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Middle East

28 March 57

"A basis for Settlement of Arab-Israeli
Dispute"

- Extension of Remarks of L. M. Smith
in the House of Representatives, USA.

A basis for Settlement of Arab-Israeli Dispute

Extension of Remarks

of

HON. LAWRENCE H. SMITH

of Wisconsin

In the House of Representatives, Thursday March 28, 1957

Mr. SMITH of Wisconsin. Mr. Speaker, a most interesting suggestion has been made as to the basis for final settlement of the highly volatile situation in the Middle East. This subject was contained in the Jewish Newsletter of February 4 and I am sure that Members of this House will be interested in reading it.

VIEWS OF SECRETARY HAMMARSKJOLD'S REPORT

There is extensive belief here that Mr. Hammarskjold's report to the United Nations, on the 25th, has an importance transcending its rather pedestrian, legalistic treatment of the precise situations in Gaza and the Sharm el Sheikh territories. Topical commentators and observers may debate the immediate efficacy of the report as a contribution toward resolution of these two, specific issues. But those grappling with the totality of American interests in the Middle East and who are more than propagandists are encouraged by the fact that this report, together with the Secretary-General's comprehensive report of his trip to the Middle East last spring, is building an integrated, consistent and orderly record of first principles upon the basis of which alone any final settlement of the Palestine problem can be predicated.

The contrast to, and conflict with, the Israeli position over the two territories now at issue is more profound than the obvious question of unconditional withdrawal. Or, it might be said that if Israel is prepared to accept the working thesis of the Secretary General's report, there would remain little disagreement with the Secretary General over the conditions Israel is attempting to secure before withdrawal: reduction of border incursions and recognition of transit rights in Suez and the Aqaba Gulf. The bold differences in approach to these objectives - not the objectives themselves - will, and should, be the nub of debate.

The Israeli case is predicated upon an appeal for recognition of the justice of its case against border raids and obstruction of its transport in the canal and the Aqaba Gulf. The Secretary General does not deny the justice of Israel's claims. But - he says in legal language and documented citations - justice is compounded of an intricate and, in many situations, an interlocking series

of fundamental provisions reaching back to the cease-fire and armistice agreements of 1948-49.

Above all, he asserts that justice cannot be achieved by unilateral definitions and actions. "The United Nations cannot condone a change of the status juris resulting from military action contrary to the provisions of the charter," he says. And he continues, "The organization must, therefore, maintain that the status juris existing prior to such military action be reestablished by a withdrawal of troops, and by the relinquishment or nullification of rights asserted in territories covered by the military action and depending upon it." This is the nub of Mr. Hammarskjold's report, because it is a fundamental principle of world order and a prerequisite to any peaceful settlement of any international disputes. It is therefore the application of the central purpose of the United Nations to the problems to which the Secretary General was addressing himself.

Mr. Hammarskjold's report offers legal and orderly ways by means of which all parties of good faith might achieve objectives which most of the world has agreed it wants. The strategy proposed by Mr. Hammarskjold might restore the armistice agreements to some semblance of the authority it was hoped they would have nearly a decade ago. This, according to the Secretary General, would bring about the state of nonbelligerency which Israel now is attempting to impose as a price for its withdrawal. The Secretary General suggests that after the authority of the armistice agreement is reestablished, recognition of the international rights of shipping through the canal and the Gulf of Aqaba - including Israel's rights - might be expected from Egypt.

A phrase which recurs constantly in the Secretary General's report is that full compliance with the armistice agreements - on many points - would have an important positive bearing on other problems in the area. This is essentially the same theme Mr. Hammarskjold hit last spring. The feeling here is that the Secretary General is building, brick upon brick, a way out of the Palestine dilemma. And, for the same reason, the feeling here is that Mr. Eisenhower's policy of attempting to work out this part of the Middle East problem through the United Nations is justified.

Washington, January 28.