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Israel - Syria border

18 Feb. 60

a.) Asha, Rafik (Acting, Penn. Represent of U.A.R.
to the U.N.)

- 1 letter to Secco

b.) - 2 letters from R. Bunche to D.H.

new wording :

"reserve their
right to seek to
restore the previously
existing situation."

First text, later
revised.

February 18, 1960

Excellency,

I have the honour, upon instructions from my Government, to draw Your Excellency's attention, as President of the Security Council, ^{to} the following two resolutions adopted by the Syrian-Israeli Mixed Armistice Commission at its 79th emergency meeting, held at Banat Yacoub on 16 February 1960, in which Israel was condemned for its violation of the General Armistice Agreement:

I Whereas Syrian complaint Number 162 has been confirmed by the investigation of a United Nations Observer who observed and identified four jet propelled aircraft of the "Mystere" type, a type used by the Israeli airforce, which flew over the area of Kuneitra in Syrian territory during approximately one half hour,

Decides that this action of the Israeli military aircraft constitutes a flagrant violation of Article III paragraph 2 and Article IV paragraph 2 of the General Armistice Agreement,

Condemns Israel for this hostile action mentioned above,

Calls upon the Israeli authorities to put an end immediately and definitively to such hostile acts.

.../...

H.E. Sir Pierson Dixon, G.C.M.G., C.B.
President of the Security Council
United Nations
New York

II Whereas complaints number 68, 76, 81, 84, 95, 96, 131, 133, 134, 141, 142, 160, 164, and 169 have been examined,

Whereas the incidents which are subjects to these complaints took place in the Demilitarized Zone created by the General Armistice Agreement from previously prepared positions and originate from the problem of the exploitation or use of lands in the region of Tawafiq (Southern Demilitarized Zone),

Whereas at an emergency meeting of the Israeli Syrian Mixed Armistice Commission held on 14 November 1957, the parties after an informal discussion agreed that "any legitimate work in the area concerned should not be interfered with and differences of opinion should be solved by peaceful means",

Whereas the Israeli opposed by force the Chief of Staff's conclusions of 20 January 1960,

Whereas these incidents culminated in the attack during the night of 31 January to 1 February 1960 by Israeli regular armed forces against the village of Khirbet at Tawafiq "which, according to the reports of the United Nations Observer, had no fortifications other than a trench surrounding the village for its protection, the trench itself protected by a barbed wire fence,

Whereas this attack resulted in the utmost total destruction of the afore mentioned village in opposition to elementary humanitarian principles, causing on the Arab side the death of two persons and the wounding of two others,

Whereas this premeditated attack has caused serious tension in the area,

Condemns the Israeli attack against the village of Khirbet at Tawafiq,

.../...

Decides that the Israeli actions of military character mentioned above, and the presence of military or para military forces in the Demilitarized Zone constitute a flagrant violation of Article V paragraph 5 (a) and (b) of the General Armistice Agreement,

Calls upon the Israeli authorities to destroy and give up all positions of a military character in the Demilitarized Zone,

Further calls upon the Israeli authorities to refrain in future from any action which may jeopardize the status of the Demilitarized Zone and the rights of the Arab population of this zone, as provided for in Article V paragraph 5 e of the General Armistice Agreement.

In the light of the foregoing, I wish to emphasize the following points:

1. Israel has violated the General Armistice Agreement in committing an armed aggression against an Arab village in the Demilitarized Zone.

2. The Mixed Armistice Commission has confirmed the existence of regular Israel forces in the Demilitarized Zone and has requested their prompt withdrawal.

The Government of the United Arab Republic cannot continue to view such a provocative situation, and feel dutybound to impress upon the members of the Security Council the grave consequences which might ensue if this situation were to continue unchecked and if Israel were to be allowed to persist in

.../...

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its violation of the clear stipulations of the General Armistice Agreement regarding the Demilitarized Zone.

In bringing this matter to the attention of the members of the Security Council, the Government of the United Arab Republic reserves their right to take whatever measures they deem necessary to rectify the situation.

I have the honour to request Your Excellency that this letter be circulated to all members of the Security Council.

Please accept, Excellency, the assurances of my highest consideration.

Rafik Asha
Acting Permanent Representative
of the United Arab Republic
to the United Nations

UNITED NATIONS
SECURITY
COUNCIL



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LETTER DATED 18 FEBRUARY 1960 FROM THE ACTING PERMANENT REPRESENTATIVE
OF THE UNITED ARAB REPUBLIC ADDRESSED TO THE PRESIDENT OF THE SECURITY
COUNCIL

I have the honour, upon instructions from my Government, to draw Your Excellency's attention, as President of the Security Council, to the two resolutions adopted by the Syrian-Israeli Mixed Armistice Commission at its 79th emergency meeting, held at Banat Yacoub on 16 February 1960, and to statements of the Chairman of the Mixed Armistice Commission, in which Israel was condemned for its violation of the General Armistice Agreement.

I

"The Israel-Syrian Mixed Armistice Commission:

"Having consider Syrian complaints numbers 68, 76, 81, 84, 95, 96, 131, 133, 134, 141, 142, 160, 164 and 169;

"Having considered that these complaints have been dealt with in investigation reports by United Nations military observers;

"Having considered that the incidents referred to in these complaints have taken place in the demilitarized zone created by the General Armistice Agreement, from prepared positions, and have their origin in the problem of cultivation or use of land in the Tawafiq area (Southern Demilitarized Zone);

"Having considered that, at an emergency meeting of the Mixed Armistice Commission held on 14 November 1957, the parties, after an informal discussion, agreed that 'any legitimate work in the area concerned should not be interfered with and differences of opinion should be solved by peaceful means';

"Having considered that the Israelis have opposed by force the findings of 20 January 1960 of the UNTSO Chief of Staff;

"Having considered that these incidents have, during the night of 31 January-1 February 1960, culminated in the attack, by regular Israeli armed forces, against Khirbet-Altawafiq village, which, according to the report of the United Nations military observers, had no fortification other than a trench surrounding the village for its protection and a barbed-wire entanglement defending this trench;

"Having considered that this attack has resulted in the almost total destruction of the aforesaid village, in violation of elementary humanitarian principles, with two killed and two wounded on the Arab side;

"Considering that this premeditated attack has created a serious tension in the area;

"Condemns the Israeli attack against the village of Khirbet-Altawafiq;

"Decides that the above-mentioned Israeli action of a military character and the presence of military or paramilitary forces in the demilitarized zone constitute a flagrant violation of Article V, paragraph 5 (a) and (b) of the General Armistice Agreement;

"Requests the Israeli authorities to destroy and abandon all positions of a military character in the demilitarized zone;

"Requests further the Israeli authorities to refrain in the future from any action liable to endanger the status of the demilitarized zone and the rights of the Arab population in that zone referred to in Article V, paragraph 5 (e) of the General Armistice Agreement."

II

"The Israel-Syrian Mixed Armistice Commission:

"Whereas Syrian complaint 162 has been substantiated by the investigation of a United Nations observer who observed and identified four 'Mystere' jet planes, a type of plane used by the Israeli Air Force, overflying the area of Kuneitra within Syrian territory, during approximately half an hour, on February 1st, 1960;

"Decides that this action of the Israeli Air Force constitutes a flagrant violation of Article III, paragraph 2, and of Article IV, paragraph 2 of the General Armistice Agreement;

"Condemns Israel for this hostile act;

"Requests the Israeli authorities to put an end immediately and definitely to such hostile acts."

* * * * *

/...

At the beginning of the meeting the Chairman made a statement in which he deplored the absence of the Israeli delegation and explained that, in his view, the Mixed Armistice Commission was competent to deal with the recent incidents which resulted in the loss of human lives on both sides.

In the absence of the Israel delegation, however, it was pointless to discuss the Israeli complaint concerning the incident of 12 February 1960, which resulted in the death of two Israelis and the wounding of one. The results of the investigations made by United Nations military observers of the complaints relating to this incident lodged by the Israeli and the Syrian delegations respectively had been communicated to the two delegations. The item would be struck off the agenda of the Commission.

After the Chairman's opening statement, the Commission adopted the following declaration:

"The Mixed Armistice Commission notes with regret the repeated absences, since 1951, of the Israeli delegation from meetings of the Commission, when questions relating to Article V of the General Armistice Agreement are discussed;

"The Commission regrets in particular the absence of the Israel delegation from the present 79th emergency meeting. It recalls in this connexion the provisions of the Security Council resolution of 18 May 1951 which, inter alia, considers that 'it is inconsistent with the objectives and intent of the Armistice Agreement to refuse to participate in meetings of the Mixed Armistice Commission or to fail to respect requests of the Chairman of the Mixed Armistice Commission as they relate to his obligations under Article V and calls upon the parties to be represented at all meetings called by the Chairman of the Commission and to respect such requests.'

"The Mixed Armistice Commission wishes furthermore to recall that Article VII, paragraph 7, of the General Armistice Agreement referring to claims and complaints presented by either party relating to the application of this Agreement provides that the Commission 'shall take such action on all such claims or complaints by means of its observation and investigation machinery as it may deem appropriate, with a view to equitable and mutually satisfactory settlement.'"

* * *

After the adoption of the two resolutions, the Chairman made the following statement:

"Unless the Mixed Armistice Commission gives a different interpretation of its powers, the incidents referred to in the Syrian complaints come, in my opinion, within the purview of the Commission.

"The Security Council resolution of 18 May 1951 refers to the sharing of powers between the Commission and its Chairman. However, the Commission, which is entitled to interpret the Armistice Agreement, has so far given no instructions to the Chairman. In the absence of such instructions, the Chairman must take a decision on the question of competence, subject to the general reservation which I have made at the beginning of this statement.

"I have voted in favour of the two Syrian draft resolutions.

"I feel obliged, however, solemnly to protest against the intervention of the armed forces of the two parties which have used, during various incidents, light infantry weapons, and heavy ones, from positions within the demilitarized zone or from without.

"I wish to recall that the majority of incidents brought to the attention of the Commission have taken place in the demilitarized zone where only 'a limited number of locally recruited civilian police ... for internal security purposes is authorized under Article V, 5 (e) of the General Armistice Agreement'."

In the light of the foregoing, I wish to emphasize the following points:

1. Israel has violated the General Armistice Agreement in committing an armed aggression against an Arab village in the Demilitarized Zone.
2. The Mixed Armistice Commission has confirmed the presence of regular Israel forces in the Demilitarized Zone and has requested their prompt withdrawal.

The Government of the United Arab Republic cannot continue to tolerate such a provocative situation, and feel duty bound to impress upon the members of the Security Council the grave consequences which might ensue if this situation were to continue unchecked and if Israel were to be allowed to persist in its violation of the clear stipulations of the General Armistice Agreement regarding the Demilitarized Zone.

/...

In bringing this matter to the attention of the members of the Security Council, the Government of the United Arab Republic reserves their right to seek, as necessary, to restore the previously existing situation.

I have the honour to request Your Excellency that this letter be circulated to all members of the Security Council.

Please accept, etc.

(Signed)

Rafik Asha
Acting Permanent Representative
of the United Arab Republic
to the United Nations
