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Middle East

Meeting of Advisory Committee on UNEF

11 March 57

CONFIDENTIAL

MEETING OF THE ADVISORY COMMITTEE ON UNEF

(Meeting held in the Secretary-General's Conference Room
on Monday, 11 March 1957, at 5:00 p.m.)

The SECRETARY-GENERAL: Have you any specific information to give, General Martola, on the deployment and so on?

General MARTOLA: We have now a little change of deployment of our troops, that is, General Burns has made a change of deployment of troops in the Gaza Strip. Now there are in Gaza town and in the neighbourhood a Danish-Norwegian battalion and two platoons from the Brazilian battalion. The Yugoslavs, who have one company in Gaza, are in reserve. The Indian battalion is some five kilometres or more south, with 900 men. Then there are the Colombians with 500 men, and in Rafa we have the Swedish battalion and the Brazilian battalion minus one company. Of this one company, half -- two platoons -- are in Gaza and the rest in El Arish. Then we have a Yugoslav battalion; they have outposts in front of El Auja, and the main body is in El Arish. The Indonesians are in the desert north of the Gulf of Aqaba, and the Finnish company is in Sharm el-Sheikh.

The SECRETARY-GENERAL: Thank you. I have not seen it, but have you any information concerning deployment at the demarcation line proper?

General MARTOLA: Yes, we have information that in the Gaza Strip all these units have patrols also on the Armistice line.

The SECRETARY-GENERAL: Thank you. Then we may turn to the main issue which caused me to ask you to come here. It is an issue you have already heard about, but I shall give you the exact information we have. The meeting is really called for information purposes, because this whole development is one where I think you should have the information that we have as quickly as possible. If you feel that this information calls for action, I feel sure that you will tell us so and set in motion whatever action may be considered necessary.

May I first say one word concerning the unrest yesterday in the city of Gaza? Somewhat contradictory information has been published in the newspapers. The correct information is the most modest. It was a crowd of two hundred or three hundred, which was, however, rather on the aggressive side, and the UNEF officers felt that they had to take counter-action in order to control this development. I do not think that there is anything special to say about it. If you remember how the situation was at the very beginning of the previous Israel occupation, I think we can put what is now happening in a better perspective than we find in the newspapers, which in a somewhat perverse mood seemed to take pleasure in difficulties. However, today there is a development which partly, I think, is explained by what happened yesterday and which does call for serious attention.

The Information Department in Cairo has issued this morning, New York time, after a meeting between President Nasser and his advisers, a communique which in translation runs as follows:

"The Egyptian Government appointed today General Hassan Abdul Latif Administrative Governor of Gaza. It decided Egyptian Administration should take over its duties in Gaza Strip immediately.

"Egyptian Government protested to Hammarskjold against UNEF having overstepped its functions which were assigned to it by UN and for having opened fire against Gaza population. Egypt has agreed to the stay of UNEF within limits fixed by UN, which is, to enforce cease-fire and follow withdrawal of enemy forces to Armistice line. Egypt does not accept that UNEF should perform other functions than this."

I should like to draw attention, without any attempt at analysis, to some key expressions in this communique. The first one is that what they have done is to appoint an "Administrative" Governor of Gaza. The terminology, if correctly translated, indicates that they have excluded military administration. It is not a full Governor-General. It is an Administrative Governor on the civilian side. They have further said, in the following sentence, that they have decided that Egyptian administration should take over "its" duties in the Gaza Strip immediately. There is, first of all, no indication of "its" duties,

which leaves undefined what duties they have in mind. It leaves open a margin for negotiation with the United Nations. On the other hand, they stress the time factor very sharply by the word "immediately".

In the second part of the communique they refer to protests -- so far not received -- against the UNEF "having overstepped its functions" and "for having opened fire against Gaza population". That obviously draws attention to one very serious matter. The UNEF in principle is a force placed between the hostile armies, between the two enemies, at the Armistice demarcation line. But in the transitional stage, already in Port Said, with Egyptian consent, they exercised police functions, as you know. This is also nothing but a police function, although yesterday it took a somewhat dramatic turn.

In the final part of the communique, Egypt restates its agreement to the stay of UNEF but "within limits fixed by UN" and it underlines that those functions are related to the cease-fire and the withdrawal of enemy forces.

In the cable, among many, from Mr. Bunche, who is at present at Cairo, he says that he has said the following to the press concerning this Egyptian action: that he was in Gaza today and found the population peaceful and friendly to the UNEF; that UNEF yesterday had fired in the air and not at people of Gaza; that UNEF in Gaza had been acting entirely within its mandate and was following the same pattern following withdrawal as in Port Said and communities in Sinai. Mr. Bunche went on:

"I also denied there was any issue involving UN concerning legal position of Egypt in Gaza."

If I may venture some personal comments, I should like, first of all, to refer to our discussions last week. All of us remember that various legal theories could be put forward in explanation and justification of the United Nations role in Gaza. The one which is in line with what has been said in various reports of the Secretariat is that our functions are based on the authority which Egypt has under the Armistice Agreements.

That means that, legally speaking, as I see it, we have no basis whatsoever to object to a civilian Governor in Gaza, nor can we say a priori that the function of policing the Gaza Strip is one which is exclusively ours or that the extent to which we go and the forms which we use may not be discussed and even challenged by the Egyptian Government.

So much for the question of law. However, the opposite extreme, as we know, is the Israeli theory, which is based on their occupation and on our duties as derived from our take-over from Israel.

With that background, I think one can see clearly what interpretation the Israelis wanted to give to their so-called assumptions, and it is obvious that in the light of those assumptions, if they are interpreted in a far-reaching and strict way, all sorts of objections may be raised against this development. The Egyptian communique, if you want to read it in that way, can be said to indicate that the whole problem of order in the Gaza Strip is considered by Egypt as being a problem to be solved on Egyptian responsibility, and I need not point out to you the contradiction between such a stand and what at least has been indicated as an Israeli interpretation of the situation.

We have thus before us a situation which, already, after three days, brings out the significance of these various approaches in a very concrete way, and for that reason may force us to face some rather critical issues. However, I feel strongly that there is every reason in the world to keep firmly in mind two things: on the one hand, that there is nothing in principle objectionable in this move and that there is no reason to dramatize the issue politically, while, on the other hand, we must recognize that, legal though these moves are, the timing of them is such that the political complications involved cannot be disregarded in the planning of our own activities in the United Nations. That is, of course, the reason why I felt that this information in its precise form should be given to the Advisory Committee for its consideration without any delay.

I should perhaps add that in the last few days, since we last met, we have had to face very peculiar issues, trying to find a solution as best we could, avoiding raising questions of principle. Practically all of those problems have reflected the underlying contradiction between the Israeli and the Egyptian or UN approach, and I cannot say that we have found solutions which satisfy me either legally or politically, but we have done as well as we could. I can indicate such problems, for example, as the one presented by the fact that 90 per cent of the orange crop of the Gaza Strip, which is its main source of revenue, had been sold forward to Israel, and not only that but, further, that we to our knowledge have no means of transporting this crop to Egypt if we would like, or if the population would like, to redirect it. I need not enlarge upon the problem. I think everybody can see what a nice little snag it does present to the United Nations, having some kind of transitional responsibility, at least, for quiet in the area. People, after all, are just as likely to be upset if they see their income suddenly disappearing into thin air in the Gaza Strip as they would be in New York or anywhere else.

Mr. LALL (India): May I ask a question before we comment, Mr. SECRETARY-GENERAL? Have you any reports from UNEF in Gaza about the conditions there, apart from the telegram you read out to us, which is from Mr. Bunche and which is from Cairo?

The SECRETARY-GENERAL: We have, but Mr. Bunche's cable is the latest information we have and it confirms all the other information. This cable from Cairo was sent immediately on his return from Gaza; so this is the very latest news out of Gaza.

Mr. LALL (India): I mean, the situation in Gaza is in hand?

The SECRETARY-GENERAL: Obviously.

Mr. LALL (India): That is what I wanted to be clear about.

The SECRETARY-GENERAL: Obviously -- right now.

Mr. MIR KHAN (Pakistan): Have you had any of this information conveyed directly to you by the Egyptian Government?

The SECRETARY-GENERAL: No.

Mr. MIR KHAN (Pakistan): It is only from the ticker?

The SECRETARY-GENERAL: No, this is not from the ticker. This is from our own people.

Mr. MIR KHAN (Pakistan): Conveyed to them officially?

The SECRETARY-GENERAL: It is an official communique -- an unofficial translation from a communique issued by the Information Department.

Mr. MIR KHAN (Pakistan): Not addressed to them or to you?

The SECRETARY-GENERAL: No, and we have not received the protest yet.

Mr. MIR KHAN (Pakistan): The protest has not come, nor has the announcement come except from public information which was --

The SECRETARY-GENERAL: No, but it is confirmed also by Mr. Bunche on his return to Cairo. So there is no question about the authenticity of this piece of information.

Mr. ENGEN (Norway): Has this information about the appointment of an Administrative Governor been conveyed officially to General Burns by the Egyptian Government?

The SECRETARY-GENERAL: No, not so far. As to the interpretation, I think one should make a distinction between an announcement of an appointment and the taking up of the functions.

Mr. LALL (India): Of course.

The SECRETARY-GENERAL: I think that is more true in the present situation than in any other, because I have a strong feeling that our Egyptian friends are very much aware of the significance of what is really happening in the field as compared with technical arrangements of this type which may be put into effect at a later date if they so please.

Mr. LALL (India): May I now make a comment?

The SECRETARY-GENERAL: Please do.

Mr. LALL (India): I entirely agree with you, Mr. Secretary-General, that there is a distinction between the designation or appointment of this gentleman and his taking up of his functions. The designation or appointment undoubtedly has something to do with satisfying general Arab opinion and is a step which Egypt might have been expected to take. But there is another more hopeful aspect of this appointment which I think we ought not to miss, and it is this: It is quite obvious that there is a certain amount of discontent in Gaza -- perhaps a great deal, I don't know -- about the absence of Egyptian civil authority in the area. The announcement of an appointment of this character might indeed have a soothing effect on Gaza. That is an important point. The Arabs want to have the Egyptians back: let us assume that that is the case. This announcement could well have a soothing effect. And that is extremely important, because we all want the United Nations Emergency Force in Gaza to be concentrated as quickly as possible on the armistice line, so that the effective separation of the Israelis and the Egyptians can be achieved.

If, unfortunately, because of disturbances in Gaza, the potential and the effectiveness of the Force is all swallowed up by putting down civilian commotions, it will not be possible for the Force to fulfil its main function, which would be most unfortunate because the main fear, the main apprehension, which is present will become a dangerous threat.

Therefore, anything that the Egyptians can do in this manner which would quiet the civilian population in Gaza would be a great help -- and it might be that this announcement will have a salutary effect.

Personally, I feel that if it is true that the population of Gaza is clamouring hard for Egyptian civil authority to return in some form, or at least in some measure -- to be visibly present -- it is going to make our problems extremely difficult unless we can get back Egyptian civil authority, in some visible form, in some measure. Otherwise, we are going to use our UNEF in Gaza in a way which is going to exacerbate the problem and which is going to leave open the armistice line, which would be very dangerous.

Mr. FREITAS-VALLE (Brazil): There is, of course, the word "immediately". What upsets me a little bit -- and this seems to argue against Ambassador Lall's idea that this is a soothing measure -- is that "immediately" means that a new Administrative Governor is to proceed there at once.

The second point is that no contact was attempted, I think, with General Burns -- something that I think would be the first step if one were trying to be soothing. I do not want to dramatize anything. But the UNEF is really there to work for Egypt, to make the situation good for Egypt, and, while I do not know whether the newspapers are correct, the information in the papers this morning was that General Burns himself had the impression that it was a question of agitators. The word "Communist" was even mentioned in connexion with the disturbances which took place yesterday.

I do not know why the Egyptian authorities, who did not until now protest against the use of the Force to our Secretary-General, did not get in touch with General Burns before taking this measure.

I would be very glad if this is just soothing, but I am afraid that this thing will develop not in the way you would expect -- because we are just helping.

The SECRETARY-GENERAL: There are a couple of additional points of information which I should perhaps give.

The most important one is that they raised another question yesterday, which really did not worry me much. The Egyptians have had, all the time, a special liaison officer to the Commander -- a Colonel Helmy. It is, of course, natural and obvious that he should be wherever General Burns is. Now they want to establish it on a somewhat firmer basis and add to this Colonel a limited group of some few officers; they want to establish that in Gaza. In principle, of course, there is no objection; it is a very natural arrangement. But, again, it is a question of timing.

The other point I should like to mention is this: There is a time factor involved which may explain the fact that there was no contact. This may be -- if we follow Mr. Lall's line of interpretation -- a reaction to the reactions which were provoked by the unrest yesterday.

Mr. LALL (India): That is correct.

The SECRETARY-GENERAL: The Cairo press this morning was very heated because of what had happened in Gaza, and for that reason President Nasser and the Egyptian Government may have felt that it was necessary to come out in two directions: on the one hand, to consolidate the UNEF, which they have done by restating their agreement to the stay of UNEF within certain limits, and, on the other hand, to indicate that there is no question about Egyptian administration. It may be a perfectly logical reaction to the newspaper pressures -- and then they must have been under a very considerable time pressure.

I mention that for what it is worth, as a possible corroboration of Mr. Lall's theory.

Mr. LALL (India): That is precisely what I was going to say, Mr. Secretary-General. I feel that, when the situation suddenly sprang up in Gaza, the Egyptians had to act in this rather sudden way in order to recreate a balance, to re-establish a balance. It is just one of those things which happen.

It is a matter of judgement, but I think that the Secretary-General is quite right in feeling that that is probably the rationale --

The SECRETARY-GENERAL: At least, it is one possible rationale.

Mr. LALL (India): Exactly.

Mr. MIR KHAN (Pakistan): The only comment that I should like to make at this time, Mr. Secretary-General, is that, if the Egyptian authorities did not address you or General Burns on this communique and chose to issue it as a public announcement, I should like you to consider whether you should not ask for clarifications which might help. You have responsibility. I would have suggested that either General Burns or you should ask for a little more clarification on the key words that you have mentioned. It is only fair that we should be given that clarification.

The SECRETARY-GENERAL: The matter was discussed in a very preliminary way with Dr. Fawzi before his departure this afternoon, and I asked him at that time to give us all the information his delegation might have.

So far, they had no comments. Another point is that, with General Burns and Dr. Bunche both being in Cairo, I consider it more or less a matter of course that they seek in Cairo whatever clarification they can get. I would not like to make anything in the nature of an official démarche, because that would, so to speak, from my angle, dramatize the issue unnecessarily at the present stage. I think we will get all the necessary clarification in due course.

Mr. LALL (India): A certain journey eastward today might be very timely also, Mr. Secretary-General.

The SECRETARY-GENERAL: It might be very good, yes.

On the other hand, we must not forget the other side of the matter. If this had been a clear-cut U.N.-Egypt affair, I certainly would not have brought it to your attention this very afternoon, because then it would have been a matter to handle in the way we handle such matters. But there is, as we well know, a third party, and there is also perhaps a fourth party -- and that is the so-called public opinion, which does not strike me exactly as public, but more the opinion of a rather vocal press. The reaction on those two sides is certainly something we must take very seriously into account, because it may give added accents to this development, which we would like to avoid in order to safeguard peaceful conditions and a sound development.

I do not know whether there are any observations on that aspect you would like to make. I do not think that we have any basis for any comments to the press. That is a matter of course. And so far there are no public reactions from Jerusalem or Tel Aviv.

If, however, the question were directed to us, as it might well be, as to how we interpret it, my own reaction would be that, on the one hand, we would, of course, postpone our judgement in view of the incomplete information we have, but would, on the other hand, if questioned, have to point out that in the action indicated there is nothing which represents a challenge, to my knowledge, of any stand or decision of the General Assembly.

One can question the political wisdom of the timing and the form, and so on. That is a political issue. But, when we come down to the hard facts of the General Assembly decisions, I do not know of anything which formally presents an issue or a conflict.

On that point, however, discussion is open, because there are very many interpretations.

Mr. ENGEN (Norway): I think it is all that can appropriately be said -- at least, as far as we are concerned -- on the basis of the information which is now available. The implications of that information will probably be clearer in another day or two. I do not mean that any further action will necessarily follow -- but the absence of any further action would also be indicative of what are really the implications of this particular step which the Egyptian Government has taken.

I think that the only appropriate view which we can take here is that in itself this action is not in contravention of the basic assumptions upon which this whole operation is being carried out in Egypt. There is no doubt about that.

But, of course, we are well aware that we are operating here not in a kind of vacuum; we are operating in a political reality which is of quite a high temperature. How to tackle the reactions to this particular step, even if no other steps follow, is a problem to which we will probably have to give some thought, or may have to give some thought, very shortly, because I would deem it rather unlikely that everybody would simply take note of this and not say anything more about it.

Mr. FREITAS-VALLE (Brazil): The information from Dr. Bunche is almost quieting for us.

The SECRETARY-GENERAL: As to the state of affairs at present, yes. On the other hand, I think it is reasonable to remember that this emotional state of mind of the population in Gaza must be one of a fairly high temperature and

considerable uncertainty. They do not know where they are, what kind of situation it is now. And one of the dangers, of course, is that, in the delicate transition period, conflicts could develop in which some kind of anti-UNEF feeling would grow up. That would be very difficult to fight down once it had come into being.

On the other hand, to give instructions to UNEF that they should not, with all prudence, take the measures necessary in order to maintain quiet would seem to be quite impossible.

Mr. FREITAS-VALLE (Brazil): Yes, impossible.

The SECRETARY-GENERAL: May I draw this much of a conclusion on the practical side: that you share my feeling that, from the point of view we have to safeguard as guardians of the United Nations decisions, there is as yet no reason for any intervention from our side; that it is an entirely different matter to say that we can express concern regarding the timing and that we can ask for more information; that, whatever they say about the limits of the UNEF functions, there is no basis for us to intervene in the activities of the UNEF as they have developed on lines strictly parallel to those which were approved and mutually accepted in the case of Port Said.

The situation will be a different one the moment there is a police authority in the area. So far, that is not the case. And there must, after all, be some police force functioning in a region where there are so many difficulties as there are here. I imagine that Mr. Stavropoulos, in so far as the legal aspect of the matter is concerned, will agree with me that in an area of this kind, where there is no civil police or no civil police authority, the power present simply has the duty -- and, in consequence, obviously the right -- to function with police authority until a police force and police administration is set up which can take care of the situation. That is to say, whatever interpretation we give to the functions of UNEF, there cannot be any question concerning the legality of the UNEF personnel's exercising police functions as long as there is no police authority.

Mr. STAVROPOULOS: I entirely agree, sir. There can be no vacuum. The UNEF at this moment has the right to protect itself and the duty to protect the Gaza people and to assume whatever powers they have to assume in order to ensure some kind of security for everybody.

The SECRETARY-GENERAL: The conclusion, then, is obvious: Pending the complaint -- we will see what that looks like and what action it might call for -- there is no reason at all for us to intervene with more precise instructions. The action taken seems to be appropriate, and there is no indication that they have gone beyond what follows from their duties.

Mr. STAVROPOULOS: I quite agree.

Mr. LALL (India): May I ask a question, Mr. Secretary-General? What is the position on the armistice line in this area?

The SECRETARY-GENERAL: Patrolling on the Egyptian side.

Mr. LALL (India): In some force, or rather thinner than we want?

The SECRETARY-GENERAL: General Martola, can you say how strong the patrolling is?

General MARTOLA: I have no precise information. I only have information that all these troops in the Gaza Strip have outposts on the armistice line or in the neighbourhood of the armistice line. I suppose they are smaller outposts -- one or two men -- and I suppose that some of them are fixed and some of them are mobile.

The SECRETARY-GENERAL: My guess is that the reply to your precise question, Mr. Lall, is that they are certainly much more than we have ever had.

Mr. LALL (India): Is the line also barbed wire or anything like that?

The SECRETARY-GENERAL: No, it is an open line -- partly rather difficult to see, by the way. It is like the Equator: it exists, but you do not see it.

Mr. LALL (India): It is part of the line to infinity.

Mr. FREITAS-VALLE (Brazil): Two years ago, I asked in the Security Council that there be barbed wire there.

Mr. ENGEN (Norway): I do not know whether I misheard the information that General Martola gave at the opening of the meeting. I got the impression that he said there was an outpost in the El Auja --

General MARTOLA: I used the words that the Yugoslav battalion has outposts "in front of El Auja" region.

The SECRETARY-GENERAL: They are the old Egyptian positions.

Mr. ENGEN (Norway): I was almost sure I had misheard that.

The SECRETARY-GENERAL: Well, there is probably no more to add today. If you will permit us to bother you, we will continue to keep you informed about all relevant material concerning this development.
