context of what I said, that especially what you stated regarding the demarches is a positive element which I note with great satisfaction: I repeat that.

I also note that you say that you have tried, and continue to try, to put the Press straight. I think that that is not only in the interests of the United Nations; I think it is very much in the interests of the Government itself. I fully recognize that you cannot discipline a Press. But, as in the case of the Inge Toft, it is a matter of honest effort -- and I note with gratitude that you say that such efforts have been made, are being made and will continue to be made. That is the way I understood you.

For the rest, very many matters came up on which I would not like to make any comments, apart from two points which I think call for some explanation.

It may be true that there is a wide divergence as to what is meant by self-defence. But there is also wide agreement as to what are reasonable limits for self-defence ~~and~~ ⁹ self-defence, even when a country itself considers it to be justified, may bring it into conflict with international law or international agreements. You know that exactly the same formula is used by Egypt as regards the Canal. On that point, you would not hesitate to say that the principle of self-defence brings them into conflict with international law and even, you say, with the Charter. Egypt, on its side, says: "Whatever/^{the} reason for Israel's continued presence in El Auja, it is quite obvious that, under the terms of the Armistice Agreement, it is in flagrant violation of the Agreement." Likewise, when you say "Wasn't there a decision in 1951 concerning the traffic through the Canal?", Egypt would say "Yes, and wasn't there a decision of the General Assembly in 1948 concerning the refugees? Let us forget about the politically difficult point concerning repatriation of refugees. But what about compensation?"

Then you come to other fields of self-defence, fields which I think should be looked at not in the subjective light to which I referred here when I talked about the way in which a problem looks from your angle and the way in which the same problem looks from the other angle, but in an objective light, where there cannot be two views about it.

An incident like the one of 4 February -- which I would not like to raise again, although I still hope to get a letter from Mr. Ben-Gurion -- is not unobserved and can obviously not be put under the heading of self-defence, or, if it is, it involves rather excessive zeal on the part of those who are entrusted with self-defence. And, if you go back in history -- I don't know whether you realize what it meant, but it was a very major factor -- in April 1956 you shelled Gaza. The matter has been discussed in Jerusalem and therefore there is no reason to discuss it again. I pointed out to Mr. Ben-Gurion, in the presence of Mr. Dayan at the table -- and I think you were present, too -- that, in spite of what had been said, we could not for the life of us find any military justification for the way in which the operation had been executed.

In that case, in order to keep things under control, to get out of the trouble, I suppressed the report, as you know. I do not want to receive any praise or claim any credit for that; I suppressed it for reasons which, I think, were solidly based on the common interest. But that is one thing, and another is that such an incident is remembered, and no heading of self-defence can take care of the picture which the other side got. What the views of the other side are you may understand in the light of the judgement of our own military experts.

Then there is this question of speaking up, of telling about one's stand. All right -- but I would not assume a right which is not mine, that is, to sit as a judge over anybody. If I were to embark on that line, there would be very very much, all around, on which I would have to have very firm views, and views which I would express publicly -- and I do not think that that is the function of the Secretary-General at all. His function is another one: it is, and must be, to try to manoeuvre in such a way as to keep things on the rails as well as possible. He cannot give up objectivity in what he says -- but there is no reason for him to run around and pass judgements.

If you take the Inge Toft case, for example, or the Canal case, where it is said that I, or we, opened the doors by not blasting the UAR in public or by not stating our principles in public, I would say that my criterion is: Do I or do I not help toward the objective which we share on this point by stating it in public? My reply is ~~No~~, that I do not, because the whole effect

of pressure is gained by exerting the pressure in direct diplomatic contacts. You may differ from me in one respect -- that is, faith in public opinion and in the results of propaganda. I belong, in that respect, to a different school. I feel that public statements and propaganda very often lead to exactly the opposite result when you deal with Governments, while, on the other hand, you can exert very considerable legal, moral and political pressure by taking a clear stand in relation to them in direct diplomacy, they knowing that you will not blow your top publicly unless the situation calls for that kind of intervention as a kind of sanction. However, the kind of sanction which is applied by the United Nations is applied by the Security Council or the General Assembly, not by the Secretary-General.

That much by way of explanation of a professional method which may be right or may be wrong but which, I am convinced, is the most effective one for the purposes you have in mind. That, I think, is about all I need say in this context about it. And I wish to assure you that, if I have taken this whole situation up as seriously as I have, it is not because I am in any sense personally peeved: that would be the last reaction I would have. It is because the sum total of events of the last fortnight has made me quite seriously worried regarding our possibilities of continuing in the way we have tried to work in the past. And I can assure you of one thing: that it will not be from my side that that kind of contact is broken.

Mr. TEKOAH: Thank you very much. May I just say a word or two on the question of self-defence. I think you are right in pointing out that there is some measure of agreement as to the limitations of self-defence, and that is why I think that the policies pursued by Cairo should be completely excluded from this definition. I am referring to defence against armed attack under the Charter. I am not really referring to defence against imaginary states of war --

The SECRETARY-GENERAL: May I say that, when I refer to self-defence in the case of the Canal, it is because of the fact that they base their legal stand, for whatever it is worth, on the security clause.

Mr. TEKOA: Yes, I was about to add this really as the second point, because in the Constantinople Convention, which contains the security clause, there is a further provision which makes it clear that, whatever measures of security or self-defence may be undertaken by the sovereign Government for the protection of the Canal, these measures cannot in any way infringe on freedom of navigation. I know that Cairo conveniently stops short of quoting the provision which follows the security clause -- but nevertheless it is there in the Constantinople Convention.

Therefore, both from the specific point of view of the various international instruments and obligations concerning the Suez Canal and in the more general context of what is and what is not self-defence, I think that once again there is probably no comparison between the claims, allegations, justifications put forward by Cairo and what we feel has been our fundamental right throughout the years.

The SECRETARY-GENERAL: I used it as an example of the fact that the reference to self-defence in this or that way, in the views of this or that group, may bring a party into conflict with international law or international treaties. It was only by way of example; it was not an endorsement of any kind of stand.

Mr. TEKOA: When I referred to the question of views being made public, I was, of course, speaking in the light of some statements which have already been made in writing or orally in press conferences. It is really in that light that we feel that opportunities can sometimes be found, without in any way putting objectivity aside, to express what is the crucial problem and what is the less important one, what are the efforts that are being made by the United Nations, what are the expectations and hopes of the United Nations in certain issues confronting it.

I think that the observations in Rio do contribute, to some extent, to filling that need. I say "to some extent" because they came, after all, after observations which were apparently misinterpreted but which created this unfortunate climate --

The SECRETARY-GENERAL: Misinterpretations -- if I may interrupt -- are not quite uncommon. I was rather surprised at the Press conference in Rio when one journalist, without objections from the others, said that Mrs. Meir had said there that the United Nations had not contributed to ~~the~~ lessening tension in the Middle East, but rather the contrary. My reply was the obvious one: "You cannot have understood her correctly".

Mr. TEKOAH: Yes, I have seen that.

Mr. BUNCHE: It was in the same room, wasn't it?

The SECRETARY-GENERAL: Yes.

Mr. TEKOAH: But perhaps, in order to link --

The SECRETARY-GENERAL: But it does show that the Press has a tendency to work under the influence of wishful thinking.

Mr. TEKOAH: I couldn't agree more. If we were to link these various facets, I think that some consideration could be given to the fact that we are now in the sixth month, if I am not mistaken, of political and diplomatic efforts on an issue which has preoccupied the United Nations, many maritime Powers and ourselves for ten or eleven years; that there is no doubt whatever that our rights were wronged on this issue; that we have tried to deal with it in full understanding with you and certain Powers concerned; that we have taken into consideration fully some of the views that we have heard here; that we have appreciated the comments which you have given us in various conversations; and that, at this stage, we have found ourselves in a kind of deadlock which perhaps in a natural way does evoke the kind of reaction that has been expressed in the Press -- a deadlock which is not entirely foreign to those who have been dealing directly with this issue. Especially if we consider these repeated efforts on your part in the context of their outcome and their results, there is no doubt whatever that, as far as Israel is concerned and as far as the cause of freedom of navigation is concerned, they do cause disappointment. We might perhaps understand --

The SECRETARY-GENERAL: Don't you believe that I am disappointed?

Mr. TEKOAH: We do. And here we are facing once again a situation in which one of the elements is the fact that there is no doubt whatever that the United Nations should make its position clear on this issue -- whether the Secretary-General as a principal organ, or the Security Council, or the General Assembly -- and we still hear comments, which we can understand although we might not agree with them, as to the inadvisability of taking certain courses and the preference for other courses. I think that, even within this more limited realm, certain things said and done might be of help to dissipate this feeling that a basic right of Israel's is being wronged without the United Nations, at least up to now, having adopted a definite and public position on it.

In the meantime, as you probably know, we have been in touch with a number of Governments and some of the delegations here on the question of their preferences as to possible action by us in the Security Council or in the General Assembly. I must say that so far we have discerned a definite preference for an idea which was mentioned at first by you, that is, expressions of view on the problem of freedom of navigation in the Suez in the general debate at the General Assembly.

The SECRETARY-GENERAL: The reason, from my side, is quite simple: that I foresee quite a few risks in any line which would, so to say, try to force the United Nations to a resolution.

Mr. TEKOAH: Yes. In one of the conversations in which I told Andy about these efforts -- because we have tried during these months to keep you au courant of every step we have been taking -- I did point out that, of course, we should not expect the Secretary-General to keep the ball rolling; we are doing that ourselves by these conversations which are now being held, in which we are consulting the various Governments as to their preferences for expressions of their position on this issue.

I must say, however, that whatever could be done in the appropriate manner to make the Governments concerned aware of your efforts, as in past stages, when delegations here were fully informed of the efforts made by you, in order to bring about a solution of the specific issue of the Inge Toft and the general issue of Suez, would go a long way toward helping to create a correct understanding of your position, your attitude, on this matter.

The SECRETARY-GENERAL: May I say here -- and perhaps we must wind this up now, because I have somebody coming -- that there is one special element in the position of the Secretary-General which is very incompletely understood but which is very essential: he naturally and necessarily arrives at conclusions, legal conclusions and political conclusions, but, as you said, he does not say very much about them. Now, we can leave political conclusions aside and look only at legal problems. Like any lawyer -- in these cases I obviously have to function in the legal field a little bit like a lawyer -- I arrive at my conclusions, and I believe in them and I act on them. But, as an organ of the United Nations, I must be aware of the legal dialectics, so to say, of the situation, and I can very often write a brief against myself. I might give a very concrete example, which is useful also from another point of view: Yesterday I happened to be in very full accord with the conclusion of the work of the Security Council -- but I could write a devastating criticism of some of the legal aspects of it if I were, so to say, counsel for the prosecution. There is no use in my coming out with my own stand; in such a case there was no need for it. But, if I did, I would run into the other complication: that the Secretary-General must maintain, also in the legal sense, objectivity -- that is to say, that he must see the existence of arguments on the other side. In that respect, he comes very close to the position of a judge -- but without the rights of a judge, without the authority of a judge.

In the same way, I made a report yesterday, as you know, on the previous history of the Laos case. It is the case which has taken the most time, next to the Inge Toft, during this year -- and the report on those efforts was very dim, very non-committal and very brief. You may guess the reasons.

The reasons are exactly of the nature I have indicated; they belong also to the sphere of the interpretation of the Geneva Agreements and similar matters. There, again, you find me in a situation where I cannot tell about my efforts, even if it might be ad majorem gloriam of the United Nations in the public mind. I cannot do it because it would not be possible without, so to say, basically impairing the position of the Secretary-General. It has involved the taking of stands, which is perfectly all right as a basis of negotiation but is not perfectly all right for the Secretary-General in public statements. I mention this as an example because, while it is far from our mutual field of interest, it presents me with exactly the same complications and difficulties.

To wind up: There is one thing which you know, but permit me to repeat it all the same. There is nothing in the world so easy for the Secretary-General as to strike a pose, and there is nothing in the world less permissible.

I have just received an indication from my secretary that I must leave you now. As soon as this record is typed up, you will receive a copy of it just as it comes out of the mill. [To Mr. Eilan] That will facilitate your work.
