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4 April 56

HQ Truce Supervision Organization

- U. N. Observation Posts along the Demarcation Line in the Gaza Strip under Egypt. Control
- Positions of Parties Re UNTSO Functions under the Seco's Resolution of 11 Aug. 49. (with annex 1-9)
- Israel Position re Sec.-Gen's Mission.

HEADQUARTERS
TRUCE SUPERVISION ORGANIZATION

4 April 1956

United Nations Observation Posts along the Demarcation Line
in the Gaza Strip under Egyptian Control.

1. At the request of the Egyptian authorities United Nations Observation Posts have been established in the Gaza Strip territory under Egyptian control. There were six Observation Posts at the beginning, 12 April 1955, four of them were manned daily. They covered approximately twenty kilometres of the demarcation line (out of fifty kilometres). They were reduced to two due to the multiplication of incidents requesting a greater number of observers to be available for investigations and also to the winter weather which prevented access to the observation posts by car.
2. The location of these Observation Posts was selected by the Chairman of the Mixed Armistice Commission and their occupation, as well as the period of duty, was also determined by the Chairman. On his way to and during his stay in an observation post a UN Observer is accompanied by an Egyptian liaison officer. After performing his tour of duty the observer prepares for the Chairman a short observation report. In two cases the testimony of the observer who witnessed an incident has been brought to the attention of the Mixed Armistice Commission, when it dealt with a complaint relating to the incident. In other instances, the Chief of Staff has drawn the attention of the parties to the observers' reports when he felt that the repetition of the incidents they had witnessed could develop into a critical situation.



- 2 -

3. On 28 January 1956, at a meeting held between the Chairman of the Mixed Armistice Commission and Colonel Gohar, the latter complained that the Observation Posts situated in Egyptian controlled territory seemed detrimental to the Egyptian interest, since the only visible result, as far as Colonel Gohar was concerned, was that the Egyptian authorities received from time to time letters emanating from General Burns and complaining about the behaviour of such and such Egyptian military position, which according to the Observation Post directed fire across the demarcation line.

The Chairman remonstrated that the Israeli authorities received also similar letters when observers witnessed that Israeli armed forces had opened fire without provocation.

Colonel Gohar hinted that the Egyptian authorities would probably request the suppression of these Observation Posts unless the Israeli authorities agreed to have similar Observation Posts stationed in their territory.

4. In an aide-mémoire dated 5 March 1956, the Chief of Staff drew Colonel Gohar's attention to the fact that in February 1956 the Israelis had lodged 28 complaints alleging firing across the demarcation line and the Egyptians 9 complaints. The UN observers stationed in observation posts had reported 3 cases of fire opened by the Israelis and 8 cases of fire opened by Egyptians. Colonel Gohar made the following comments on the Chief of Staff's aide-mémoire :

- (a) Only two Observation posts are at present occupied by United Nations Observers, between 8.30 a.m. and 17.30 p.m. (local time) daily. (In fact they are occupied from 8.30 a.m. to 11.30 a.m. and from 2.00 p.m. to 5 p.m.).



- (b) These two posts cannot cover more than five kilometres of the demarcation line, which is about fifty kilometres long, and they are occupied only for a few hours.
- (c) These posts cannot observe some parts of the opposite side of the demarcation line facing them, as they are all in Egyptian controlled territory. In order to have a better control over the demarcation line, Colonel Gohar requests that similar observation posts should be established on the other side of the demarcation line.

5. The Israelis (Mr. Tekoah's letter of 1 March 1956) have denied that they had opened fire in the 3 cases witnessed by observers. They suggest that in two cases the observer may have arrived on the scene at the very moment when an Israel position started firing (by way of reaction to firing by Egyptians). In the third incident the Israel position opened fire at a group of infiltrators (about 50 strong) which had crossed the demarcation line.

6. It is correct that if nine observation posts could be manned daily from 0700 local time to 1730 local time in two shifts a better control of movement and firing along the demarcation line could be obtained. However, the Egyptian authorities' collaboration seems doubtful unless the Israeli authorities agree to have some of these observation posts stationed in their territory. An increase of twenty observers would then be necessary.

HEADQUARTERS
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HEADQUARTERS
TRUCE SUPERVISION ORGANIZATION

4 April 1956

Positions of Parties Regarding UNTSO Functions
under the Security Council's Resolution of 11 August 1949

1. - Israel

The Israeli position is that the Security Council's resolution of 11 August 1949 in entrusting the Truce Supervision Organization with observing and maintaining the cease-fire intended this responsibility to be executed within the framework of the General Armistice Agreements and in accordance with their provisions. (See Annex 1 : letter dated 29 April 1955 from the Director-General of the Ministry for Foreign Affairs). As a result, the freedom of movement of United Nations observers should be limited to the performance of their functions under the terms of the Armistice Agreements and the rules of procedure.

The Israeli authorities, however, had previously agreed to "visits" of the Jordan border by United Nations observers accompanied by Israeli (respectively Jordan) officers in areas where a tense situation had arisen or trouble was expected. Requests for such visits were to be made either by a Party or by the Chief of Staff, (See Annex 2 : Agreed press release of 1 December 1954 and Annex 3 : Letter of 10 December 1954 from the Chief of Staff of Israel Defence Forces) which made it clear that "visits" did not mean "a system of observation posts and patrols" and that a request for "visits" made by the Chief of Staff would not be automatically granted, but considered.

... / ...

The Israeli authorities recognize in principle the freedom of movement of United Nations military observers in the El Auja demilitarized zone. (See Annex 4 : Relevant extract from letter of 11 October 1955 from the Director of the Foreign Ministry to the Chief of Staff). This freedom of movement has, however, been subjected from time to time to serious limitations, a recent example of which can be found in a report dated 1 April 1956 from a United Nations observer to the Chairman of the Egyptian-Israeli Mixed Armistice Commission. (See Annex 5).

The Chief of Staff of UNTSO has always maintained that the functions entrusted to the UNTSO under the Security Council's resolution of 11 August 1949 were of a double nature. (See inter alia Annex 6 : Press Release of 26 September 1954 and Annex 7 : Letter of 5 May 1955 from the Chief of Staff replying to the letter from the Director-General of the Israel Ministry for Foreign Affairs reproduced in Annex 1).

11. - Egypt

In a letter dated 9 October 1955 the Chief of the Staff drew the attention of the Director of the Department of Palestine Affairs, Ministry of War, to difficulties encountered by UN observers in the Gaza Strip or when crossing the demarcation line. (See Annex 8).

The Director of Palestine Affairs Department, in his answer of 17 October 1955 used the terminology of the G.A.A., and limited the freedom of movement of observers to that provided for in Article X, para. 10. He stated inter alia :

"1. The United Nations Military Observers if going to carry out any official functions, according to the General Armistice Agreement and the Rules of Procedure shall be accorded freedom of movement and access in the areas covered by this Agreement as the Commission may determine to be necessary, and they always to be accompanied by one of the Delegates from either side for their safety. I don't think in any such cases as provided in the General Armistice Agreement they were interfered by Egyptian Authorities.

2. The Regulations of the Egyptian Army which prohibited crossing the Demarcation Line between 1800Z and 400Z unless exceptional circumstances are involved, are especially made for the security of the United Nations Military Observers whom we are responsible for. If such regulations are not favourable to the United Nations Military Observers I am ready to cancel these regulations but at the same time the Egyptian Authorities will not be responsible of what may happen to them."

Although, after the Gaza incident (28 February 1955), the Egyptian authorities have requested the UNTSO for the establishment of observation posts along the demarcation line, it does not seem, in view of the above and of certain restrictions placed on the freedom of movement of UN observers in certain areas (such as the portion of the IP facing the El Auja D/Z), that these authorities fully concur with the functions of the UNTSO concerning the observation and the maintenance of the cease-fire. (See also paragraphs 6, 7 and 8 of the report of 29 March 1956 on : Compliance with the Security Council's resolution of 8 September 1955).

On 3 November 1955 an Israel army unit attacked the positions established by the Egyptians in the El Auja demilitarized zone. Later on the same day military action was resumed in the form of artillery shelling. The Acting Chief of Staff (the Chief of Staff was in New York) requested both Parties to observe a complete cease-fire in the area of the demilitarized zone. He proposed that the cease-fire should start at 2000Z and stated that personnel of the UNTSO would assist in observing and maintaining the cease-fire.

Major Sedky, Acting Director of Palestine Affairs in Cairo, (Col. Gohar was in New York) replied on 4 November that "the Egyptian Government accepts the cease-fire on condition that full implementation of the demilitarization of the D/Z is ensured."

The Acting Chief of Staff replied that the cease-fire should be accepted unconditionally and referred to the resolution of the Security Council of 11 August 1949. (Annex 9).

111. - Jordan

The Jordan authorities, although they have not stated in writing their position with regard to the question of the implementation of the 11 August 1949 Security Council's resolution, are reluctant to allow full freedom of movement to UN observers unless the latter act in conformity with MAC procedure.

They have twice refused to grant permission to UN observers to be present on the Jordan side while the Israelis were marking the demarcation

line on their side. The Chairman had made this request in order to minimize the possibility of incidents during this operation.

On a few occasions the Jordan authorities have requested UN observers not to use certain roads along which were military positions.

IV. - Syria

The Syrian authorities have generally requested that UN observers be accompanied by Syrian officers when visiting certain areas along the demarcation line (Baniyas, Butheia Farm), or in the demilitarized zone (El Hamma).

The only road open freely to UN observers is the road from Kuneitra to Banat Yacub Bridge.

C O P Y

ANNEX 1.

MINISTRY FOR FOREIGN AFFAIRS
JERUSALEM, ISRAEL

Jerusalem 29 April 1955

Dear General Burns,

Mr. Sharett has asked me to acknowledge receipt of your letter of 7 April 1955 regarding certain preliminary measures which you considered with the Israel and Egyptian Senior Delegates on 30 March 1955, and in particular to make two observations.

You state that "steps are being taken to place United Nations observers in Egyptian controlled territory where they may be able to determine the cause of incidents as requested by the Egyptian Delegation". This request made by the Egyptian delegation implies a departure from the functions normally exercised by United Nations military observers and in fact must be regarded as a request to extend the functions of the observers beyond those clearly defined in the General Armistice Agreement. In our view any such modification should have been made dependent on the agreement of the two parties, for the Security Council, in entrusting the Truce Supervision Organization with observing and maintaining the cease-fire and assisting the parties to the Armistice Agreements in the supervision of the application and the observance of those agreements, intended all these responsibilities to be executed within the framework of the General Armistice Agreements and in accordance with their provisions.

You further make an appeal "to control the movements of Israeli patrols so as to avoid giving Egyptian outposts any legitimate cause of apprehending attacks and to suppress provocation of any kind". Israel units consisting of regular, disciplined troops have been engaged in the same type of patrolling along the frontier ever since the signature of the General Armistice Agreement. If lately these patrols have found themselves involved in incidents with Egyptian outposts, it transpires from MAC decisions and your reports to the Security Council that responsibility for such incidents is to be attributed to the Egyptians. Within Israel territory these patrols must remain free to carry on their duties as deemed necessary by the Israel Defence Army authorities for the maintenance of border security, and there can be no justification in considering such activities as possibly giving the Egyptians any "legitimate cause" of apprehension or feeling of provocation.

Mr. Sharett has taken note of the fact that you are requesting the Egyptian authorities to exercise the strongest control over their outposts in the Gaza area to prevent fire being opened on Israeli patrols in Israel.

Yours sincerely,

(SGD) Walter Eytan.

Major-General E.L.M. Burns,
Chief of Staff,
U.N. Truce Supervision Organization,
Jerusalem.

HEADQUARTERS
TRUCE SUPERVISION ORGANIZATION
JERUSALEM, PALESTINE

ANNEX 2

HOLD FOR RELEASE AT
12:00 O'CLOCK, NOON
1 DECEMBER 1954

1 December 1954

In conversations held recently between the Chief of Staff of the UNTSO and the Chief of the General Staff of the Israel Defence Forces concerning visits of United Nations Military Observers to border areas, the following arrangement was agreed to.

In addition to using the services of the Chairman of the Mixed Armistice Commission and the United Nations Military Observers, as provided in Article XI of the General Armistice Agreement, each Party to the General Armistice Agreement, whenever it considers that the situation in a particular border area requires it, may request the Chief of Staff of the UNTSO to despatch United Nations Military Observers to accompany the Party's officers on a visit to that area.

The Chief of Staff of the UNTSO, whenever he considers that the situation in a particular border area requires it, may request of either Party that the United Nations Military Observers visit the area. In such cases the United Nations Military Observers will be accompanied by the Party's officers."

C O P Y

ANNEX 3

ISRAEL DEFENCE FORCES
General Staff

December 10th 1954

Dear General Burns,

In a letter to Major Doron of December 3rd 1954 Colonel Brewster requests that arrangements be made for a system of U.N. patrols and observation posts covering the whole area of the Jerusalem DL and No-Man's-Land.

I am surprised to learn that he bases his request "on the terms of the arrangement reached between the Chief of Staff of the Israel Defence Forces and the Chief of Staff, U.N.T.S.O."

Both in our previous conversations and in our exchange of letters we reached an agreement that requests for visits and observation from posts would be submitted with regard to "an area where a tense situation had arisen or trouble was expected" and that "there was no intention of establishing a system of observation posts or routine patrols by U.N.M.Os in the Jerusalem area or in any other sector of the DL". I cannot therefore accept the statement made in Col. Brewster's letter that the "situation in the vicinity of the line of demarcation and NML in the Jerusalem area makes it desirable to institute a system of observation posts and patrols in an attempt to prevent, or at any rate, determine the responsibility for the minor incidents of stone throwing and small arms fire".

At our meeting on December 7th I was compelled to say that I could not accept Col. Brewster's request as being in accord with the spirit and letter of our agreement. You agreed, at that meeting, to forward to us the list of incidents that occurred in the Jerusalem area during the month of November together with a request for visits based on that list. Requests made in that spirit will be given our most sympathetic consideration.

Yours sincerely,

(SGD)

Rav Aloof Moshe Dayan
Chief of Staff
Israel Defence Forces

Major General E.L.M. Burns,
Chief of Staff,
U.N.T.S.O.
Jerusalem.

COPY

ANNEX 4

Extract from letter dated 11 October 1955 to the Chief of Staff
from Mr. Walter Eytan, Ministry for Foreign Affairs, Jerusalem, Israel.

As regards the movement of United Nations Observers in the Demilitarized Zone, I wish to assure you that they will continue to enjoy complete freedom of movement. However, the visiting of police posts and in particular entry inside their tents would raise certain problems of a disciplinary nature, and consequently it would be better if you could apply direct to us for the information required by you on the numbers and armament of police, which we shall always be glad to supply.

C O P Y

ANNEX 5

EGYPTIAN-ISRAELI MIXED ARMISTICE COMMISSION

CONFIDENTIAL

1 April 1956

TO : Chairman, Egyptian-Israeli Mixed Armistice Commission
FROM : United Nations Military Observer
SUBJECT : Interference with United Nations patrol in the demilitarized zone

1. On 31 March 1956 at 0945Z, Lieutenant NOTHOMB in UN 57 and Radio Officer ANDERSEN left EL AUJA via the RAFAH road and turned left at MR 0957 0347, following a very frequented track in the sand.
2. At 0957Z, at approximately MR 0958 0343, they were stopped by a second lieutenant of the Israeli Army and ordered to return immediately to the road.
3. I answered that my duty is to patrol everywhere in the demilitarized zone and asked him what he would do if I continued my patrol regardless of his order. He referred by telephone to his headquarters, and at 1010Z I was told to stop all radio transmission, and if we did not comply, he would arrest me and the radio officer.
4. At 1014Z, I gave a message to the radio officer to be transmitted to EL AUJA, and as the radio officer was going to put up his antenna, the Israeli officer told me that if we tried to transmit a radio message, he would prevent it by any means. He added that if we tried to escape with our cars, he would order his men to fire at the wheels.
5. In the meantime, about nine armed soldiers arrived from two squad tents hidden among the shrubs and sat down around the two United Nations cars.
6. At 1037Z, I told the officer that I would go back to EL AUJA on foot with Radio Officer ANDERSEN and asked him what he would do to prevent us. He again telephoned to his headquarters and told me that we were allowed to go back to EL AUJA by the same route that we had followed when we came, but warned us not to stop out of the road as a manoeuvre with live bullets was going on and he added that he did not want us to be hurt.
7. We reached EL AUJA at 1045Z.
8. The officer and the men were very polite.
9. I did not see either the strength or the duties of this unit, as they were hidden in a former British position among trees and shrubs.

(SGD) S.P. Nothomb
Lieutenant, Belgian Army
United Nations Military Observer

Noted by Chairman (SGD)

HEADQUARTERS
TRUCE SUPERVISION ORGANIZATION
JERUSALEM, PALESTINE

26 September 1954

STATEMENT BY CHIEF OF STAFF REGARDING FREE MOVEMENT OF UNITED
NATIONS MILITARY OBSERVERS

As the Chief of Staff of the United Nations Truce Supervision Organization, I think I should personally explain to the press the United Nations' position in regard to free movement of Military Observers.

This position derives from the authority of the resolution on the Palestine question of the Security Council adopted 11 August 1949, subsequent to the conclusion of the Armistice Agreements, which states that it:

"REAFFIRMS, pending the final peace settlement, the order contained in its resolution of 15 July 1948 to the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to observe an unconditional cease-fire and, bearing in mind that the several armistice agreements include firm pledges against any further acts of hostility between the parties and also provide for their supervision by the parties themselves, relies upon the parties to ensure the continued application and observance of these agreements;"

Furthermore, the resolution:

"REQUESTS the Secretary-General to arrange for the continued service of such of the personnel of the present Truce Supervision Organization as may be required in observing and maintaining the cease-fire, and as may be necessary in assisting the parties to the armistice agreements in the supervision of the application and observance of the terms of those agreements..."

This responsibility has been placed on the United Nations Truce Supervision Organization by the Security Council, and it is not possible for me to alter the policy in this regard. If the position is objected to, the

objections should be argued in the Security Council in New York.

It has been suggested that visits of United Nations Observers to certain areas where shooting and other disturbances have occurred and are still occurring in the Jerusalem area, without permission in each instance being obtained and without the United Nations Military Observer being accompanied by an Officer of the state concerned, is an infringement of sovereignty.

The General Armistice Agreements have not yet led to a peace settlement, or even, in certain areas to security and tranquillity. In Jerusalem and elsewhere there is a No-Man's-Land which neither Jordan nor Israel occupy.

In this situation, the position of the United Nations Observers might be illustrated by the following example: A private land owner who has a dispute over his boundaries with a neighbour requires surveyors and lawyers to assist him in the settlement of the dispute. They may move about on his land, but they do not infringe his property rights.

On both sides public men have stated their apprehension of aggression in the future and in certain contingencies. So, in this situation the United Nations endeavours to maintain peace according to the principles of the Charter.

United Nations Observers are here to see and report if one side or the other side takes aggressive action or otherwise acts inconsistently with the cease-fire order and the General Armistice Agreements.

We do not wish to pry into military secrets and will not, without permission, enter areas which the military authorities designate as closed to the public for military reasons.

But if United Nations Military Observers are not free to move at all unless accompanied by an officer of the party concerned, and then only go where he says they may go, it is probable the outside world will conclude that that party has something to conceal, and those who are not its well-wishers will say ~~she~~^{it} has aggressive intentions.

The United Nations Military Observers are here as servants of the United Nations under obligation to report facts, so far as they can be determined impartially and objectively. We are here to serve the cause of peace. We ask to be allowed to come and go freely where the civil population comes and goes freely.

HEADQUARTERS
TRUCE SUPERVISION ORGANIZATION

ANNEX 7

C O P Y

Jerusalem, 5 May 1955

Dear Mr. Eytan,

I acknowledge receipt of your letter A/943/8 dated 29 April 1955 and have carefully considered the two observations it contains.

I have noted your objections to my compliance with the Egyptian request that Observers be placed in Egyptian-controlled territory where they may be able to determine the cause of incidents. In your opinion, "the Security Council, in entrusting the Truce Supervision Organization with observing and maintaining the cease-fire and assisting the parties to the Armistice Agreements in the supervision of the application and the observance of those agreements, intended all these responsibilities to be executed within the framework of the General Armistice Agreements and in accordance with their provisions". Consequently, what you describe as an extension of the functions of the United Nations Observers beyond those clearly defined in the General Armistice Agreement "should have been made dependent on the agreement of the two parties".

I do not agree with your point of view relating to the "intention" of the Security Council as manifested in its resolution of 11 August 1949. It issues both from the text of the resolution and from the discussion in the Security Council that the Council has on the one hand, re-affirmed the order contained in its resolution of 15 July 1948 to the Governments and the authorities concerned to observe an unconditional cease-fire, and on the other hand relied upon the Parties to the General Armistice Agreements to ensure the continued application and observance of these Agreements. The distinction between the cease-fire and the General Armistice Agreements is also maintained in the penultimate paragraph of the resolution which

"Requests the Secretary-General to arrange for the continued service of such of the personnel of the present Truce Supervision Organization as may be required in observing and maintaining the cease-fire, and as may be necessary in assisting the parties to the Armistice Agreements in the supervision of the application and observance of the terms of those Agreements, with particular regard to the desires of the Parties as expressed in the relevant articles of the Agreements;"

Accordingly, action by the UN Chief of Staff, independently of the provisions of the General Armistice Agreements, has continued to be possible in order to help safeguard what Dr. Bunche, in his report to the

Dr. Walter Eytan
Director General
Ministry for Foreign Affairs,
ISRAEL.

Security Council of 21 July 1949, referred to as "the basic objective of the Security Council, that fighting in Palestine shall not be resumed."

When a Party requests that United Nations Observers should be given assignments not expressly provided for in an Armistice Agreement, it is for the Chief of Staff to decide whether compliance with such request will help to observe and maintain the cease-fire. The agreed text of the press release of December 1st, 1954, following my conversations with Rav Aloof Moshe Dayan, concerning visits of United Nations Military Observers to border areas, states that "in addition to using the services of the Chairman of the Mixed Armistice Commission and the United Nations Military Observers, as provided in Article XI of the General Armistice Agreement (between Israel and Jordan), each Partymay request the Chief of Staff of UNTSO to despatch UN Military Observers to accompany the Party's officers on a visit....."

The above text, which was discussed with the Israeli authorities alone, clearly indicates that United Nations Observers may be given assignments in addition to those provided for in the Armistice Agreement, without securing the agreement of both Parties. (A copy of the full text of the press release is annexed to this letter).

Further to the arguments expressed above, I must say I see nothing in the relevant sections of the General Armistice Agreement which would prevent United Nations Observers, on the request or with the sanction of one of the Parties, from visiting or stationing themselves in any place in territory under the control of that Party.

I do not wish to argue at length the question dealt with in the third paragraph of your letter, i.e. the apprehensions that the Egyptian outposts might feel at the activities of the Israeli patrols, but will observe that following the severe blow inflicted on them on the night of 28 February/1 March, the Egyptian troops have been very much on their guard, and tend to open fire if the Israeli patrolling troops dismount from their vehicles or halt in such a way as to give the impression that they were preparing to open fire themselves, or move into Egyptian territory. It is for this reason, among others, that I have urged the adoption of a system of joint patrols along the Demarcation Line.

Certainly, the Israel Defence Army authorities, within the limitations imposed by the General Armistice Agreement, have the legal right to take such steps as they deem necessary to provide for border security. But I believe that it would greatly help to reduce tension and reduce unnecessary risk to valuable Israeli lives, if the Israel Defence Army authorities would adopt some alternative to the existing system of patrolling, which creates circumstances productive of clashes, and has certainly not proven effective in preventing infiltration.

Sincerely yours,

E.L.M. Burns
Major-General
Chief of Staff

UNITED NATIONS
HEADQUARTERS
TRUCE SUPERVISION ORGANIZATION

Jerusalem, 9 October 1955

Dear Colonel Gohar,

The Chairman of the Egyptian-Israel Mixed Armistice Commission has called my attention to a number of difficulties which United Nations Military Observers and other United Nations personnel are experiencing within the Gaza area under Egyptian control. Their personal life has been interfered with, and on occasion they have had to fear for their personal safety, but more importantly, they have been impeded in the execution of their official duties.

Egyptian spokesmen at the U.N. and you yourself have always given assurances of Egypt's desire to co-operate fully with the UNTSO, and as you have indeed always personally shown great courtesy in your dealings with the organization, I can only assume that local authorities are failing to carry out the policy and directives of the Directorate of Palestine Affairs.

U.N. Military observers and UNTSO personnel are carrying out their duties loyally and unselfishly under arduous conditions in pursuance of the objectives which have been established by the United Nations in this area. They therefore have a right to be aided, and certainly not interfered with and obstructed. Particularly, they must be accorded full freedom of movement in the areas covered by the Egyptian-Israel General Armistice Agreement in the discharge of their official functions.

One important difficulty experienced by UN Military Observers and supporting UN personnel arises out of the regulations of the Egyptian Army which prohibit crossing of the Demarcation Line between 1800Z and 0400Z unless exceptional circumstances are involved. Even in instances when permission has been granted to UNTSO personnel to cross the D?L between the aforementioned hours, obstructive delays have been occasioned by the Egyptian military forces. An extreme case occurred on 30 July 1955 when rifle or small arms fire was directed at the Chairman of the MAC while crossing the D/L at 0330 local time.

Another serious complaint is the frequent and unnecessary interference with the movements of UN Military Observers and supporting UN personnel by Egyptian troops and police in the town of Gaza itself. They are frequently halted by Egyptian troops and police in a discourteous manner during the hours when the curfew is enforced. In the execution of their duties, the Chairman of the MAC, the Military Observers and other UN personnel are obliged to move frequently between the Chairman's office and their places of residence at all hours.

You will recall that on 1 March 1955, the office of the Chairman in Gaza was surrounded by rioters, invaded and two automobiles belonging to the UNTSO were destroyed. At the request of the Chairman, the Egyptian authorities provided guards during the period of tension preceding and following the Khan Yunis incident but these guards were Palestinians and it is doubtful whether they could have controlled a rioting crowd of Palestinians. A repetition of a situation such as this during a further period of serious tension could have grave consequences.

When not on duty, UN Observers and personnel have been subjected to discourteous behaviour by Egyptian soldiers and civil police. On a recent occasion, a UN Military Observer was stopped on the beach for no apparent reason by Egyptian soldiers and on another occasion a UN Military Observer was stopped by an Egyptian MP who pointed a gun at him at close range.

UNTSO personnel are constantly subjected to insults and even stone-throwing by the Palestinian population of Gaza. Several requests by the Chairman for the Egyptian Authorities to undertake educational propaganda to correct this hostility have had no apparent effect.

Unless effective steps are taken by the Egyptian local authorities to give UN Military Observers and the supporting UN personnel full and unrestricted freedom of movement, including the right to cross the D/L whenever necessary, and unless rude behaviour towards them by Egyptian soldiers and police ceases, and steps are also taken to protect them from insult by the local population, I shall be obliged to consider the advisability of removing from Egyptian-controlled territory the office of the Chairman of the Mixed Armistice Commission and the observers resident in Gaza. I would therefore welcome your assurances that effective action will be taken at once.

Yours sincerely,

E.L.M. Burns
Major-General
Chief of Staff

Colonel S. Gohar
Director,
Department of Palestine Affairs
Ministry of War
Cairo, Egypt

To : Chairman - EIMAC
From : Acting COS
Date : 4 November 1955
No : J-46

Please communicate following to Major Sedky :

"I acknowledge receipt of your message of 3 November in answer to my request addressed to both parties for an urgent cease-fire.

According to all precedents a cease-fire is a provisional measure which does not prejudge the settlement of any question in dispute and should be accepted unconditionally.

After the conclusion of the General Armistice Agreements the Security Council at its 437th meeting on 11 August 1949 adopted a resolution which "reaffirms, pending the final peace settlement, the order contained in its resolution of 15 July 1948 to the Governments and authorities concerned, pursuant to article 40 of the Charter of the United Nations, to observe an unconditional cease-fire."

Security Council in the same resolution of 11 August 1949 also requested Secretary General of UN to arrange for the continued service of such of the personnel of the Truce Supervision Organization as might be required "in observing and maintaining the cease-fire."

I have the duty to request and make arrangements for an unconditional cease-fire.

I should appreciate receiving urgently your acceptance of this request. Such acceptance would facilitate the success of the efforts which are being made to remove the causes of tension in the area of

the El Auja Demilitarized Zone and to ensure compliance with
the provisions of Article VIII of the General Armistice Agreement."

HEADQUARTERS
TRUCE SUPERVISION ORGANIZATION

5 April 1956

Israel Position re Secretary-General's
Mission

On 5 April (5.00 p.m.) Mr. Sharett, after commenting on the emergency situation in the Gaza Strip area (3 Israelis killed), presented observations on the subject of the Secretary-General's mission.

He pointed out that the U.S. initiative in proposing the mission had not been considered in Israel to mean salvation. The balance of military strength had been upset and what Israel wanted was a measure of redress.

However, as regards what could be done temporarily to bring the border situation under control, the Secretary-General would meet with Israel cooperation, though Israel did not know what it would accept or not.

Israel's point of view was that a complete cease-fire was a prerequisite, not only on the Egyptian border but also on the Syrian and Jordanian borders. On the Jordan side, there had been sporadic shooting even from the Jerusalem wall. - It looked like ripples ...

The next measure would be a reduction of forces in the defensive areas, particularly on the Egyptian border.

The third measure would be the implementation of the G.A.A.s. The Security Council had requested the Secretary-General to review the

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situation as regards the implementation of the G.A.A.s. They were the only instruments governing the present situation. If we departed from them, chaos would ensue. The Arabs stuck to them in a negative sense. They rejected everything which would supplement them. Israel did not. It was ready to supplement them by means of the procedure provided in the G.A.A.s

The U.N. owed it to itself to uphold the sanctity of international obligations as expressed in the G.A.A.s.

The Security Council resolution also referred to various resolutions. Israel was prepared to examine its records. It would emerge in a satisfactory manner. However, those Security Council resolutions were only palliatives. The Secretary-General ought to attack the source of the disease, viz. the refusal of the Arab States to undertake the implementation of the G.A.A.s.

It would be useful if General Burns was present at the conversations between the Israel Government and the Secretary-General, particularly in view of his past conversations with that Government. It would be possible to thrash out various palliatives.

The Secretary-General's mission would be wasted if he did not take a high aim, viz. the restoration of the vitality of the G.A.A.s in their integrity. That was what the Arabs should be urged to do.

As regards the timing of the Secretary-General's visit, *in mail,* Mr. Sharett suggested it should not clash with the French Foreign Minister's visit (9 to 12 April).