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Middle East / Suez story

21 - 26 March 57

5 draft memoranda by Ralph Bunche
on 5 meetings between D.H. and Foreign
Minister of Egypt, Mahmoud Fawzi held
at the Foreign Ministry in Cairo.

3/24/57

To: The Secretary - General

Herewith the notes
on the first meeting -
with Fawzi. I am
spending the day
dictating the others.

They are long.

There are but two
copies of this - yours
& mine.

Ralph

DRAFT

CONFIDENTIAL

Meeting of the Secretary-General with
Dr. Mahmoud Fawzi, Foreign Minister of
Egypt on 21 March 1957, at 10 a.m., at
the Foreign Ministry.

The Secretary-General stated that he would give some background information to cover the period since he had last seen Dr. Fawzi in New York. Just as the Foreign Minister was leaving New York the announcement had come on the appointment by Egypt of the Administrative Governor for Gaza. That let the "cat out of the bag" - It was a case of being too early and too big. The press, of course, aggravated the situation by excitable presentation. The Secretary-General was himself surprised by the quickness of the action.

One of the Israeli reactions was to make a unique interpretation whereby all those who had not actually opposed the Israeli statement of "assumptions" on which their withdrawal was based had in fact accepted them and shared responsibility for them. This especially included the Secretary-General.

The Egyptian action on Gaza has raised an issue of confidence in a number of directions. In Israel it is an intense political issue in the framework of "who is fooling whom". There is an issue of confidence involving Egypt and its intentions. ^{There} ~~It~~ is an issue involving the Government's ~~in its~~ position in the United States. There is an issue

of confidence involving the United Nations, with very many now taking the position that the United Nations was either fooling ~~him~~ or had been fooled by Egypt.

The possibility of rash action by Israel in reaction to the situation cannot be ruled out. Should this occur there would be a tendency toward acceptance of it, on the basis of lost confidence, in many places. To put it bluntly, we are at the crossroads now, perhaps even the end of the road.

Egypt is in a position to consolidate certain political gains made in recent months or to wreck those gains and in so doing to be thrown entirely into the opposite camp. The key question is, can bona fide cooperation between the United Nations and Egypt be maintained?

The fact has to be faced that the Gaza announcement caused wide reaction to the effect that the United Nations had been only a tool in a kind of game.

It must be frankly said that the Gaza step taken together with the subsequent Suez memo is a case of too much happening too quickly. To say the least, there is bewilderment in many governments about the actions taken.

The Secretary-General stated that he had received early this morning a cable from Mr. Cordier concerning the circulation as a United Nations document of the Egyptian memo on the Suez Canal. The Secretary-General stated it as his view that to circulate this as a United Nations document would give it an undesirable air of finality. It was agreed to revert to this subject later.

The Secretary-General pointed out that the discussion would naturally fall under two broad headings, viz., UNEF and Suez.

As regards UNEF the questions to be considered stemmed from the basic question as to how far its authority does or should actually go, that is to say, from its basic functioning on the demarcation line. What must be done ~~by the~~ backstage in order to make it truly effective? This would particularly relate to the function of security. In addition to UNEF there are the "passage" problems involving both Suez and Aqaba, and thirdly there are the toll questions.

The Secretary-General suggested that the discussion proceed on "UNEF in Gaza".

Dr. Fawzi queried, "at" Gaza? The Secretary-General stated that he would not change his preposition.

Dr. Fawzi said that "on" or "at" would be all right.

Mr. Hammarskjold suggested that for the moment, at least, the fedayeen raids be put aside as essentially a political issue. He said that most of the countries contributing contingents to UNEF would not find it possible to accept a situation in which UNEF would find itself "trapped", so to speak, on the armistice line. That is to say that the functions of UNEF must be recognized functions and of such nature as to give it an effective role. There must be a tenable and reasonable position permitting the real functioning of UNEF. If the contributing countries are not satisfied in this regard (the

Secretary-General made specific reference to Scandinavian countries) it is very doubtful that they would renew their contingents. This would raise the possibility of the actual dissolution of UNEF. The Secretary-General emphasized that this is a factor which must be taken seriously into account.

In other words, it is a case of having the choice of building UNEF into an effectively functioning body or seeing its dissolution.

In view of the total circumstances the present situation must be seen as a highly explosive complex.

Dr. Fawzi agreed that there should be discussion on UNEF, Gaza, Aqaba, Suez and what might be called "general" questions.

He said he would first like to make some general remarks. You will find here, he observed, that things are not at all perfect but that neither are they as bad as some allege. You are here, we know, to push us in certain directions and we say "push us as far as you can; we are willing to be pushed".

With regard to UNEF Dr. Fawzi said that somehow the attributes and functions of UNEF must be defined. At present the question is "can they shoot at anything but a sparrow"? There must be a look taken, he added, at the relations with the Egyptian authorities, with UNTSO, and with the Israelis.

As regards the "fedayeen story" Dr. Fawzi remarked that there has been more publicity about the fedayeen raids than reality warrants;

there was much "invention" in this realm.

Dr. Fawzi said firmly "our determination, for our own good, is to give you assurance that there will be no more raids". The best assurance against raids and border troubles, he added, is determination by Cairo and Tel Aviv to that end.

As regards Gaza, he urged that it is better not to say that UNEF is "in" Gaza, lest an issue be forced. We know, of course, he pointed out, that UNEF is, in fact, "in" Gaza as well as on the line, because Gaza is such a narrow territory. The Secretary-General said that it is necessary to develop a concept of UNEF's functions in such a way as to make those functions "balanced and effective". UNEF must be seen in terms of its functioning in relation to all security and problems -- infiltrations, incursions/raids, whether by groups or by individuals.

Dr. Fawzi observed that there is a feeling in Cairo that up to now Israel has accepted nothing and the resultant question as to why Egypt should be expected to accept everything. For example, Israel is not admitting UNEF on its side of the line.

The Secretary-General interposed that Egypt says "no" to some things, and the Israelis say "no" to some things.

Dr. Fawzi warned that there is little chance of expanding the functions of UNEF if only Egypt accepts UNEF.

The Secretary-General replied that clearly the best arrangement would be an extension of the functions of UNEF as a result of its acceptance

by both sides and its deployment on both sides of the line. But it would be an error, he continued, to draw conclusions which would be too far-reaching from this fact. He expressed the hope that the Egyptian position is not such that there must be this "best" arrangement or else a function for UNEF so limited that those contributing contingents would find it unacceptable, which in turn would lead to the dissolution of the Force.

X
✓ X
Mr. Hammarskjold reported that Mrs. Meir had stated to him that if there was an intention on both sides to get away from a state of belligerency, then the question of assumptions or assurances could be disposed of in a different and much more hopeful context. The Secretary-General permitted Dr. Fawzi to read Mrs. Meir's letter pointing out that this was a rephrasing of the earlier letter on the same question. He said that Dr. Fawzi would recall that he had refused to put the question to the Egyptian Government when Israel had not withdrawn but, with certain reservations about the form of the question and the timing of the letter, he could properly present this question now.

As regards Gaza the Secretary-General said that the Israeli theory is that Egypt's right under the Armistice Agreement cannot be disputed, but they contend that to have the Armistice Agreement in force there must be a basic condition, namely, an intention to refrain from all acts of belligerency. There must be, in other words, an

intention to maintain a de facto state of no belligerency or no rights can be derived from the Armistice Agreement. On this basis, Israel could recognize the return of Egypt to Gaza if it were backed up by an intent of no belligerency. Otherwise, say the Israelis, Egypt can derive no right from the Armistice Agreement.

The Secretary-General expressed the view that an unwisely phrased reply to this question could lead to most serious results -- a real "song and dance".

This question of belligerency, he added, also involves Egypt's stand on the "passage" questions.

It would seem, he concluded, that the basic attitudes of Egypt ~~to~~ take care of the real substance of this question and this led the Secretary-General to believe that the Egyptian reply to the question should not be too difficult.

Dr. Fawzi stated that the UNEF issue will become extremely difficult if it is raised in the form of too broad a question. UNEF, he said, is not under Article 43 of the Charter. It might, for example, he observed, be given a military function which would let it shoot people, that is Palestinians unwisely and illegally crossing the line. But, on the other side of the line, it cannot stop the Israelis.

The Secretary-General explained that UNEF is not entitled to stop regular military movements on either side of the line. But UNEF, he continued, can have a police function toward people acting contrary to the will of their own governments.

Dr. Fawzi remarked that it might well be possible to step-up cooperation between UNEF and the local Gaza authorities.

Mr. Hammarskjold informed that the Israeli press said that UNEF is now a shield for the Egyptian occupation of Gaza and therefore is in collaboration with the fedayeen.

Dr. Fawzi said that the goal should be the cooperation of UNEF and the local Gaza authorities under a broad umbrella of authority. It would be, he said, a "synchronization".

The Secretary-General noted that he would prefer this second approach since an answer to the first and broader question of authority still had to be found.

The aspect of the question which dominates the New York attitude and approach is internal security.

Dr. Fawzi suggested that perhaps things had been a little better since the Canadian troop issue was settled.

The Secretary-General said that this saved "Mike" in the "nick of time".

The Foreign Minister observed that "somehow, but not formally, we might be too busy elsewhere to send military forces into Gaza."

With regard to achieving cooperation, Dr. Fawzi said that "we can safely, but with as little as possible formality, increase our previous cooperation with the United Nations." Egypt, he said, can resort to technical assistance from the United Nations as all sovereign nations may. As between Government finance and the people of Gaza, he emphasized the choice will always be the well-being of the Gaza population.

The Secretary-General asked Dr. Fawzi how he might feel about the question of cooperation between UNEF and the local authorities.

Dr. Fawzi replied that with regard to stopping infiltration, "we should be and we are ready to give UNEF moral and physical support" to this end; we will, he promised, "put our boys at your disposal." It is necessary to recognize the need for close cooperation. He assured the Secretary-General that he "will leave Cairo with renewed assurances that the Government of Egypt is determined to stop all incursions and raids".

Dr. Fawzi asked Mr. Mammarskjold how long he would be in Cairo and was informed that this depends on the needs as they develop and that he stated as he was leaving New York that he was coming here for "exploratory talks". He said it has to be this way since he is not in the position to make agreements as such, there being another party, the General Assembly, involved, and its Advisory Committee. The objective is a step by step development of cooperation.

The Foreign Minister said that it would be necessary to do "a lot of spade work" while the Secretary-General is here. The Secretary-General recalled that he was seeing the President this afternoon and that thus the talks would involve two different sets and levels of discussion -- on an informal basis with Dr. Fawzi, on the one hand, and the President, on the other. The question is how best to proceed. Dr. Fawzi thought it could be left to nature and it would work out.

The Secretary-General reiterated what he had said at the beginning about reactions to the Egyptian moves and assured Dr. Fawzi that this is a true picture of the world situation. He added that he is not and would hate to be "an alarmist" but wild forces are loose and the opportunity to save the situation must not be lost through too much vagueness. In this context he mentioned that he had been receiving recently repeated phone calls from Mr. Dulles.

The Secretary-General suggested that they turn to the question of the Egyptian memorandum on Suez. In this regard he pointed to the obvious desirability of avoiding any suggestion of a "high-handed" procedure. He observed that the "blanks" in the memorandum are considerable and he expressed the hope that in the detailed memorandum to follow which, in paragraph 6, promised a spelling out of the proposal, these blanks would be filled in. On these questions "legal thinkers" are busy in many places and mostly with not very helpful theories.

The Secretary-General referred again to the question of the form of circulation to give to the memorandum at the United Nations. He pointed out that as a Member State Egypt was entitled to have it circulated but said that he had taken the liberty of holding up its circulation until the opportunity to talk with the Foreign Minister. He did so because it is one thing to give an indication of the kind

embodied in the memorandum to a number of individual embassies while it is another thing to make it a "legal document" at this stage, which would be the case should it be circulated as a United Nations document.

Dr. Fawzi said that he understood and the position might be that Mr. Cordier could be notified that the Secretary-General and the Foreign Minister agree that circulation of the memorandum should be withheld until further word is received from the Secretary-General.

Dr. Fawzi referred to the question of coordination between UNEF and UNTSO. The Secretary-General explained that it is a question of overlapping of functions. He added that he had never accepted any suggestion that UNTSO activities in the area of the Egyptian-Israeli agreement would be dropped. The need was for a formula by which UNTSO activities in the area would be, so to speak, "swallowed up" by UNEF. Burns, he observed, remains Chief of Staff of UNTSO. Leary is acting for him. When Burns is in an area like Gaza where UNTSO activities are, then Burns must wear two hats.

The Foreign Minister said that it might be possible to turn this to advantage noting that there has at times been complaint that UNTSO was not effective enough, and that therefore both UNTSO and UNEF could be used.

Dr. Fawzi drew attention to the schedule ahead. He advised that it would be desirable to put most of the accent on talks with the President and warned that it would be necessary to be prepared for long hours. Talks other than those with the President should be considered subsidiary. The Secretary-General agreed, saying that the talks between the Foreign Minister and

himself would be considered as preparatory.

Dr. Fawzi said that with regard to Gaza the task is to explore certain possibilities of the better functioning of UNEF. He said "we shall save you any worry about Egyptian troops in Gaza". Then, adding that "between you and Cairo this is a moral commitment".

Dr. Fawzi warned that in considering some subjects the talks would be in for "windy if not quite stormy weather". The fundamental question is, he said, whether we are merely postponing a war or working for real peace. He suggested that the discussion turn to Aqaba. On this subject he said that a newsman asked him the day before about the reported Israeli ship which was supposed to be about to pass through the Straits of Tiran. I told him to "forget you asked me that". The Secretary-General said he knew something about that. It was to be a Danish ship and the Danes had asked him if there was any assurance that could be given concerning its ability to go through and that he had replied that he knew of no official Egyptian pronouncement since 1955.

On the subject of Aqaba, Mr. Hammarskjold referred to ^{his} ~~the~~ statement to the General Assembly that all movements of UNEF would be reported to the Advisory Committee. He went on to say that the return to the Aqaba area of Egyptian troops would be interpreted as an action going beyond a mere assertion of Egyptian rights; it would be an indication of intention with regard to stopping passage through the Straits. If

If any such action should happen shortly the Advisory Committee would be quite jittery and would probably seek to refer the problem to the General Assembly. He noted also that there was the question of how the legal problem is to be taken into account. The Egyptian position on this question would have direct relation to the reaction to the removal of UNEF and the re-entry of Egyptian troops in the Aqaba area.

Dr. Fawzy pointed to three matters related to the question, viz., (1) the reports about the Israeli ship, (2) the likely claim of Saudi Arabia and the possibility of a Saudi Arabian stand, and (3) the fact that Egypt is likely to be cooperative and not too difficult. For the immediate future, he said, "we can be more or less comfortable". But, he urged, "do not press the question or the answer has to be the demarcation line". It is necessary to explore, he said, the question of the handling or the leaving alone of the legal issue. The Secretary-General expressed the view that it would be better to get that issue out of the way.

Dr. Fawzy said that involves the question of how to do it and when.

The Secretary-General stated that he was not sure that the way in which Colombia would put the question is the wisest way. The real question is, who brings ~~the~~ it up and why. He could see a difficulty for Colombia in the sense of an allegation that their action would be regarded either as provoked or ^ubusybodyness["]. The most natural way for the question to come up would be in response to an acute problem, but the United Nations has to hope that such an acute problem will not arise. Thus, it follows that

the best way is a recognition of uncertainty with regard to points of law rather than as a response to threats from Israel, or Saudi Arabia. Some Members, such as Colombia and Brazil, especially, might join in sponsoring a proposal in the form of a conclusion from their study of the question in no atmosphere of fear or panic and challenging no theses.

The Foreign Minister observed that it is still a delicate matter in two ways:

1. The way they present it - really the question which is vital, since the Government must decide whether to leave it as an advisory opinion or to accept compulsory jurisdiction; and

2. Has the question been formulated in such a way so as not to be "loaded dice".

The Secretary-General agreed and pointed to the risk that the Court might say that the question is worded not as a legal question but as a dispute. Dr. Fawzy pointed to the factor of the length of time which the procedure of the Court is likely to take, noting that the longer the time the more difficult would be Cairo's position. The Secretary-General advised that the procedure can be speeded up. He added that the advisory opinion has the same value in a game of politics and that it is wiser to "play for the advisory opinion". The Foreign Minister stated that Cairo, both politically and with regard to the Court, is asked to put too much on the alter of peace. In his opinion even if the Court considers the case the judges are bound to be affected by the vision of Israeli ships seeking to pass through the Straits.

The Secretary-General observed that if the issue of right of passage is taken in its most general terms, the Egyptian position is the key one and has significance out of all practical proportion.

In turning to the subject of the Suez Canal the Foreign Minister said that he wished to start the story from the end and not from the beginning, although this was not to be interpreted as meaning that things are going backwards. Egypt, he said, is concentrating on the objective of an open waterway and Egypt has not changed and is not changing her intentions. The question might be asked, he noted, why there had been no mention of the six principles ~~of~~ the letter of 24 October in the Egyptian Suez memorandum. He said then that "what I said to Ralph the other day stands", and I said the same thing to the American Ambassador. We must not be imprisoned in formulae and we must use all of the progress already made. With regard to the six principles we will agree to them as soon as it can be said that our interpretation of them is acceptable.

Mr. Hammarskjold said that he was happy that Ambassador Hare had presented the American position in terms of the six principles plus the letter of 24 October since that letter gives the interpretation. He had always told the United States that there were two interpretations of the six principles, one in the Security Council and one in the letter and and therefore it was necessary always to "go for the principles and the letter".

Dr. Fawzy said that he had told Ambassador Hare that one must always be sure of what he is talking about. Egypt, he said, is determined to respect:

1. Freedom of navigation in the Canal.
2. The terms of the 1888 Convention.
3. Compensation for the Suez Canal Company. Here Egypt was ready to negotiate on any claims and in case of disagreement to accept arbitration.
4. With regard to tolls, Egypt is willing to maintain the last agreement concluded between Egypt and the Suez Canal Company. Any increase in tolls above the levels agreed upon in the arrangement between the Egyptian Government and the Canal Company should be negotiated. It is not exclusively for the Egyptian Government alone to raise tolls above the level in the latest agreement between Egypt and the Suez Canal Company.
5. To whom to pay the tolls. The question of the currency of payment raises no problem.. On the surface the tolls must always be paid to the Suez Canal owner but beneath the surface there is an element of elasticity; here the doors are open for ways and means of paying tolls.
6. Proper maintenance of the Canal and improvements to bring the Canal up to modern standards. Egypt, he said, will be found ready to adopt a policy whereby a certain percentage of the gross receipts of the Canal will be reserved for this purpose.

The Secretary-General reminded that one of the weaknesses of the Canal Company was in the fact that it was too eager to get money out of the Canal and that too little money had been held for its improvement.

Dr. Fawzy said that Egypt's programme for improvement of the Canal would include at least the eighth and ninth programmes of the Canal Company. Egypt, he said, would make a "declaration" or "communication" in elaboration of the Suez memorandum of Monday. Egypt might wish to register this with the United Nations and was seeking legal advice from the Secretary-General on the matter. The main objectives he had enumerated he felt sure were shared practically by all. The Secretary-General commented that so far as they go, this was true, but what of the whole field of cooperation, of arrangements and a *set-up for arrangements.*

X Dr. Fawzi said that "If we run a Canal, we are in business -- we serve our clients and invite cooperation."

The Secretary-General asked how users come into the picture. Dr. Fawzy said he could answer that question immediately but in a most unsatisfactory manner. As a government and canal authority, of course, Egypt is anxious to cooperate with users (small "u") of the Canal, but it is not Egypt's business to organize the users of the Canal and Egypt has no objection against them so long as the users do not come forward as a political pressure group.

The Secretary-General thought the memorandum was too incomplete as a reply and Dr. Fawzy admitted that this was so. The Secretary-General said that there must really be a point where a way must be found and Dr. Fawzy said "but" and the Secretary-General said "You have a 'but' with a capital 'b'".

The Foreign Minister said that he owed the Secretary-General some background with regard to the Suez memorandum. The initial intention, he said, was not to issue it so soon but rumours, news and pressures contributed to its early release. The rumours were of others likely to issue declarations. The Secretary-General said he had not heard of such prospects but the Foreign Minister pointed out that Egypt could not afford to permit everyone but Egypt to express their views on the Suez first. He added that Egypt could not accept the United States protest with regard to issuance and timing of the memorandum since this was Egypt's business. There were also pressures, he pointed out, mentioning Krishna Menon, in this context. In this regard the Secretary-General asked how Delhi came into the picture pressure-wise in view of India's limited interest. Dr. Fawzy said that India was trying to play the role of settlers of all world problems which enhances prestige for India and some Indians.

As regards the contents of the memorandum Dr. Fawzy said that the intention was not to close one single door. He thought there was "a good chance to work out something solid" which could be communicated to all of the governments and could be registered with the United Nations. Egypt, he said, might be willing to make this in the form of a commitment. He thought that Egypt should wait a sufficient number of days before addressing this new declaration to governments and the United Nations. He said Egypt would be happy for the wisdom and guidance of others on this matter.

The Secretary-General said that the immediate issue will be the reaction to the Egyptian stand with the clearing of the Canal by the first or at the latest the tenth of April. The Foreign Minister said that it was Egypt's intention to issue it before the opening of the Canal and that Egypt was seeking advice as to how best to offer it.

The Secretary-General said that some people were angry about the memorandum and cautioned that the question of cooperation cannot be handled quickly. He warned that whatever Egypt might bring out before completion of the clearance would be so incomplete as to provoke very critical reactions from some sources. The lack of use of the time made available during the period of the clearance operation for negotiations will be heavily criticized. The Secretary-General added that the conclusion is that certain things can be said and agreed upon before the opening while others cannot. But, he urged, whatever stand Egypt takes before the opening should be on the basis that this is not complete or final.

Dr. Fawzy said that anything short of participation in management of the Canal and users coming to Egypt as a political or economic pressure group would be acceptable to Egypt. The Secretary-General agreed that the users should not be a political or economic pressure

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group nor should they participate in the management of the Canal, but there is still plenty of scope left for considering their interest and role.

Dr. Fawzy said that once Egypt decides to make an offer, it must be as sweeping and far-reaching as possible.

The Secretary-General said that the real worry is how the Israelis will come into the Canal picture. Dr. Fawzy suggested that this ought to be mentioned in the evening meeting since that matter was not to be put in the document under discussion in any case. The Secretary-General agreed that it does not belong to the document but emphasized that the Egyptian attitude on this problem will be the key aspect for very many in connexion with the Egyptian interpretation of the Convention of 1888. Dr. Fawzy replied that Egypt might say "Let us settle this in a legal way".

The Secretary-General pointed out that it might be said that nothing would have been obtained if there was a reaffirmation of the 1888 Convention with one party reserving the right to its own interpretation of that Convention. The Foreign Minister replied "But that is why we say let's go to the Court" while observing that there is also the aspect of Arab and Egyptian politics.

Mr. Hammarskjold said that all of the ground had now been covered in a general way.

Dr. Fawzy reminded that the Secretary-General was to see the President at 6 and to have dinner with him later in the evening.

DRAFT

CONFIDENTIAL

Meeting of the Secretary-General with
Dr. Fawzy on 22 March 1957 at 10 a.m.
at the Foreign Ministry

The Secretary-General was accompanied by Mr. Bunche.

Dr. Fawzy stated that President Nasser was very happy about last night's meeting with the Secretary-General. The Secretary-General said that he was glad to know this and more especially since he himself had been worried after the meeting. He was worried, he said, because he was not at all sure that he had been able to convey to the President or, indeed, to the Foreign Minister, his own deep concern, and the concern of many others who were friendly to Egypt, of Egypt's seeming tendency now to go too quickly toward solutions desired by Egypt without consultation, exchange of views, negotiations, etc. In this regard the Secretary-General cited the Egyptian approach in the issuance of the Suez memo as a striking example. The Secretary-General recalled that the October negotiations on the Canal, which took place mostly outside of the Security Council, took the question of the Suez up from the level of drama and sensation to the level of negotiation. Such a development, said the Secretary-General, is always a victory for civilization. The Secretary-General warned that the danger of the present Egyptian tendency to go it alone on the basis of "unilateral negotiation" is the risk involved of a throw-back to the tense pre-October situation. The Secretary-General said he was sure that the Foreign Minister would be

understanding and tolerant if he stated the situation in very direct and even blunt terms, and in a nutshell it was this: to disregard the rights of others with regard to consultation, exchange of views and negotiation, while, in fact, "rubbing it in" that Egypt can "go it alone" and can act unilaterally in disregard of others, is the problem and the danger. For this sort of procedure really does nullify the negotiating rights and the interests of a good many decent, sincere governments whose interests are vitally involved. A question of "international, social manners", arises here, to put it another way.

The Secretary-General then went on to say that the situation would be even more serious had there not been at least a starting point with regard to UNEF on which the Egyptian Government and he seemed to see eye to eye. In this regard he read Mr. Lester Pearson's message to him expressing the "absolute necessity" that UNEF have full control of internal security in the Gaza Strip" as an indication of how far the thinking of some sensible people goes on these issues. The Secretary-General explained that he was saying all of this and saying it so frankly in a most serious effort to get across to the Government of Egypt how New York and very much of the world is really thinking and reacting on these questions and how they feel about the trend of the Egyptian policies to go it alone and to ignore the "social manners of international life". The Secretary-General said that he had this sort of feeling and reaction toward the end of the talk with the President the night before when the question of the Egyptian memo on Suez was considered.

Dr. Fawzy replied that these were matters of approach and at ~~the~~ ^{mosphere,} ~~same~~. He said that he had had it in mind following the previous night's talk that this day's discussion might have started out with specific, concrete problems but he thought now that it might be useful first to speak of approach and at ~~the~~ ^{mosphere}. He went on to say that in the light of the previous day's discussions the "two sleeping cats of Aqaba and Gaza" could allow us to tackle Suez first.

Mr. Hammarskjold agreed that it would be useful to look at Suez at this time and to take up the UNEF and Gaza problem after lunch in order that General Burns might be brought in then and be free to return to Gaza. The Secretary-General added that what had been said thus far on the problems of Aqaba and troops in Gaza had given him a feeling of "elbow room", and that the statement by the President on the previous night of "no surprises" was being taken at its full value.

The Secretary-General inquired what now has to be said about Suez? Dr. Fawzy stated that the Canal will be clear and running within a few days. There clearly can be no conference and a process like that envisaged in October is obviously impossible now. Mr. Hammarskjold agreed that this was so "in that setting". But this, he added, does not exclude the possibility of contact and consultation. Dr. Fawzy agreed that this was so.

Mr. Hammarskjold said that Egypt's proposals put forth ~~some~~ ^{so} positively, actually prejudged issues on which the "other side" also has proposals,

thus for Washington, to cite an example, and for others negating all possibility of negotiation. Thus it looks now as if Egypt intends to settle the matter definitively, maybe but only maybe with some limited consultation, on the basis of a fait accompli.

Dr. Fawzy protested that "the waters are actually shallower than they might seem". Egypt, he said, has had uniquely broad international support in recent months and ~~when~~ Egypt wishes to sustain this condition. Egypt has been greatly impressed by the votes and their size in the General Assembly since October. There can be, of course, no question of Egypt's giving up her sovereign rights, but Egypt is committed to full international cooperation and will not throw away the gains she has made. The Secretary-General said that more than that it is possible now for Egypt to consolidate her gains.

Dr. Fawzy said that we in Egypt are not infallible. We make mistakes but, he continued, we also believe that a great part of the Canal crisis is the residue of a colonialist-imperialist attitude in some quarters and that thus the crisis is artificially contrived. The Secretary-General agreed that this would be true in some degree, that there are the "Colonel Blimps" still at large in many parts of the world who are not yet reconciled to Egypt as an independent republic. On the other hand, there have been sound, moderating voices and influences at work such as Washington, and this has been helpful.

Dr. Fawzy inquired "What is the situation; what is going to happen"? In a facetious vein Dr. Fawzy said that General Wheeler is "just too good

a man - he goes too fast and gets the job done too well.

It is being finished faster than we supposed". Mr. Bunche interjected that in that case Egypt might find some more explosives. Dr. Fawzy said "or a mine".

Dr. Fawzy referred to the Washington communication of three days ago which had three aspects as follows: 1) Egypt protested, he said, against Washington questioning Egypt's putting out the memo at that time but Egypt had to say that it was her business and that in any case everybody these days is being accused of "highhandedness".²⁾ Washington did not regard the memo to be an adequate answer to the four power proposal. 3) Washington asked whether Egypt was ready to talk with the Secretary-General in Cairo about interim arrangements and later about a definitive settlement on the basis of the six principles ~~and~~ *and* the Secretary-General's letter of 24 October.

With regard to the last point, Dr. Fawzy said that Egypt replied that of course Egypt would talk with the Secretary-General. With regard to the second point Egypt's reply was ^{that Egypt is} entitled to speak of the Canal as well as others.

Mr. Hammarskjold said that the United States has acted a middle role and has put forth much effort. To which Dr. Fawzy replied that "we are preparing some nice face-saving for them". He went on to say that since two of the four involved in the four power proposals

are France and the United Kingdom, Egypt does not choose to recognize them as representatives of the whole world on the Suez Canal; rather Egypt regards them as "self appointed". When Egypt thinks of "users", said Dr. Fawzy, Egypt thinks not only of those having big merchant fleets, but also of those who import or export in quantity through the Canal. Mr. Hammarskjold said that this was very much so.

Dr. Fawzy said that Egypt is now trying to tell the world as clearly as possible before the Canal opens what kind of arrangements Egypt will be providing for those seeking to use the Canal. But Egypt, he said, is not inventing anything. It had to say something and Egypt is getting as many views as it can. Egypt, he said, has been speaking to the United States, the Russians, the Secretary-General, India, Yugoslavia, some of the Arab States, etc. ~~Thus~~ Dr. Fawzy suggested that ~~if~~ the Secretary-General might think it useful that they explore together how far Egypt might be able to go in the right direction, the direction of consultation.

The Secretary-General said that he was facing two papers - the four power proposal and Egypt's Suez memo. In this position the question immediately uppermost in his mind was, will paragraphs 4 and 5 of the Suez memo avoid a collision. On the other hand, there was one element of the four power paper that he could never be expected to accept -- the funding arrangements. He had got Lodge and Engen to see this.

Paragraphs 4 and 5 of the Cairo paper are incomplete and somewhat vague and the question is whether they might also be so elastic as to provide an opening for rapprochement. The question is, how are 4 and 5 to be spelled out?

Dr. Fawzi replied on paragraphs 4 and 5. He referred to the phrase "or its nominees" which meant, he said, that the Canal tolls are to be paid either to the Bank of Egypt or to the Swiss Federal Bank or to some other international bank of repute, but there must be safeguards against seizure of the tolls. He pointed out that Egypt was approaching this particular matter with some risk, for it could be interpreted as a lack of confidence in Egypt.

Mr. Hammarskjold pointed out the advantage of a "normalization" of economic relations between Egypt and the United Kingdom as against a theoretical risk of seizure of the tolls.

Dr. Fawzy said that the tolls are to be paid to the Suez Canal Authority either to the Bank of Egypt or to Bank X in Switzerland. With regard to improvements there are at least three guarantees, viz.: the obvious interest of Egypt in upholding Egypt's name and reputation. Egypt was assuring that there would be no less improvement than the eighth and ninth programmes of the Suez Canal Authority.

Mr. Hammarskjold said that in this connexion General Wheeler had been shocked by the old-fashioned state of the Canal technically.

Concerning tanker development he had observed that the 50,000 ton tankers could go around the Cape just as economically as through the Canal and that therefore the Canal strategy in the future must be to put a brake on the competition from high tonnage tankers using the Cape route. There is also the possibility of a parallel and competitive pipeline from Elath.

The Foreign Minister said that all of this would come under the heading of Egypt's own interests. Egypt, he said, would have every reason to improve the Canal and to do it quickly. A second guarantee with regard to improvements would be a budget which would be authorized, made public and communicated to the United Nations. Thirdly, it is Egypt's intention to include in ^{the} detailed declaration a statement of Egypt's intention to deposit and register this statement with the United Nations and thus to indicate that on Egypt's part it is considered to be an international commitment and obligation.

The Secretary-General mentioned the possibility of using the opening of the Canal as an opportunity to ask Mr. McCloy to come to Egypt and thus to be available in a helpful way. Mr. Fawzy suggested that it would be more desirable to ask him to come out a bit early. Mr. Hammarskjold inquired whether ten days from now at the latest would be convenient, to which the Foreign Minister suggested a week from now and stated that the matter might be taken up with the President at the meeting with him the next day.

Dr. Fawzi said with regard to paragraph 5, the reference might be to "capital and improvements fund". A high percentage of the gross receipts will be devoted to this purpose. Egypt, he added, will try to fill in all of the lacunae. The Secretary-General said he should try to push or to encourage Egypt to go as far as possible in the direction of international consideration.

Concerning paragraph 4, the Secretary-General said that he could not understand why Egypt ruled out the International Bank. He would have thought that the danger of seizure was greater in the Suez Bank than in the International Bank. Dr. Fawzy replied that the International Bank was ruled out because of other considerations than the risk of seizure, since there would be no risk of seizure there. Dr. Fawzy inquired whether paragraph 1 on freedom of navigation was satisfactory and the Secretary-General replied that this would depend on how the issue of Israeli shipping would be handled. The Secretary-General said that "As you know, I have never agreed with the Egyptian Government on this question." The Israelis, he warned, and many others will say, is this provision bona fide?

The Foreign Minister replied that there is "No chance that in the coming months Egypt will sign any agreement on freedom of navigation affecting Israeli ships." We cannot, he said, make an agreement to let Israeli ships pass. We must find out whether they can by the Court or otherwise. The Secretary-General said that the Court was the only way.

The Secretary-General noted that the United States had spoken of the six points plus, but the six points are ^{not} all included in the draft statement. In paragraph 2 the Secretary-General did not understand the reference to the "system of levying of Canal tolls". To this Dr. Fawzy replied that the key words are "according to the last agreement". He noted also that the use of the word "nationalized" before the Suez Canal Company is wrong. This word should be deleted. The Secretary-General thought the phrasing should read "the levying" instead of "the system". The Secretary-General thought that paragraph 3 was all right, being in fact the sixth point. But what is lacking, he thought, is a set of arrangements for cooperation and for consideration of the viewpoint of the users -- small "u". He would have liked to see added something to the effect that the Government of Egypt "intends to study further with the interested parties the full and final arrangements ..." In this regard, for example, the Secretary-General recalled that the fact-finding arrangements of the Convention are outdated and require a new version. There is need for provision for fact-finding consultation and arbitration and the new provision might read "the Government of Egypt will study with the interested parties appropriate arrangements for fact-finding, consultation and arbitration". This would leave open the door that very much needs to be left open. The Secretary-General emphasized that this seems to be the most serious omission in the Egyptian approach. There is need for a kind of "confidence building element" which is not present in the memo.

Dr. Fawzy stated it as his forecast that "We will be able to go some distance but not as far as France and the United Kingdom would wish."

Dr. Fawzy inquired about the time-table for the rest of the day and for a consultation with Burns. The Secretary-General suggested 4 o'clock, which was agreed to by the Foreign Minister. He said that he would have Brigadier Gohar with him for an hour or so talk with General Burns on UNEF in Gaza.

The Secretary-General again called attention to the letter from Mrs. Meir of 19 March on the subject of the existence of a state of war. The Secretary-General observed that if a state of war is recognized then the conclusion would seem inescapable that the action of 29 October could be justified, that the United Nations could not demand the withdrawals, and the Charter could not be invoked against Israel. He said this to stress the fact that the Egyptian reply to the Meir letter is bound to weigh very heavily in subsequent Israeli attitudes and actions. Dr. Fawzy said that "How, when and if we shall answer the Israeli question will be considered."

Dr. Fawzy said that with regard to the afternoon meeting attention should be given to the question "How to set up a system of international cooperation between the Gaza administration and UNEF in order to make UNEF effective." The meeting, he thought, should run at least until 7 o'clock. On Saturday, he suggested that the Secretary-General be at the Barrage at 10 A.M., which would mean leaving the hotel about 9:30.

Meeting of the Secretary-General with Dr. Mahmoud
Fawzi, Foreign Minister of Egypt, 22 March 1957,
4 p.m., at the Foreign Ministry

Mr. Bunche, Gen. Burns and Brig. Gohar were also present.

The Secretary-General said that the problem to be discussed could be defined as one making it possible for UNEF to be effective. This then was really a question of effective cooperation between Egypt and the United Nations. There were some far-flung ideas about the subject, some going so far as to suggest that the entire realm of internal security responsibility be exercised by UNEF. The Secretary-General suggested that Gen. Burns might present the subject from the United Nations standpoint on the basis of a paper outlining the requirements of UNEF which had been prepared on the U.N. side. (See memorandum attached)

Gen. Burns said from his viewpoint as Commander of the Force, the question was how UNEF, stationed primarily on the Demarcation Line, can contribute to the maintenance of peace and quiet in the area. He was confident that an effective UNEF could go far toward eliminating friction along the line. He thought that on the basis of assurances already given the prospects were good that there would be no organized Fedayeen activities. But he felt that the Egyptian Government's anti-Fedayeen policy ought to be made known, especially to the population of Gaza. He urged also that the Egyptian anti-infiltration regulations formerly applicable should be reinstated.

Gen. Burns thought that the principal way that cooperation could be effective would be with the local Gaza police. There must be, he felt,

the possibility for quick action. The Commander of the Palestine Police units designated to work with UNEF should have standing instructions from the Egyptian Government to render immediate assistance on request. To do anything useful about infiltrators there must be information about them and there would be need, therefore, for a free exchange of information between UNEF and the information service of the local administration.

Gen. Burns said that UNEF should have the right in a zone 1 km wide along the Demarcation Line to take infiltrators or suspected infiltrators into custody in order to turn them over to the police for appropriate judicial action. He explained that the problem at night is different from that in the day. Infiltrators, he said, could not be deterred unless they knew that UNEF would fire if its challenge to stop were ignored. This right, of course, would be exercised with all due restraint. It would be useful to define "infiltrators".

Gen. Burns said also that agreement with Egyptian authorities would be needed with regard to UNEF security role viz a viz the installations and personnel of UNEF, UNRWA and UNTSO. The policy of cooperation, he urged, should be re-announced to the Gaza population and it should be recognized and known widely that UNEF has the right of self-defence. His proposal is to move the base from Abu Suweir to Rafah.

Gen. Burns emphasized that there must be full freedom of movement for UNEF personnel and vehicles and also for those of UNRWA and UNTSO, and that in an emergency UNEF might be called upon for the protection of UNRWA installations and stages. The right of UNEF aircraft to fly over Sinai should be maintained. The Gaza airport, because of its proximity to the Demarcation Line, should be under UNEF control; and UNEF should

participate in all check posts.

Dr. Fawzi stated that it was Egypt's wish to make UNEF effective and that there should be fine cooperation between Egypt on the one hand and UNEF and UNTSO on the other. Already, he said, certain things are clear for UNEF: it should undertake to observe that there should be no infiltration, it has the right of self-defence. There are other questions not so clearly answered or easy to answer; *As*, for example, should UNEF have right of arrest or of shooting? Egypt, he said, can certainly step up the contribution of Egyptian authorities to stop activities of the kind mentioned. But the best guarantee is the determination of the Egyptian Government to stop infiltration and Fedayeen activities.

The Secretary-General said what of freedom of movement? The Security Council and the Secretary-General, he advised, stand firmly on the right of freedom of movement of UNTSO and he would take the same position with regard to UNEF and UNRWA in Gaza.

Dr. Fawzi assured that the Egyptian Government wishes a "rational, workable arrangement". Fawzi said that there is a question of follow-up on this matter. He felt that Gen. Burns and Brig. Gohar might get together and work on something. There is, he said, the question of maintaining the Armistice Agreement. UNEF, he said, has no role in that. It would be dangerous, he thought, to try to give UNTSO functions to UNEF. (At this point Gen. Burns and Brig. Gohar retired.)

Dr. Fawzi brought out a draft of the detailed statement mentioned in paragraph 6 of the Suez Memorandum and handed it to the Secretary-General for review.

After reading through the draft, the Secretary-General said that at

the outset and on the basis of a first look, he would raise two points, as follows:

- (1) There appeared to be no machinery to deal with on-the-spot fact-finding.
- (2) The five percent and 25 percent provisions in paragraphs 9(b) and ((c) respectively would need explanation and justification in view of other proposals such as the 50-50.

The Secretary-General went on to say that it now appeared that the Canal clearance cost was not likely to exceed \$13,000,000. The Secretary-General could not see any way to deal with this cost other than by the method of surcharge.

The Secretary-General also mentioned two subsidiary questions which he personally felt were no longer really at issue. One was the question of collection from current users of tolls paid to the Suez Canal Company between the nationalization and the 29th October; the other was that of any risk of sequestration of British and French shipping as part of Egyptian war claims. The Secretary-General said that he was prepared to "put his head on the block" in giving reassurances on these questions and Dr. Fawzi said to him "You can take the gamble".

X
The Secretary-General said that his real worry was that what Egypt is doing, or rather the way Egypt is doing it, will be regarded as a unilateral "cutting of the knot" and thus there can be no "agreed solution". In his opinion, consultation, at the least on a minimum basis, is highly advisable. In this regard he referred to the agreement of 2 December. Dr. Fawzi said "A preview?", and Mr. Hammarskjold replied "Yes."

The Foreign Minister said that Egypt could consider giving more than just "pre-notice" -- a little scope for review could be allowed. What Egypt feared was that some of those consulted might see fit to "make a big ^{row} ~~row~~" before the paper is actually published.

The Secretary-General admitted that for this reason Egypt might not wish to go to too many, but Egypt would have to face the fact that some, at least on a moral basis, will say that this is a breach of faith. It is, of course, basically a unilateral action. "For which", Dr. Fawzi interposed, "we assume full responsibility."

X
The Secretary-General said to Dr. Fawzi that he would know what kind of "noises" would be heard and from where they would emanate. Therefore the handling of this matter would be extremely important. The agreement of 2 December on fact-finding should be seriously kept in mind. The

The meeting adjourned at 7:20.

3/24/57

To: The Secretary-General

Herewith another
set of notes. You
have all now
except yesterday's
Barrage do. That
is in process.

Ralph

ate too much lunch,
too late & dare not face
any food at the moment

D R A F T

Meeting of the Secretary-General with Dr. Mahmoud Fawzi,
Foreign Minister of Egypt, on Sunday, 24 March 1956, at
5:30 p.m. at the Foreign Ministry

The Secretary-General was accompanied by Mr. Bunche.

The Secretary-General presented to the Foreign Minister, quite informally and for whatever use he might wish to make of them, some papers prepared by the Legal Counsel, Mr. Stavropoulos. One was a memorandum on the question of registration of documents with the United Nations. Two others had to do with possible phrasing for submission to the Court of the questions relating to passage through the Straits of Tiran and the Suez Canal. Still another dealt with the question of arbitration and advisory opinions. The Secretary-General emphasized that these were independent legal views.

The Secretary-General said that he would wish only to call to Dr. Fawzi's attention the thought that in the declaration the provision on arbitration ought to be stated in such a way as in fact to cover advisory opinions. Dr. Fawzi said he would have to think about this. The Secretary-General reminded him that in their previous talks on the subject he had pleaded for the advisory opinion approach because the time is shorter in this approach and then also it is a good political argument.

The Foreign Minister said that it would seem to him to be something of a contradiction if "an advisory opinion" were to be accepted as binding in advance.

The Secretary-General explained that the question is whether the text of the declaration in its present form can be read in an exclusive sense - that is, to exclude advisory opinions.

The Secretary-General handed to Dr. Fawzi a draft of a letter from him to the Foreign Minister concerning the Armistice Agreement, and invited the comments of the Foreign Minister on it.

In response to a question from the Foreign Minister, the Secretary-General said that it seems that it will be necessary to have a General Assembly meeting some time in April to deal with the question of financing UNEF. The Scandinavian states contributing contingents to UNEF say that they cannot renew the contingents when the terms of service of the men expire, on the present financial basis. Thereafter, they say, the U.N. will have to be responsible for the salaries and equipment of the contingents, which is not the case now.

There followed a discussion of the Secretary-General's draft of the letter on the Armistice Agreement.

Dr. Fawzi handed to the Secretary-General a draft of a letter addressed to him from the Foreign Minister having to do with the consultations which the Secretary-General would undertake on the draft of the Egyptian declaration.

Responding to a question from Dr. Fawzi, the Secretary-General said that he was now more doubtful about going to Jerusalem at this time. He had no wish, he said, to be a mere letter carrier between Jerusalem and Cairo and to find himself in a position of submitting questions from both sides with no replies, or no useful replies from either side.

Dr. Fawzi said that he assumed that the Secretary-General would be presenting to Israel a letter similar to the draft which had just been handed to him. Mr. Hammarskjold replied that this would be exactly the case.

The Foreign Minister said that Egypt would wish to know whether Israel is ready to put its position in line with the Armistice Agreement. Egypt would like to know what their position is about El Auja, about military installations in the Negev, and in Eilath, and their positions on other resolutions of the General Assembly.

Concerning the draft of his letter to the Secretary-General, Dr. Fawzi said that it was his wish that this letter be informal in order not to "tie the hands" of the Secretary-General.

The Secretary-General said that with the several revisions suggested by him, Dr. Fawzi's draft letter would be quite satisfactory. At this point the Secretary-General handed to Dr. Fawzi a second draft letter, this one being from the Secretary-General to the Foreign Minister on the Egyptian draft declaration.

In answer to a question, Dr. Fawzi said that Egypt would be formally presenting the draft declaration to and consulting with Washington, Moscow, New Delhi and Belgium. He thought that also they might undertake to "chat" about the declaration with a number of the Ambassadors in Cairo.

The Secretary-General said that he had intended to consult with Washington and New Delhi and possibly Italy and Norway, and maybe others. The Secretary-General said that he had expected the Foreign Minister to mention Bonn among those to be consulted in Cairo and Dr. Fawzi said that Egypt might do so.

The Secretary-General handed to Dr. Fawzi another paper prepared by Mr. Stavropoulos having to do with the significance of the Armistice Agreement. This, too, was to be considered as an entirely informal paper.

In reply to an inquiry Dr. Fawzi said that Egypt would welcome an early visit by Mr. McCloy - "the earlier the better".

The Secretary-General said that he had been considering the matter and thought it would be desirable to have Mr. Bunche stay on in Egypt for a while after his departure "to see things around the corner". He thought that it might require ten days or two weeks. Dr. Fawzi said that he would welcome this since he thought just now it would be best not to leave everything in the hands of technicians.

The Secretary-General said that he was arranging for Mr. Shastri to stay on as a Political Affairs Officer and he thought that Mr. Stavropoulos should remain for a "few days" after his departure in order to deal with any legal questions which might arise. Mr. Bunche, he thought, should move about some, as required, especially between Cairo and Gaza.

Dr. Fawzi said that any comments on the declaration which the Secretary-General wished to be considered by the Government of Egypt should come two or three days before the issuance of the declaration.

Regarding the time of the Secretary-General's departure from Cairo, the Foreign Minister thought it wiser to plan for Wednesday morning rather than Tuesday. The Foreign Minister also said that he would be seeing President Nasser on the question of the Carver visa on the following day.

The Foreign Minister said that with regard to the McCloy visit, it might be borne in mind that some people hereabouts are allergic to the mention of the International Bank. However, the Foreign Minister would wish Mr. McCloy to mention it, talk about it, and in doing so, to be as informal as possible. He would hope that Mr. McCloy would approach the whole Canal subject matter in the vein of a "dynamic and growing business". The Secretary-General took his leave at 6:50 p.m.

SECRET

Draft
for final see:
SD II - bottom
drawer -
" para II "

MEMORANDUM CONCERNING THE FUNCTIONS, RIGHTS
AND RESPONSIBILITIES OF UNEF FOLLOWING THE
WITHDRAWAL OF ISRAELI FORCES BEHIND THE
ARMISTICE DEMARCATION LINE

This memorandum concerns certain points as to the functions, rights and responsibilities of the United Nations Emergency Force in the situation following the withdrawal of the Israeli forces behind the Armistice Demarcation Line, and pending the effecting of compliance by both parties with the principal provisions of the Armistice Agreement as indicated in Section III of the Secretary-General's report of 24 January 1957.

1. Egypt will make it known effectively to the refugees and residents of the Strip that it is Egyptian policy to prevent infiltration across the Demarcation Line.

2. The Egyptian regulations against infiltration, which include penalties, will be again put in force. If UNEF is to be effective in its function it must as a matter of right have the duty of assisting in the enforcement of these regulations. This role of UNEF will be made clearly known to the population of the Gaza Strip by the appropriate authorities.

.../...

3. A unit of the Palestinian Police will be designated specifically for duty in the prevention of infiltration, and will cooperate closely with UNEF in this function. The officer or official in responsible charge of this unit will have standing instructions from the Egyptian authorities that he shall take immediate action on requests by UNEF dealing with actual or apprehended infiltration. There will be a free exchange of information concerning actual or potential infiltrators between this police unit and UNEF.

4. UNEF will have the right to take infiltrators into custody in a zone one kilometre deep on the Gaza side of the Demarcation Line, and will hand them over to the police authority for appropriate judicial action.

5. In exercise of its right to prevent illegal crossings of the Demarcation Line UNEF may fire, in the same zone, during the hours of darkness at infiltrators who refuse to halt when challenged. This right will be exercised with restraint.

6. The announced policy of Egyptian cooperation with UNEF will periodically be emphasized to the population of the Strip.

.../...

7. The right of UNEF to take action necessary for its own defence against riotous crowds will be made known to the population.

8. The UNEF Base will be established in Rafah, and stores and installations now at Abu Suweir will be moved there.

9. In accordance with the Agreement of 8 February 1957 between Egypt and the United Nations there will be full freedom of movement for personnel and vehicles of UNEF in the Gaza Strip and in the Sinai between the bases and headquarters of UNEF and the elements of its troops deployed along the Armistice Demarcation Line. There will be similar freedom of movement for personnel and vehicles of UNTSO and UNRWA in the Gaza Strip. Checkposts in the Gaza Strip wherever located will be manned jointly by the local police and representatives of UNEF, the former to control civilian traffic, the latter to control UN traffic.

10. In accordance with the same agreement UNEF aircraft will continue to have the right to fly freely over the Sinai and the Gaza Strip as at present. The present air base at Abu Suweir will be moved to El Arish as soon as the necessary facilities can be established. Because of its proximity to the Demarcation Line control of the airstrip at Gaza will be by UNEF but no persons from outside Egypt will be landed on this strip without reference to the Egyptian UNEF Liaison Office.

11. UNEF will have the right to use Gaza as a port for the landing of stores and equipment if desired.

12. UNRWA stores and installations will be protected by guards employed by UNRWA, but if there is threat of disturbances among the refugees on a scale beyond the ability of the guards to deal with UNRWA officials will have the right to call on UNEF for additional protection.

Cairo, 23 March 1957

DRAFT

CONFIDENTIAL

Meeting of the Secretary-General with
Dr. Fawzi, the Foreign Minister of Egypt,
at the Foreign Ministry, Tuesday, 26 March
1957, at 4 p.m.

The Secretary-General was accompanied by Mr. Bunche.

The Secretary-General handed to Dr. Fawzi the signed letter from him concerning the second Egyptian memorandum on Suez, whereupon Dr. Fawzi commented upon the efficiency of the Secretary-General and the United Nations in that he was getting an answer to his letter before he had sent it.

Dr. Fawzi said that the President again had expressed the hope that the sentence in the letter concerning Point 4 could be eliminated. The Secretary-General, however, explained that he simply had to stay on firm ground and that he could not see how he could avoid reference, at least in the mild, moderate way it was made, to this point. He could not, therefore, agree to the elimination of the sentence or change it in any fundamental way. In any case, he said, the criticism which will be directed against the impending Egyptian action will not come on the basis of the point made in the Secretary-General's letter.

The Secretary-General informed Dr. Fawzi that, as Mr. Bunche had previously notified him, ^{Mr.}~~General~~ McCloy was en route and would be arriving in Beirut tonight, and would be coming on to Cairo after a short meeting in Beirut with the Secretary-General, tomorrow (Wednesday) afternoon.

The Secretary-General thought he should get to Cairo around 3 or 3:30. He said that Mr. McCloy had put very urgent engagements aside in order to come to Cairo on this very short notice and he would hope that Dr. Fawzi could be available to see him tomorrow afternoon.

Dr. Fawzi inquired whether 5 o'clock would be satisfactory. The Secretary-General thought that 5 o'clock would be a perfect time. He expressed the opinion that Mr. McCloy should not have to stay in Cairo for more than a couple of days.

Dr. Fawzi said that he had suggested to President Nasser that he talk with Mr. McCloy and the Secretary-General found this very good. He thought that the President should see Mr. McCloy and that a talk in the kind of atmosphere that prevailed in the discussion with the President the previous night would be just fine.

Dr. Fawzi mentioned that an important aspect of the Canal subject which McCloy and others speak of and which commands attention, is the growing competition for the Canal from the large tankers. Mr. McCloy, he said, would be helping Egypt if he could succeed in convincing Egypt that "something big" needs to be done in the Canal realm.

The Secretary-General said that he thought he should inform Mr. McCloy about the new memorandum and Dr. Fawzi asked if the Secretary-General thought he should show him the document. The Secretary-General thought that he should and that there would be no risk at all in doing so. Mr. McCloy, he said, should not have a feeling that he was being left in the dark.

The Secretary-General said that Mr. McCloy could be very blunt and abrupt but that he trusted him fully.

Dr. Fawzi referred to a visit he had had from the Ambassador of Yugoslavia who had referred to a rumour that Egypt had agreed to increase the authority and function of UNEF, stating that in such case Yugoslavia would have to withdraw its units. Dr. Fawzi said he told the Ambassador that the rumour was unfounded and should not be taken seriously.

Mr. Hammarskjold said that the expression "widened authority" had been greatly abused and misunderstood.

Dr. Fawzi referred to the points in the Burns memorandum which had been left open in the previous night's discussion and which had been considered by Burns and Sabry in the morning. He had received the reactions of the President to the new approaches resulting from the Burns-Sabry consultation.

With regard, he said, to the point concerning UNEF help in the guarding of UNRWA properties, the President agrees that it can be understood clearly that such help by UNEF could be given to UNRWA on agreement with the Governor of Gaza or at his request.

With regard to the depth of the zone, Dr. Fawzi said that a formula of "750 meters minus" would be quite satisfactory, as worked out in the consultation between Burns and Sabry.

On the subject of authority for UNEF to fire, Dr. Fawzi said that Egypt's position is that "we will eventually accept giving UNEF

troops authority to fire, providing Israel on its side accepts the same. Pending such parallel acceptance, it goes without saying that yesterday's position with regard to cooperation between UNEF and the Palestine police must be encouraged and systematized".

The Secretary-General stated that this would seem to leave only the question of authority to fire open. The stated position on this latter issue rather left the Secretary-General high and dry. He would wish to inquire whether it would be correct to interpret Egypt's reservation on this matter as covering the ~~other~~ approach other than the reciprocity basis which had been mentioned in the discussions with the President Monday night, namely, the authority which might be granted if the night patrols were mixed, that is, included personnel of the Palestine police.

Dr. Fawzi affirmed that this was the case.

Dr. Fawzi alluded to the Advisory Committee, stating that it had an excellent composition. He hoped that the Secretary-General's trip here would be found by the Advisory Committee to be far from fruitless, that certain things had been accomplished as in Tiran, Suez and Gaza and the disposition to employ restraint in a number of directions.

The Secretary-General said that the situation was better than when he had departed from New York. The Advisory Committee and he himself at that time were under the heavy pressure brought on by the "rush of events". He thought it could be said that ~~if~~ things are now "shaking into shape".

The Secretary-General went on to say that on this mission he was a sort of ambassador for something like a quasi-government. The General Assembly, he said, had left him in a complete mess on the subject, with no real terms of reference. In these circumstances he was not in position to do anything which would tie the hands of the Advisory Committee. Therefore he could not make agreements and he must reserve all rights and positions for the Advisory Committee. However, he shared Dr. Fawzi's hope that real progress has been made. He could not guess what the reaction of the Advisory Committee might be on the firing issue because they are so split on the issue of firing. The Secretary-General would have to test their reactions.

The Secretary-General mentioned that the Jerusalem Post was pursuing a new line at the moment by softening the attack on him and centering it on his staff.

In response to Dr. Fawzi's question, the Secretary-General said that he just did not know what to say about the course of the General Assembly.

Dr. Fawzi stated that he would site in Cairo until he received some convincing demonstration that he was really needed in New York.

The Secretary-General said that if the Gaza issue is got around all right in the Advisory Committee, he thought it possible that the most that would happen in the General Assembly on Gaza would be an angry speech by Ambassador Eban. But, he said, as in the evaluation he had made in the previous night's talk, the real springboard for trouble will be difficulty about the passage of Israeli shipping through Suez.

Mr. Bunch suggested that it might be possible to buy some important time on this question by preparing the issue for submission to the Court, since it was inevitable that the issue would have to be faced.

The Secretary-General said that this raises the question of how Egypt will react to legal procedures. In truth, said the Secretary-General, this issue will come up in the next few days when the Egyptian second paper on Suez is distributed. The Secretary-General felt that the likely outcome of a consideration of this question in the General Assembly would be a formal request for an advisory opinion.

The Secretary-General referred to the matter of timetable for the "MGM letter". The Israelis, he said, will certainly inquire about and press for a reply and there will be pressure for the Egyptian Government to formulate its reply. Mr. Bunch asked if Egypt had the intention to say anything publicly with regard to Egyptian policy on Israeli passage through the Canal. Dr. Fawzi said that Egypt had no such intention and their view was that if no new statement is made then there has been no change in Egyptian policy.

Dr. Fawzi said that he had discussed with the President the question of a reply to the letter and had advised the President not to rush a reply. On the other hand, Egypt might wish to ask some questions in return -- perhaps not in direct reply nor through the Secretary-General for transmission,

but simply to throw out the questions. He said that he would be weighing the matter in the next few days and that he might wish to check with Mr. Bunch about it.

The Secretary-General advised that it would be best for the Foreign Minister to come to New York during the period of build-up and before things would actually become explosive.

Dr. Fawzi said that he wished to bring up one delicate matter, that of evaluating and describing the results of the talks with special reference to Aqaba, Gaza and Suez. He said that to state publicly what had been understood would be very troublesome. The Secretary-General agreed that it was a situation in which both saying and not saying anything was dangerous. Dr. Fawzi mentioned that UNEF troops are "dragging their feet" in some areas with Egyptian knowledge. Mr. Hammarskjold said that Gaza is the most dangerous because from the United Nations point of view it requires precise answers, not all of which could be given, and from the viewpoint of the Advisory Committee there was a "leak" risk.

The Secretary-General said that he had no intention to make any public statement with regard to the Cairo talks either in Cairo or in New York beyond saying that they have been exploratory and useful. Dr. Fawzi stated that the Egyptian Government would confine itself to the same kind of general statement.

The Secretary-General said that with regard to UNRWA he had had a talk today with Mr. Labouisse and he was sorry to have to bring up a

few matters which were illustrative of some of the difficulties which UNRWA has and which impeded its work. The Secretary-General was hoping therefore that the cooperative relationship desired by both sides would eliminate such annoyances.

The Secretary-General said that he had been informed that Mr. Jameson of UNRWA had ^{been} refused a visa last Saturday by an Egyptian official in the Beirut Embassy who had said that no ~~advisas~~ visas would be issued "now or ever" to United Nations officials of British, French or Commonwealth nationality.

Dr. Fawzi asked if the Carver situation was working out all right and was assured that on the strength of the message he had had sent to Beirut we were sure that everything would be all right.

The Secretary-General said there was obvious need for a good look at the overall visa situation in terms of UNRWA's responsibilities and needs in connexion with the Gaza operation. Dr. Fawzi replied that Ralph, while he was here, could help streamline that situation.

The Secretary-General mentioned the specific points which had been enumerated by Mr. Labouisse, the visas; the necessity for right of transit through Israel since the overland route is the natural one for UNRWA personnel coming from Beirut to Gaza; the previous efforts to screen UNRWA's diplomatic pouches; the previous security interviews to which some UNRWA personnel were subjected when coming to Gaza.

Dr. Fawzi said that Ralph can help us work out these problems while he is here.

The Secretary-General also called attention to the fact that UNRWA was still not in the clear with regard to the transport of the Haifa stores since an Egyptian official on the day before had told the UNRWA people in Gaza that the goods could not come down the main road but would have to be brought in through "kilometre 95" which is a side road and unusable for this purpose, and that only flour could be brought. Dr. Fawzi agreed that this was wrong and promised to go into the matter.

The Secretary-General said that UNRWA is in trouble with this Haifa stores problem since it will take 20 trucks a day over a three month period to transport what is in Haifa and this becomes an extremely difficult operation.

Dr. Fawzi handed to the Secretary-General his signed letter concerning the second Egyptian Suez memorandum.

The Secretary-General alluded to the matter of the possibility that UNRWA might give any added service, obviously at Egypt's request. He said that in the talks with the President he had not mentioned the 22 February statement and noted that it referred to arrangements that may be made. He stated that he would not like to close this chapter without at least a look at what might be usefully done. Dr. Fawzi promised to take such a look in consultation with Mr. Bunche.

The discussion ended at 5:45 p.m.