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SECCO affairs 1953

23-27 Oct.

1) Introducing of V. Bennike by sec.-gen.

Reports by the Chief of Staff of the Truce Supervision

2) Organization - General Vagn Bennike before the Security Council

Thank you, Mr. President.

As the members of the Security Council will recall, it was decided on 19 October 1953, at the Council's 626th meeting, that General Vagn Bennike, Chief of Staff of the United Nations Truce Supervision Organization, should be invited to report in person on the item now being considered by the Council.

Before presenting General Bennike, may I take this opportunity to express my special concern, as Secretary-General, regarding the outbreaks of violence and the recent incidents which have taken place in Palestine, creating new tensions in the Middle East. These incidents constitute serious violations of the General Armistice Agreements concluded by the parties in 1949.

I consider it my duty to recall to the parties concerned that, as it has been stated in different Security Council resolutions, the General Armistice Agreements signed, pending the final peace settlement, pursuant to Article 40 of the Charter, include firm pledges against any acts of hostility between the parties. They also provide for supervision of the Armistice by the parties themselves and by the Mixed Armistice Commissions under the chairmanship of the Chief of Staff of the Truce Supervision Organization.

I wish also to express a firm hope that the parties will give full consideration to their obligations under the terms of the Armistice Agreements, and that they will refrain from any action, contrary to those Agreements, which would prejudice the attainment of permanent peace in Palestine, which is the ultimate aim of the United Nations in the Middle East.

In conclusion, may I make a strong appeal to the parties concerned to refrain from spreading rumors and from provocative acts which would contribute to a widening of tensions in the area, and especially to avoid any premature actions which could jeopardize the Council's present endeavours.

And now, Mr. President, I take pleasure in introducing to you and to the other members of the Security Council, Major General Vagn Bennike, Chief of Staff of the United Nations Truce Supervision Organization.



UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL
S/3122
23 October 1953
ORIGINAL: ENGLISH

REPORT DATED 23 OCTOBER 1953 BY THE CHIEF OF STAFF OF THE TRUCE SUPERVISION ORGANIZATION SUBMITTED TO THE SECRETARY-GENERAL FOR THE SECURITY COUNCIL

I have the honour to forward herewith for the information of the Security Council a copy of a decision taken by me on 23 September 1953 as Chairman of the Israeli-Syrian Mixed Armistice Commission. That decision concerns the work started on 2 September in the Demilitarized Zone in connexion with the Israeli project of digging a canal between the Jordan river and Lake Tiberias. My decision was to the effect that "the authority which started work in the Demilitarized Zone on 2 September 1953 is instructed to cease working in the Zone so long as an agreement is not arranged".

Together with my decision (Annex I), I am forwarding a copy of a letter dated 24 September, in which His Excellency the Israel Minister for Foreign Affairs expressed the disagreement of the Government of Israel with the conclusion that the work "in progress within the Demilitarized Zone should now be interrupted" (Annex II).

The Israel Foreign Minister had requested me to send him my comments on the considerations set forth in his letter. These comments were forwarded to him on 20 October (Annex III).

Accept, etc.

(Signed) Vagn Bennike

Chief of Staff of the
United Nations Truce Supervision
Organization

ANNEX I

TRUCE SUPERVISION ORGANIZATION

23 September 1953

Decision by Major General Vagn Bennike, Chief of Staff of
the United Nations Truce Supervision Organization, and
Chairman of the Israel - Syrian Mixed Armistice Commission

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1. Article V, paragraph 5 (c), of the Israel-Syrian General Armistice Agreement confers upon the Chairman of the Mixed Armistice Commission and United Nations observers attached to the Commission the responsibility for ensuring the full implementation of that article, which contains the arrangements agreed to by the two Parties for the Demilitarized Zone.
2. As Chairman of the Mixed Armistice Commission, I have been called upon to consider and decide whether, as alleged by the Syrian Government, the work started by Israelis on 2 September, on the West bank and in the bed of the Jordan at MR 2089-2677, is contrary to the provisions of the General Armistice Agreement relating to the Demilitarized Zone.
3. It has been explained on the Israeli side that the work in question, begun in the Central Sector of the Demilitarized Zone, is preliminary to the digging of a canal between the Jordan river and Lake Tiberias. By far the greater part of the canal would be to the West of the Demilitarized Zone. A reservoir would be constructed at approximately MR 2040-2568 at a height of 40 meters above sea level. A power station would be erected about 2 kilometers West of the mouth of the Jordan, at a height of 200 meters below sea level. The water drop of 240 meters from the reservoir to the power station would generate electric power of "24,000 kilowatts per hour". The project is sponsored by the Israeli Government Water Planning Authority. I was told that the project was being carried out within the framework of the concession granted on 5 March 1926 to the Palestine Electric Corporation for the utilization of the waters of the Jordan and the Yarmuk for generating and supplying electrical energy.
4. According to Article V, paragraph 2, of the General Armistice Agreement, "the Armistice Demarcation Line and the Demilitarized Zone have been defined with a view

toward separating the armed forces of the two Parties in such manner as to minimize the possibility of friction and incident, while providing for the gradual restoration of normal civilian life in the area of the Demilitarized Zone..."

5. In considering the work undertaken in the Demilitarized Zone with a view to the construction of the projected canal, I have endeavoured to determine:

- (a) whether the work so far performed in the Demilitarization Zone has interfered with the normal civilian life referred to in Article V, paragraph 2, of the General Armistice Agreement, and in the Acting Mediator's statement agreed to by the Parties as an authoritative comment on Article V;
- (b) whether the construction of the projected canal was likely to interfere with normal civilian life in the Demilitarized Zone;
- (c) whether the first object of the definition of the Demilitarized Zone according to Article V, paragraph 2, of the General Armistice Agreement, viz., "separating the armed forces of the two Parties in such manner as to minimize the possibility of friction and incident", would be affected by work aiming at diverting a considerable quantity of water from the river-bed in the Demilitarized Zone.

6. Before making my decision, I have visited both banks of the Jordan, viz., the site of the present Israeli work on the West bank on 12 September, and the East bank on 14 September. I have also carefully considered the views of the two Parties to the General Armistice Agreement.

7. The following is the result of my inquiry:

- (a) Work has been started on the West bank of the Jordan allegedly on no lands other than Israeli lands, but this is now being disputed. If the investigation by United Nations observers of land titles in the possession of Arabs or in the Land Office at Safad in Israel proves Arab ownership, work started on Arab lands without the consent of the owners would be contrary to the provision relating to normal civilian life. Moreover, work in the bed of the river has resulted in flooding partially the small island at MR 2088-2675. In this case also the question of ownership is in dispute.
- (b) On 14 September, I was shown on the East bank two Arab watermills which had ceased to work owing to lack of water, and an Arab land which had ceased to be irrigated. Though I was not present when the mills ceased to work and

the land to be irrigated, the explanation given, that lack of water resulted from Israeli work in the bed of the river, appeared to me, after a rapid investigation, plausible

(c) As regards the likelihood of interference with normal civilian life in the Demilitarized Zone resulting from the construction of the projected canal, the lowering of the waters of the Jordan will affect the life of the Arab villagers depending on the river. It will in particular interfere with the working of the water-mills (nine at present) which they use.

(d) In this connection the question of the irrigation of lands belonging to Syrian landowners is of particular importance. The Israeli Government is aware of this problem. The rich lands of Buteiha Farm, with their three annual crops, depend on an elaborate irrigation system. In October 1951, during a two-day test by the Israelis of checking gates south of Lake Huleh, that irrigation system lost 70 per cent of its water. In April 1952, after emergency repairs to Banat Yacoub Bridge, during which the checking gates had been operated with the agreement of both Parties, the Chairman of the Mixed Armistice Commission, in view of strong representations from the owners of Buteiha Farm, withdrew his concurrence to further use of the checking gates until another agreement was reached by the two Parties.

The Government of Israel has stated that the full volume of Jordan water now being used by Arab landowners for irrigation purposes would be assured. The Syrians object to the irrigation of their lands depending in the future on Israeli good will. Irrespective of that Syrian point of view, it may be said that the waters in the bed of the river are already very low during the dry season, and it is likely that, unless special arrangements are made, the projected canal and power station would sometimes leave the Jordan with very little, if any, water.

(e) As regards the military aspect of the question, the Jordan, in its deep valley, is a serious obstacle for any troops, particularly motorized troops, which would attempt to cross it. A Party to the General Armistice Agreement which, by means of a canal, could control the flow of the Jordan in the Demilitarized Zone, changing it or possibly even drying it up at will, could alter at will the value to the other Party of the Demilitarized Zone, which has been "defined with a view toward separating the armed forces of

the two Parties in such manner as to minimize the possibility of friction and incident..."

8. In view of the above, both on the basis of the protection of normal civilian life in the area of the Demilitarized Zone and of the value of the Zone to both Parties for the separation of their armed forces, I do not consider that a Party should, in the absence of an agreement, carry out in the Demilitarized Zone work prejudicing the objects of the Demilitarized Zone, as stated in Article V, paragraph 2, of the General Armistice Agreement.

9. Acting under the provisions of Article V of the General Armistice Agreement, the only provisions which, as Chairman of the Mixed Armistice Commission, I am called upon to consider in this case, I request the Israeli Government to ensure that the authority which started work in the Demilitarized Zone on 2 September 1953 is instructed to cease working in the Zone so long as an agreement is not arranged.

ANNEX II

Jerusalem,
24 September 1953

Sir,

I have the honour to acknowledge receipt of your letter of 23 September 1953 and of the attached memorandum setting forth your views concerning the work which is being carried on south of B'not Yaacov Bridge.

2. I must point out at the very outset that the substance of your views and their underlying assumptions appear to be at marked variance with the position so far maintained by the competent organs of the United Nations as regards works of this nature in the Demilitarized Zone. As early as 1949, during the armistice negotiations, the United Nations adopted an unequivocal attitude concerning the future development of the Zone. In his covering letter to the statement which you yourself mention as an authoritative comment on Article V of the Israel-Syria General Armistice Agreement, written on 26 June 1949, the Acting Mediator, Dr. Ralph Bunche, stated: "I may also assure both parties that the United Nations, through the Chairman of the Israel-Syria Mixed Armistice Commission, will also ensure that the Demilitarized Zone will not be a vacuum or wasteland." Since that statement was made, "the gradual restoration of normal civilian life", provided for by Article V of the Armistice Agreement, has indeed comprised the resumption and continuation of development and settlement activities. New agricultural settlements have been established in the Zone, roads have been constructed, wastelands brought under cultivation, the Jordan river-bed has been deepened and straightened, and at certain points its very channel has been altered - all these changes having taken place with the full concurrence of United Nations authorities.

3. Syria's consistent opposition to such peaceful development work, voiced in pursuance of its established policy of economic warfare against Israel, has at no time been endorsed by the United Nations. Under the Charter, the United Nations stands to promote conditions of economic progress and development. Under the

Major General Vagn Bennike,
Chief of Staff,
United Nations Truce Supervision Organization,
Jerusalem.

Israel-Syria General Armistice Agreement, the sole concern of United Nations representatives throughout has been to ensure that in the course of the execution of development projects, established private rights in the Zone should be adequately protected.

4. Certain questions regarding private rights did indeed arise in connection with the Huleh drainage scheme, work on which commenced three years ago. The points at issue were at the time fully examined by the then Chief of Staff, General W. E. Riley, as well as by the Security Council. The conclusions reached as a result of that examination have been accepted as basis for all development projects in the Demilitarized Zone. The drainage work has ever since proceeded with the full concurrence of the United Nations and without interference from outside. It is important to define the exact scope of United Nations concern in the matter. Such definition was offered by General Riley himself when, at a session of the Security Council on 2 May 1951, in reply to a question asked by the Netherlands delegate as to whether the question of the rights involved in the concession of the Palestine Land Development Company for the drainage of the Huleh is one which might fall within the jurisdiction of the Mixed Armistice Commission, he stated: "Only where it involves land within the Demilitarized Zone which is the property of Arab refugees. That is the only part of the concession with which we have anything to do..... I feel that the United Nations should never impede progressive work. However, I am involved here with the Armistice Agreement in which the United Nations is charged with the normal restoration of civilian life..... I have no quarrel with the project itself. I feel that this is not a matter which affects either Syria or the United Nations. I am only involved in the normal restoration of life within the Demilitarized Zone which affects the thirty, forty or fifty Arabs that own the approximately seven or eight acres of land within the Demilitarized Zone."

5. In the present case the work of digging a canal, in execution of a project of power development, is conducted on the basis of existing rights, including the concession held by the Palestine Electric Corporation. These constitute important private rights within the Demilitarized Zone, which the United Nations Truce Supervision Organization, as authoritatively laid down, is called upon to safeguard. Full care has been taken to ensure that the work should in no way impinge upon any private Arab land in the area, nor curtail the use of water for irrigation by land owners and cultivators within the Demilitarized Zone. In these

circumstances it was but natural that the Chairman of the Israel-Syrian Mixed Armistice Commission, when informed of the commencement of the project on 2 September 1953, should have expressed his concurrence with it. In so far as you yourself and your deputies raised any points for clarification - none of which questioned the legitimacy of the project itself - they were satisfactorily settled.

This situation of understanding and cooperation continued until the Syrian Government, in accordance with its established practice, proceeded to raise baseless objection to the project, accompanying its protests by public threats of violence. In the face of these tactics of intimidation from the Syrian side, which manifestly conflict not only with the Armistice Agreement but with the fundamental principles and purposes of the Charter of the United Nations, it is regrettable and disturbing that an attempt should now be made to reopen issues previously disposed of and to modify the established position of the United Nations by raising questions extraneous to the Armistice Agreement.

6. You base your conclusions on the examination of the following three points:
 - (a) whether the work so far performed has interfered with normal civilian life in the Demilitarized Zone;
 - (b) whether the construction of the projected canal within the Demilitarized Zone will interfere with such life; and
 - (c) whether the first object mentioned in Article V. Par. 2 of the General Armistice Agreement concerning the separation of the armed forces of the two parties, will be affected by the work in question.

7. On these points and on the facts adduced in their examination the following observations are offered:

- (a) Israel representatives have repeatedly given you and your deputies categorical assurances, summarized in Sgan-Aloof A. Shalev's letter to you of 22 September 1953, that the project has not so far involved, nor will it involve in the future, the use of Arab-owned land in the Demilitarized Zone, and that it has not otherwise affected, nor will it in the future affect, such land. In no conversation which has taken place during the past weeks, including my own conversation with you on 22 September, was any reference made to the possibility that the ownership of any of the land involved might be under dispute. It is evident, therefore, that such a possibility, conjured upon the part of

Syria, is purely hypothetical, not to say imaginary; that Syria, which under the Armistice Agreement has no status in the matter, has raised the question merely to obstruct the work; and that consequently this provides no valid reason for discontinuing a vital development scheme. At the same time there is, of course, no objection at all to your representatives examining the files of the relevant Land Registry Office, in which examination they will receive the full cooperation of the Israel authorities.

- (b) What is called in your letter "the small island" is actually a speck of land, the size of which never exceeds 400 square metres. It is submerged every winter and rises above the water in varying sizes and shapes in the summer. It is entirely uncultivated and has never been cultivated, inhabited or otherwise used by man within living memory. It is not owned by any Arab. In these circumstances, the question whether this insignificant ait is or is not partly flooded as a result of the construction of the dyke is purely irrelevant, but the fact is that it is not, and care is being taken that it should not be.
- (c) As for the water mills, neither in past discussions between United Nations representatives and ourselves on the utilisation of the Jordan waters, nor in direct contacts between us and the Syrians, have any claims ever been advanced that water from the Jordan River is required for the operation of mills on the east bank. The falseness of the contention made to you on this score is proved by the fact that the two mills shown to you on 14 September as having "ceased to work owing to lack of water" have actually not been in operation for years and that, moreover, the canal leading to these mills branches off from the Jordan north of the point from which the contested new canal is being dug, so that the digging of the canal and the diversion of water into it could have no possible effect upon these two mills.
- (d) The point concerning the likelihood of interference with normal civilian life in the Demilitarized Zone as a result of the construction of the projected canal is fully met by our definite assurances that the volume of Jordan water now used by Arab landowners or cultivators for irrigation purposes will remain available in the future. The claim in your letter that the projected canal would "leave the Jordan with very little, if any,

water" is entirely unsubstantiated, whereas the explicit assurances given to you by Israel representatives orally and confirmed in writing by Sgan-Aloof Shalev, are based on thorough topographical and hydrological investigations.

(e) The provision you quote from Article V of the Armistice Agreement, which defines the object of the Demilitarized Zone as that of "separating the armed forces of the two Parties in such manner as to minimize the possibility of friction and incident" is, needless to say, fully valid. It is axiomatic that, whether a canal is dug or not, such separation would remain effective as long as the Zone continues demilitarized and the parties adhere to the Armistice Agreement. As for the possible effect which the digging of a canal running parallel to the Jordan river-bed can have upon the achievement of that objective, so far from hampering, the canal can only facilitate it, since a party bent upon aggression will find yet another obstacle to overcome. For its part, the Government of Israel has consistently abjured aggression. Were it nursing aggressive designs, it would be thwarting its own purpose by digging the canal. On the other hand, the fact that the objection to the canal comes from Syria - the party guilty of aggression in the past - acquires an ominous significance.

(f) Moreover, Syria's title to raise the question of military advantage must be challenged in principle. As clearly indicated in Article II. Par. 1, of the Armistice Agreement, the principle that no military advantage must accrue to either party was valid only during the truce period which preceded the conclusion of the armistice. The parties to the Armistice Agreement are not entitled to invoke that principle, either under the above-mentioned Article or by reference to any other provision of the Armistice Agreement. Had the right to do so been conferred by the Armistice Agreement, Syria might raise objections to any measure or project, anywhere in Israel, which strengthened this country's potential.

In this connection it is pertinent to point out that Syria's previous complaints concerning military advantages to Israel which were supposed to result from the execution of the Huleh drainage project, were rejected by the United Nations Chief of Staff as lacking validity.

8. The question of the Buteiha Farm raised in your memorandum calls for special treatment. The arguments advanced by the Syrians to the effect that they cannot be expected to depend in the future on Israel's good will as to the irrigation of their lands, must emphatically be rejected as irrelevant in the context of the Armistice Agreement. A converse contention on the part of Israel that she cannot possibly be made to depend on Syria's good will where the execution of development projects of crucial importance for her economic future is at stake, would be, on both legal and practical grounds, of infinitely greater cogency. The decisive consideration here is that the Armistice Agreement provides for the restoration of civilian life - and by implication for the protection of private rights - only within the Demilitarized Zone, and not outside it, either in Syria or in Israel. The undertaking given repeatedly to United Nations representatives and to the Syrians direct, that the volume of Jordan water now used by the Buteiha Farm for irrigation purposes would be assured for the future, was an ex-gratia act motivated by considerations of equity and future good neighbourliness, and not by any obligation arising from the Armistice Agreement. This undertaking is reaffirmed in Sgan-Aloof Shalev's letter, where the assurance concerning the provision of customary amounts of water to Arab cultivators is to be read as applying also to the Buteiha Farm. As for the operation of the checking gates in April 1952, this again was a matter of the internal administration of the Demilitarized Zone and not one of concern to Syria; it was not subject to agreement between Israel and Syria, but was carried out solely with the concurrence of the Chairman of the Mixed Armistice Commission.

9. In the light of the foregoing, the Government of Israel fails to see any justification for the conclusion that the peaceful work of an eminently constructive and beneficial character, which is in progress within the Demilitarized Zone, should now be interrupted. It takes a particularly serious view of the fact that this conclusion was preceded by the open threats of the Syrian Government. It regards the freedom of development work within the Demilitarized Zone as an integral and essential part of the restoration of normal civilian life provided for in the Armistice Agreement, and has hitherto always been sustained in this contention by the competent United Nations authorities. It is ready and has indeed formally undertaken to respect to the full whatever private rights as to ownership of land or use of water may be involved. It upholds at the same time the private rights possessed by Israel interests in the area and cannot agree

that they have a lesser priority than the individual rights of others. In actual fact there has been no infringement of any such right possessed by Arabs as a result of the work already carried out and none is to be foreseen in its continuation. The Government of Israel is always ready to clear up any moot point with you and your representatives, and, if necessary, submit the issue for examination to the Security Council. In its interpretation of the Armistice Agreement, borne out by former United Nations practice and pronouncement, the only question of agreement that can arise is with local inhabitants of the Demilitarized Zone, bearing on their private rights. In the specific circumstances of the present case no issues exist which call for such agreement, and, consequently, the continuation of the work cannot be made conditional thereon.

10. It remains the firm policy of the Government of Israel to adhere strictly to its obligations under the Armistice Agreement.

In stating its views on the issue which has arisen, the Government of Israel does not depart from its conception of the powers and functions of the Chairman of the Mixed Armistice Commission under the terms of the Israel-Syria General Armistice Agreement. The Government's understanding in this regard was formulated by its representative, Ambassador A. Eban, at the 547th meeting of the Security Council on 18 May 1951 in the following terms:

"... the Chairman of the Mixed Armistice Commission is not an authority appointed by the United Nations and imposed over the signatories of the Agreement. He is an organ established as a result of their agreement and his functions are precisely those which they have defined. If either party had not wished the Chairman to have certain functions, then he would not have had them. This fact, together with the specific provision that he may not exercise administrative responsibilities anywhere, rules out any idea that he should operate by mandatory requests directed to the very Governments which have defined his functions and which are presumably, therefore, in a position to know what powers they have conceded to him."

11. I am confident that you will give the considerations set forth in this letter your very serious attention and shall be glad to receive your comments on them.

Yours faithfully,

Moshe Sharett
Minister for Foreign Affairs

ANNEX III

TRUCE SUPERVISION ORGANIZATION

Jerusalem, 20 October 1953.

Sir,

I have the honour, as requested by Your Excellency in the last paragraph of your letter dated 24 September 1953, to forward my comments on the considerations you have set forth in relation with my decision of 23 September. In our meeting, on 28 September, you had suggested that these comments should be delayed while we would continue to look together for a solution. At the end of our meeting, on 15 October, we agreed that the matter might be pursued in the Security Council after I had submitted my report. I am accordingly forwarding my comments today. I intend to annex them to my report to the Security Council, together with my decision and your letter of 24 September.

Each of the following paragraphs contains my comments on the corresponding paragraph of your letter of 24 September.

2. You have stated that the substance of my views and their underlying assumptions appeared to be "at marked variance with the position so far maintained by the competent organs of the United Nations as regards works of this nature in the Demilitarized Zone". I have studied the relevant decisions and statements by the competent organs of the United Nations since 1949, when the General Armistice Agreement between Israel and Syria was negotiated, and I think that my position with regard to the present Israeli canal project is consistent with them. As you have mentioned, I have referred in my decision to a document which both Parties to the General Armistice Agreement have agreed to consider as authoritative, viz: the Acting Mediator's comment on Article V, the text of which was incorporated in the Security Council resolution of 18 May 1951 (S/2157). You yourself have referred to another text, viz., a paragraph in the Acting Mediator's letter of 26 June 1949, addressed to the Government of Israel, in which Dr. Ralph Bunche stated: "I may also assure both Parties that the United Nations, through the Chairman of the proposed Israeli-Syrian Mixed Armistice Commission, will also ensure that the demilitarized zone will not be a vacuum or wasteland, and that normal civilian life under normal local civilian administration and policing will

be operative in the zone". The same paragraph is contained in the Acting Mediator's letter, also dated 26 June 1949, addressed to the Syrian Government. The assurance thus given by the Acting Mediator to both Parties with regard to normal civilian life confirms the provisions of the General Armistice Agreement and his authoritative comment on Article V.

After visiting the area and studying the present Israeli project in the light of the explanations given to me, I have found not only that there has already been some interference with normal civilian life, but also that the completion of the project, by deriving from the flow of the Jordan in the Demilitarized Zone the water necessary to generate electric power of 24,000 kilowatts, was likely to bring about greater disturbances unless definite obligations were entered into with a view to avoiding them. In the absence of such obligations, some Arab lands, which for many years have depended on the water of the Jordan for irrigation, might become, in the Acting Mediator's words, "a vacuum or wasteland".

3. I have noted your statement that "under the Israel-Syrian General Armistice Agreement, the sole concern of United Nations representatives throughout has been to ensure that in the course of the execution of development projects, established private rights in the Zone should be adequately protected". As indicated in the previous paragraph of this letter, I have taken into account the obligation to ensure such protection. I do not, however, agree that under the General Armistice Agreement, protection of established private rights in the Zone has been "the sole concern of United Nations representatives throughout". A study of the decisions taken in connection with the Huleh drainage scheme, to which you have referred in paragraph 4 of your letter, will, I think, support my opinion.

4. I shall recall in this connection that at a meeting of the Israel-Syrian Mixed Armistice Commission held on 21 February 1951, one month after the execution of the Huleh drainage scheme had started, the two Parties agreed to seek the opinion of my predecessor, General W.E. Riley, on the question whether the execution of the scheme would give Israel a military advantage. After studying the terrain along the demarcation line and east of the international border between Syria and

Palestine in the vicinity of the Huleh marshes, General Riley concluded that in draining Lake Huleh, the Israelis would not enjoy any military advantages not equally applicable to the Syrians (Document S/2049, Part IV, paragraph 3). The question of the military advantages which the execution of the scheme might give to Israel was thus settled in the negative, following an agreed procedure between the Parties (request addressed to the Chief of Staff). The absence of an agreed procedure in the case of the present Israeli project, which would considerably alter the flow of the Jordan in the Demilitarized Zone, does not, in my view, relieve the Chairman of the Mixed Armistice Commission of the responsibility of considering the military consequences of such a project in the light of the provisions of the General Armistice Agreement.

As regards protection of established private rights, Your Excellency has quoted excerpts from a reply made by my predecessor to one of the questions put to him during the meeting of the Security Council held on 2 May 1951. The question was: "Would you consider the question of the rights involved in the concession of the Palestine Land Development Company to be a question which might fall within the jurisdiction of the Mixed Armistice Commission?" General W.E. Riley's answer was: "Only where it involves land within the demilitarized zone which is the property of Arab refugees. That is the only part of the concession with which we have anything to do... etc." That answer concerning work already begun or projected by the Palestine Land Development Company in the Demilitarized Zone should, it seems, be considered in its context: at that time the question of a possible military advantage had already been disposed of, and as regards the protection of normal civilian life, it appeared that only some seven or eight acres of land owned by Arabs in the Demilitarized Zone would be affected. Similarly, I can state today that the question of the rights involved in the concession granted by the High Commissioner for Palestine to the Palestine Electric Corporation Limited on 5 March 1926 does not fall within the jurisdiction of the Mixed Armistice Commission or its Chairman, but that I am only concerned with the implementation of Article V of the General Armistice Agreement. The provisions of Article V include the protection of the rights of Arab owners whose lands should not be worked upon, flooded or deprived of water without their consent, and also the protection of acquired rights to the water of the river Jordan which flows

in the Demilitarized Zone and which has been used up to now for irrigating lands, watering cattle, or operating mills..

As regards this question of the waters of the Jordan, there is between the Huleh drainage scheme and the present canal project a considerable difference. The execution of the Huleh drainage scheme has not diminished the quantity of water flowing in the bed of the Jordan in the Demilitarized Zone, nor caused damage to irrigated lands - except temporarily. (I have referred in paragraph 8 (d) of my decision of 23 September 1953 to the temporary damage caused in October 1951 and April 1952 by the operation of checking gates.) The construction of the projected canal would, on the other hand, alter the flow of the Jordan permanently and, unless definite obligations were entered into, it would, in all likelihood, adversely affect, particularly during the dry season, the life of the people depending on the waters of the river. In the case of the Huleh, my predecessor stated, at the end of the passage you have quoted: "I am only involved in the normal restoration of life within the Demilitarized Zone which affects the thirty, forty or fifty Arabs that own the approximately seven or eight acres of land within the Demilitarized Zone." The present canal project, the execution of which would result in considerably lowering the waters of the Jordan, affects many more Arabs and many more acres of land.

5. As indicated in the preceding paragraph, the rights of the Palestine Electric Corporation or the other private rights within the Demilitarized Zone to which you have referred are not in question. What is in question is the right to start work in the Demilitarized Zone in connection with the present canal project, when the present provisions of the General Armistice Agreement are in force. As stated in the first paragraph of the Acting Mediator's authoritative comment: "Civil administration, including policing, will be on a local basis, without raising general questions of administration, jurisdiction, citizenship and sovereignty".

You state that "full care has been taken to ensure that the work should in no way impinge upon any private Arab land in the area, nor curtail the use of water for irrigation by landowners and cultivators within the Demilitarized Zone"

and that "in these circumstances it was but natural that the Chairman of the Israel-Syrian Mixed Armistice Commission, when informed of the commencement of the project on 2 September 1953, should have expressed his concurrence with it". The Acting Chairman (there was, at that time no Chairman designated by me in conformity with Article VII, paragraph 1, of the Armistice Agreement, and I had not yet returned from New York) was informed of the commencement of the project on 2 September, when the work had already started. After another conversation, on 3 September, he received a letter from the Senior Israeli Delegate, dated 4 September, which reads: "Following our meetings on 2 and 3 September 1953, I would like to confirm in writing the following: Chairman concurs with the Northern Irrigation Project which started on 2 September 1953, as outlined to him during the above meetings, it being understood that no digging will be effected on Arab-owned land, unless an arrangement is reached between the Project Authority and the landowners." The Acting Chairman asked for more data about the project and was shown on 7 September the proposed route of the canal. On 9 September he sent to the Senior Israeli Delegate the following note: "In answer to your letter dated 4 September 1953, I wish to inform you that due to the importance of this so-called 'Northern Irrigation Project' and to the fact that I am only Acting Chairman, I put the whole matter in the hands of the Chief of Staff..." It does not result from the above that the necessary concurrence was expressed with regard to the canal project. The letter from the Senior Israeli Delegate dated 4 September, following the conversations on 2 and 3 September, when the "Northern Irrigation Project" was outlined to the Acting Chairman, cannot replace formal concurrence expressed after a study of the plan and its consequences. As Chairman of the Mixed Armistice Commission, I have had to undertake such a study and, in connection with it, I have, as you indicate, raised points for clarification, while reserving my conclusions as to the legitimacy or illegitimacy of the project until I had examined the matter under its various aspects.

6. I agree with your statement that my conclusions are based on the examination of the three points you have summarized in your paragraph 6. I should like to add in this connection that they are based on no other consideration. There are in your letter two passages (last sub-paragraph of paragraph 5, and second sentence

of paragraph 9) which seem to imply that my conclusions may have been influenced by "open threats of the Syrian Government". I should like to repeat here the assurance already given to you that no kind of threats have influenced or will influence my decisions as Chief of Staff or as Chairman of a Mixed Armistice Commission. You have accepted my assurance "without reserve" and it is no longer necessary for me to deal with the matter.

7. I shall now submit my comments on the observations contained in subparagraphs 7 (a) to 7 (f) of your letter.

(a) and (b): I had indicated in paragraph 7 (a) and my decision that the moot point whether work in connection with the canal project had been started on Arab-owned lands on the West bank of the Jordan would have to be investigated and that United Nations observers would study land titles in the possession of Arabs and in the Land Office in Safad. United Nations observers would also investigate the question of the ownership of the island which, near the site of the work, divides the river Jordan into a right and a left branch. United Nations observers had reported that, as a result of the construction of a dyke across the right branch the island had been partially flooded. In paragraph 7 (a) of your letter you have recalled Israeli representatives' assurances that "the project has not so far involved, nor will it involve in the future, the use of Arab-owned land in the Demilitarized Zone, and that it has not otherwise affected, nor will it in the future affect, such land." You have also stated that my representatives would receive the full co-operation of the Israeli authorities in their examination of the files of the relevant Land Registry Office. The results of the examination may be summarized as follows: the island, whose shape and size are variable (it was, when I saw it, approximately twenty times the size mentioned by Your Excellency) does not appear on the Safad land map or land books and the Arab refugees who claim ownership have produced no titles. It has, on the other hand, been proved that they own four plots of land (nearly 20 dunams altogether) which are located on the right bank of the Jordan, where it bends and flows in an East-West direction (around MR. 208.950 - 267.600). It is between that part of the right bank and the island that the Israeli engineers have constructed the dyke necessary to start the canal project. According to the assurances by Israeli representatives, to which you have referred, such Arab land should have been

neither "used" nor "otherwise affected" and it should in the future neither be used nor affected. It has however been used: Israeli workmen have crossed it to build the dyke in the western branch of the river, their power shovels, placed in the river bed and also on Arab land, have piled up boulders and soil on it (these have been to date removed to a large extent); heavy machinery has overturned the ground; trees have been felled; Israeli police guarding the site have used an old Arab mill as a bivouac.

(c): When, on 14 September, I visited the east bank of the Jordan, I was shown two Arab mills which had ceased working and an Arab land which had ceased being irrigated. I mentioned in paragraph 7 (b) of my decision that the explanation given, viz. "that lack of water resulted from Israeli work in the bed of the river, appeared to me, after a rapid investigation, plausible". In paragraph 7 (c) of your letter you state that the two mills shown to me on 14 September as having ceased to work owing to lack of water "have actually not been in operation for years and that, moreover, the canal leading to these mills branches off from the Jordan north of the point from which the contested new canal is being dug, so that the digging of the canal and the diversion of water into it could have no possible effect upon these two mills". As I had indicated, my investigation on 14 September had been "rapid" and I had accepted the explanation given to me as merely "plausible". I am now in a position to comment both on my statement and on your observations concerning it. Your observations are correct with regard to one of the two mills, viz. the one which I did not enter on 14 September but saw from a short distance. (It is moreover quite possible that I misunderstood what was said to me about this mill.) On the other hand, the other mill, Tahumat Najmat es Subh, has been in operation this season. When I visited it, I found that the canal leading to it did not contain enough water for its operation. United Nations observers have confirmed that the water level had fallen to 1/3 of its former level, following the destruction of the dyke which had been built in the river bed to divert water into the canal. In digging out the bed of the river and constructing the new dyke across its western branch, Israeli workmen destroyed the dyke constructed by the owner of the mill. They have at the same time deprived of water the irrigated plot of land to which I have referred.

(d): The question of definite assurances by the Israel Government "that the volume of Jordan water now used by Arab landowners or cultivators for irrigation purposes will remain available in the future" is one of the questions which, in my view, should have been discussed before starting work on the new project. After the explanations given by Israeli officers and engineers, I am convinced that unless definite obligations are entered into to protect existing water rights, the project to derive from the Jordan enough water to generate electric power of 24,000 kilowatts, would leave the present river bed with very little, if any water, during the dry season, when the lands would be most in need of irrigation. This can be substantiated by the following figures supplied by Israeli engineers: in the rainy season the flow of the Jordan in this area is 36 cubic meters per second; it falls to 8 cubic meters per second in September and 7 cubic meters in October.

(e): I agree that respect for the demilitarization provisions relating to the Zone is essential so long as they exist. However, the value of the Demilitarized Zone as a buffer zone would be different if one Party controlled the flow of the Jordan in the Zone by means of a canal. I have only considered the question of the altered military value of the flow of the Jordan in the Demilitarized Zone, resulting from the construction of such a canal. You have considered another question, that of the military value of the canal in which the water derived from the river would flow. The canal, in your opinion, would only constitute an obstacle for a party bent upon aggression. You add that "for its part, the Government of Israel has consistently abjured aggression. Were it nursing aggressive designs, it would be thwarting its own purpose" by digging the canal. From a purely technical point of view, it is not quite clear to me how the Government of Israel "were it nursing aggressive designs, would be thwarting its own purpose" by digging, in an area not affected by the demilitarization provisions of Article V, a canal running parallel to the Jordan river bed. From a purely military point of view, the existence of such a canal would permit the Party controlling it to economize its forces in the area and increase them elsewhere.

(f): I have noted your interpretation of Article II, paragraph 1, of the Armistice Agreement which reads as follows: "The principle that no military or political advantage should be gained under the truce ordered by the Security Council

is recognized." Another interpretation seems to have been accepted in February 1951, when, as reported to the Security Council by General W.E. Riley (S/2049, Part IV, paragraph 2), "both delegations agreed mutually to seek the opinion of the United Nations Chief of Staff on the question as to whether the work undertaken by the Israeli authorities (the drainage of the Huleh marshes) constituted a contravention of Article II (military advantage) of the General Armistice Agreement". However, I have not in my decision referred to Article II, paragraph 1, and such reference was not, in my opinion, necessary. Lake Huleh and the Huleh marshes are outside the Demilitarized Zone, while the Jordan, between Lake Huleh and Lake Tiberias, flows in the Zone. As Chairman of the Mixed Armistice Commission, entrusted with special responsibilities in the Demilitarized Zone under Article V, 5 (c), of the General Armistice Agreement, I have considered the military aspect of the diversion of a considerable quantity of water from the present river bed with reference to the provisions of Article V.

8. With regard to the question of Buteiha Farm, you state that "the decisive consideration here is that the Armistice Agreement provides for the restoration of civilian life - and by implication for the protection of private rights - only within the Demilitarized Zone, and not outside it, either in Syria or in Israel". I agree with this statement. It implies that Arab private rights, including Syrian property in the Demilitarized Zone and existing water rights for such property, shall be protected. This settles the question of the water rights of the owners of Buteiha Farm in so far as their property in the Demilitarized Zone is concerned. There remains the question of the irrigation of the lands of Buteiha Farm in Syria. The following provision in the Franco-British Agreement respecting the boundary line between Syria and Palestine (7 March 1923) refers to Syrian water rights as follows: "Any existing rights over the use of the waters of the Jordan by the inhabitants of Syria shall be maintained unimpaired." This is the basis of the Syrian contention that they have water rights outside the Demilitarized Zone not depending on what, in your opinion, "was an ex-gratia act" on the part of Israel.

In this connection you refer to the operation of the checking gates south of Lake Huleh in April 1952 and you characterize such operation as being "a matter of the internal administration of the Demilitarized Zone and not one of concern to Syria; it was not subject to agreement between Israel and Syria, but was carried out solely with the concurrence of the Chairman of the Mixed Armistice Commission." Allow me to quote in this connection the following passages from General Riley's report to the Security Council, dated 30 October 1952. (S/2833, paragraphs 59 and 60):

"59. The work of the Palestine Land Development Company has continued throughout the period covered. As reported in document S/2389, paragraph 22, a test, in October 1951, of the checking-gates of the Jordan River just south of Lake Huleh showed that a reduction in the flow of the Jordan sufficient to permit the operation of equipment in the river bed would result in a considerable loss of water in the irrigation system of Buteiha Farm which lies in Syrian territory, East of the Jordan River and immediately North-East of Lake Tiberias. On 22 January 1952, the Chairman reached an agreement with both parties whereby the checking-gates could be operated for a period of about three weeks in order to effect emergency repairs to the Banat Yacoub Bridge. On 9 April 1952, emergency repairs to the bridge having been effected, and in view of strong representations on the part of the owners of Buteiha Farm, the Chairman withdrew his concurrence to further use of the checking-gates until another agreement should be reached by the two parties. Use of the checking-gates, except in minor instances and for very short periods, has been discontinued.

"60. In a further effort to arrange for the operation of the checking-gates, a conference was held between representatives of the Palestine Land Development Company and the owners of Buteiha Farm, the delegations to the Mixed Armistice Commission of both parties and the Chairman. At this conference, the farm owners pointed out that the estimated value of the 1952 crop was approximately US \$750,000 and that about 18,000 dunams of land would be under irrigation during the season. Loss of irrigation water in Buteiha Farm would result in a serious financial loss to the farm owners, and indirectly, to the Syrian Government. The owners of Buteiha Farm, with the concurrence of the Senior Syrian Delegate, offered to agree to controlled use of the checking-gates if prompt payment for resulting damage was made by Israel. This offer was not accepted."

9. You have summarized in paragraph 9 of your letter the reasons why you have refused to comply with the request contained in paragraph 9 of my decision, that the Israeli authority which started work in the Demilitarized Zone on 2 September be instructed "to cease working in the Zone so long as an agreement is not arranged". The comments contained in the preceding paragraphs of this letter explain why my request was made.

10. I welcome the statement that "it remains the firm policy of the Government of Israel to adhere strictly to its obligations under the Armistice Agreement". You refer at the same time to your Government's conception of the powers and functions of the Chairman of the Mixed Armistice Commission under the terms of the Armistice Agreement. You quote, in this connection, a passage from the Israel representative's statement at the 547th meeting of the Security Council on 18 May 1951. I quite agree that, as stated by Ambassador A. Eban, "if either party had not wished the Chairman to have certain functions, then he would not have had them". I am sure, however, that this cannot be taken to imply that it remains for either Party to decide whether the Chairman acts in conformity or not with the functions conferred upon him by both Parties. That would mean anarchy in the Demilitarized Zone, in which both Parties have agreed to confer special powers upon the Chairman under the provisions of Article V of the Armistice Agreement. If there is a difference on the interpretation of these provisions, the two Parties have provided a remedy. Article V is not one of the Articles which the Mixed Armistice Commission may not interpret, since Article VII, paragraph 8, reads as follows:

"8. Where interpretation of the meaning of a particular provision of this Agreement, other than the preamble and Articles I and II, is at issue, the Commission's interpretation shall prevail. The Commission, in its discretion and as the need arises, may from time to time recommend to the Parties modifications in the provisions of this Agreement."

With regard to the idea, ruled out by your representative, that the Chairman of the Mixed Armistice Commission should operate by "mandatory requests" directed to the very governments which have defined his functions, I should like to point

out that the Chairman has been operating by "requests" in the past and that, apart from the objection raised by your representative in the passage you have quoted, there has been neither on the Israeli side nor on the Syrian side any objection in principle to such procedure. My predecessor, in his reports to the Security Council, has mentioned that such requests have been made from time to time. I shall give only two instances, which refer to the period following Ambassador A. Eban's statement. On 7 August 1951, General Riley wrote a letter to Your Excellency which is reproduced in his report to the Security Council dated 16 August 1951 (S/2300, paragraph 7). At that time, the Palestine Land Development Company, in the course of the execution of the Huleh drainage scheme, was contemplating to employ a survey team on the East bank of the Jordan, south of Lake Huleh, and to emplace between the two banks a dam which, according to information received, would stop the flow of the river between Lake Huleh and Lake Tiberias about 5 days a week for a considerable period of time. The last paragraph of the letter which my predecessor wrote in this connection to Your Excellency reads as follows:

"Therefore, in view of the responsibility given to the Chairman of the Mixed Armistice Commission by Article V of the General Armistice Agreement and in accordance with instructions contained in the Security Council resolution S/2157 dated 18 May 1951 which authorizes the Chief of Staff 'to take such measures to restore peace in the area and to make such representation to the Governments of Israel and Syria as he may deem necessary' and further in view of the consultations on outstanding problems envisaged in Mr. Eban's letter to me of 4 August 1951, I urge strongly that the Palestine Land Development Company be restrained from dispatching a survey team to the east bank of the Jordan and from proceeding with the proposed emplacing of the dam across the Jordan."

There was, it seems, no objection to his issuing such request. It was apparently complied with, since the following paragraph of his report (paragraph 8) states:

"I have just been informed that the Palestine Land Development Company has submitted a project which, it is claimed, can be carried out without encroaching on the east bank of the Jordan and interfering with normal irrigation."

I will give another instance, that of the test of the checking gates south of Lake Huleh, on 8 and 9 October 1951. In this connection, General Riley has reported to the Security Council as follows (paragraph 22 of his report dated 6 November 1951 [S/23897]):

"The water loss in the irrigation system of Buteiha Farm (in Syrian territory) was estimated by United Nations Observers to have been as much as 70 per cent. The test was terminated and the project to reduce the flow of water by means of the checking gate abandoned. It is a matter of satisfaction that, in this case, requests to cease the operations made by the Chairman were immediately complied with."

11. The above are the comments you had requested on the considerations you have set forth. I apologize for their length. I have, however, thought it necessary to explain as fully as possible the motives of my decision, especially in view of the fact that the issue has been submitted to the Security Council.

Yours sincerely,

Major General Vagn Bennike
Chief of Staff

His Excellency Mr. Moshe Sharett,
Minister for Foreign Affairs,
Government of Israel.

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Press Release PM/2684

27 October 1953

REPORT BY THE CHIEF OF STAFF OF THE TRUCE SUPERVISION ORGANIZATION
IN PALESTINE, MAJOR GENERAL VAGN BENNIKE, BEFORE THE
SECURITY COUNCIL, TUESDAY AFTERNOON, 27 OCTOBER 1953

Mr. President,

The Security Council, at its 626th meeting, on 19 October, requested me to proceed to New York and report in person. I am grateful for this opportunity to give the Security Council the information at my disposal. The three Governments which, on 17 October, submitted the question, stated that, in their opinion, its consideration was "necessary to prevent a possible threat to the security of the area". I am also of the opinion that a threat to the security of the area is possible and that the situation deserves the attention of the Security Council.

1. The Israel-Jordanian General Armistice Agreement

2. I shall deal, in the first place, with the situation along the armistice demarcation line between Israel and Jordan. The text of the item which the Security Council has decided to discuss refers especially to recent acts of violence, and in particular to the incident at Qibiya on 14/15 October.

3. Before dealing particularly with the Qibiya incident, I should like to make a brief reference to previous incidents which, since the beginning of this year, have also constituted grave violations of the cease-fire between Jordan and Israel:

4. The Falame-Rantis incident: on 28/29 January, Israeli military forces estimated at 120 to 150 men, using two-inch mortars, three-inch mortars, P.I.A.T. (Personnel - Infantry - Anti-tank weapons), Bangalore torpedoes (a long metal tube containing an explosive charge), machine guns, grenades and small arms, crossed the demarcation line and attacked the Arab villages of Falame and Rantis. At Falame the mukhtar was killed, 7 other villagers were wounded and 3 houses were demolished. The attack lasted 4-1/2 hours. Israel was condemned for this act by the Mixed Armistice Commission.

5. The Jerusalem incident: on 22 April, firing broke out at sunset within Jerusalem along the demarcation line on a length of about 4 kilometers. It lasted two hours until the cease-fire arranged by United Nations observers came into effect. On the following day, there were isolated shots in the early morning and in the afternoon. There were 20 Jordanian casualties (10 killed and 10 wounded).

(more)

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Six Israelis were wounded. The Jerusalem incident was investigated by United Nations observers. After studying the evidence thus collected, my predecessor, General Riley, in a report to the Security Council on the violation of the cease-fire (S/3007), stated that it appeared impossible to determine who fired the first shot.

6. The Dawayima incident: on 25, 26 and 27 May, the two Parties handed in complaints alleging violation of the General Armistice Agreement by civilians and military personnel in the Dawayima area. In an emergency meeting of the Mixed Armistice Commission, both Parties agreed on a mixed investigation. United Nations observers accompanied the Delegates to the demarcation line to establish the facts. Despite the cease-fire which had been previously arranged, heavy firing broke out during the investigation. The origin of the incident was the illegal cultivation by Jordanians of land in Israel territory. Armed Jordanians had penetrated Israel territory to harvest crops and other Jordanians had fired across the demarcation line to protect the harvesters. On the other hand, Israeli troops had fired across the demarcation line at Jordanians in Jordan territory and Israeli soldiers had burnt crops in Jordan territory.

7. Action of armed groups in the Central Sector: during the latter part of May 1953, incidents took place that cost the lives of three persons and the wounding of six others. There seemed to be no motive for these crimes other than killing for the sake of killing. On the night of 25/26 May, an armed group from Jordan attacked two homes in Beit Arif, wounding two women. The same night armed Jordanians attacked a home in Beit Naballa, killing one woman and wounding her husband and two children. Jordan was condemned for all three of these attacks. On the night of 9 June, armed Jordanians blew up a house in Tirat Yehuda, killing one man, and two nights later an armed band struck at a house in Kfar Hess killing a woman and seriously wounding her husband. Jordan was again condemned by the Mixed Armistice Commission for these attacks. Both Governments were greatly concerned over the happenings during this fortnight and a great effort was put forth to stop the work of these groups who seemed bent on creating tension along the border.

8. The Wadi Fukin, Surif and Idna incidents: on the night of 11 August 1953, Israeli military forces using demolition mines, Bangalore torpedoes, two-inch mortars, machine guns and small arms, attacked the villages of Idna and Surif and Wadi Fukin, inflicting casualties among the inhabitants and destroying dwellings. The Mixed Armistice Commission condemned Israel for these attacks.

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9. The Qibiya incident: the information I am going to submit on the Qibiya incident is based on reports received from United Nations observers and in particular from the senior officer who is the Acting Chairman of the Mixed Armistice Commission.

10. Following the receipt of a Jordanian complaint that a raid on the village of Qibiya had been carried out by Israeli military forces during the night of 14/15 October between 9.30 p.m. and 4.30 a.m., a United Nations investigation team departed from Jerusalem for Qibiya at about 6.30 a.m. on 15 October. The Acting Chairman also left for Qibiya on the same morning. On reaching the village, he found that between 30 and 40 buildings had been completely demolished, among which were the school, the water pumping station, the police station and the telephone office.

11. Near the police station one lorry had been completely destroyed by fire. The necks and trigger attachments of incendiary bombs were found nearby.

12. Bullet-riddled bodies near the doorways, and multiple bullet hits on the doors of the demolished houses indicated that the inhabitants had been forced to remain inside until their homes were blown up over them.

13. There were several small craters along the western perimeter of the village and the tails of two-inch mortar shells were found. Four gaps, approximately three meters in width, had been blasted in the barbed wire protective fence surrounding the village. Fragments, easily identifiable as parts of Bangalore torpedoes, were found near these gaps.

14. By the time the Acting Chairman left Qibiya, 27 bodies had been dug from the rubble. The villagers were digging for others they claimed were still buried beneath the building stones. They believed that the number of dead might reach 60. Six wounded persons were seen in the village, and the Acting Chairman was told that there were other wounded persons in the hospital.

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15. Witnesses were uniform in describing their experience as a night of horror, during which Israeli soldiers moved about in their village, blowing up buildings, firing into doorways and windows with automatic weapons, and throwing hand grenades. A number of unexploded hand grenades, marked with Hebrew letters, showing recent Israeli manufacture, and three bags of TNT were found in and about the village.

16. An emergency meeting of the Mixed Armistice Commission was held in the afternoon of 15 October. The following resolution, moved by the Jordan Delegation, was adopted by majority vote, the Israel Delegation voting against:

"Part One

"a. The crossing of the Demarcation Line by a force approximating one half of a battalion from the Israeli regular Army fully equipped into Qibiya village on the night 14/15 October 1953 to attack the inhabitants by firing from automatic weapons and throwing grenades and using bangalore torpedoes together with TNT explosive by which 41 dwelling houses and a school building were completely blown up, resulting in the cold-blooded murder of 42 lives including men, women, children, and the wounding of 15 persons and the damage of a police car, at the same time, the crossing of a part of the same group into Shuqba village, is a breach of Article III, paragraph 2, of the General Armistice Agreement.

"b. The shelling by a supporting unit to that force by three-inch mortar guns from across the Demarcation Line on Budrus village, which resulted in the damage of some houses and a bus, and the wounding of an N. C. O. in charge of the National Guards is a breach of Article III, paragraph 3, of the General Armistice Agreement.

"Part Two

"The Mixed Armistice Commission decides that it is extremely important that the Israeli authorities should take immediately the most vigorous measures to prevent the recurrence of such aggressions against Jordan and her citizens."

17. I have discussed with the Acting Chairman of the Mixed Armistice Commission the reasons why he had supported the resolution condemning the Israel Army for having carried out this attack and, after listening to his explanations, I have asked him to state them in writing. I shall now read his memorandum.

18. "The following evidence led to my conviction that Israeli military forces planned and carried out this attack:

"1. Witnesses to the attack described the attackers as Israelis in military uniform with full equipment.

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- "2. The use of 81 mm. mortars against the village of Budrus. At least 25 hits of these shells were noted in and about Budrus and the tails of many were brought in as evidence by the United Nations observer. The 81 mm. mortar is a standard weapon of the Israeli Army and we have had no discussions in the Mixed Armistice Commission that would indicate that this weapon is used by other than military forces.
- "3. The use of Bangalore torpedoes to blast openings in the barbed wire fences, concertina type, surrounding the village of Qibiya. The Bangalore torpedo is normally used by military forces during an offensive action to blast a pathway through barbed wire entanglements and mine fields. On 28/29 January 1953, Israeli military forces raided the village of Falame, inside Jordan. In this instance 81 mm. mortars, P. I. A. T. and Bangalore torpedoes were among the weapons used. Israel was condemned for this action and it was brought out, not only in the discussion of the Falame incident, but in the discussion of the Israeli counter-complaints, that Israel military forces had carried out this raid. In August 1953, Israel was condemned for attacking the villages of Wadi Fukin, Idna and Surif in Jordan territory on the night of 11/12 August. In Wadi Fukin the attackers used Bangalore torpedoes, demolition bombs, and automatic weapons. The resolution, passed by the Mixed Armistice Commission, condemned Israeli regular forces for having carried out this raid. Substantiating the contention that regular military forces took part in these raids is that fact that the body of an Israeli soldier in full uniform with identification tag was found in the village of Idna after the attack. Again, we have discussed no complaint that would indicate the Bangalore torpedo is used by other than military forces.
- "4. The use of TNT demolition bombs in such quantity and with such expert results. One United Nations observer, a demolition expert, present at the investigation, pointed out the heavy construction of the cut stone buildings and the fact that many of them had overheads reinforced by steel rails. He estimated that at least 70 demolition bombs were used to accomplish the complete destruction noted.

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- "5. The use of two-inch mortars against the village of Qibiya. This weapon is also standard military equipment, and we have discussed no case that would indicate that this weapon is used by other than military forces.
- "6. The use of specially manufactured incendiary bombs to destroy a lorry inside the village of Qibiya. The necks and trigger attachments of these bombs were found near the burned vehicle. This type of bomb was used by Israeli military forces to burn a field of grain inside ~~Jordan~~ on 28 May 1953 in the Dawayima area. This incident was discussed at the 122nd Mixed Armistice Commission meeting and the following resolution was passed: 'The Mixed Armistice Commission decides that the burning of crops by Israeli soldiers in Jordan territory is a breach of the General Armistice Agreement, Article III, paragraph 3.'
- "7. The method of attack. The evidence noted indicated that this raid was well-planned and carried out by men expertly trained in the fundamentals of sudden and sustained attack. It seems highly improbable that other than active military forces could have carried out this raid without suffering heavy casualties from their own fire, or from the explosions of their demolition charges.
- "8. The approach to these villages from inside Israel is through an area protected by Israeli military forces. No group the size of that employed in the Qibiya, Budrus, Shuqba attack could move into this area or withdraw from this area undetected.

"In my estimation between 250 and 300 well-trained Israeli soldiers carried out this operation. As a break-down of this figure, I would say that at least 225 men took part in the actual raid inside Qibiya. This figure would account for the men used to bring the demolition bombs into the area, the unit handling the two-inch mortars, the infantry units used to protect the demolition groups and the units engaging the guards at different points throughout this village of approximately 1,500 inhabitants. The figure of 225 is considered an absolute minimum, as, it must be noted, the statement of the witnesses and the evidence found pointed out that the village was simultaneously attacked from three sides. In addition to the force used at Qibiya, at least one section of 8 or 9 men was used to carry out the raid against Shuqba village, and it is also estimated that at least one platoon from a heavy weapons company was engaged in the operation against Budrus.

"Signed: E. H. Hutchison, Commander, United States Navy."

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19. The technical arguments given by Commander Hutchison in this memorandum appear to me convincing.

20. The Qibiya incident and the other incidents to which I have referred should be considered not as isolated incidents, but as culminating points or high fever marks. They indicated that tension had increased to breaking point, either locally, in a particular area, or perhaps generally between the two countries. When breaking point is reached, either, according to the French phrase, "les fusils partent tout seuls", or temptation to resort to force may prevail over wise counsels and restraint.

21. A review of the incidents I have mentioned shows that each of them was preceded by a period of growing tension. The Falame incident, at the end of January 1953, marked the culmination of three weeks of rapidly developing tension. At the end of December 1952 the situation was quiet. On 29 December, an "Agreement to reduce border incidents", valid for one month, was signed. The conclusion of that Agreement could be interpreted as indicating a desire to settle current problems in a more cooperative spirit. Its provisions could be considered as greatly improving the "Agreement on measures to curb infiltration" which had been in force since May 1952.

22. The new Agreement stipulated that instructions would be given to all local authorities and commanders to strengthen measures to ensure the prevention of all illegal crossings of the demarcation line. It was also provided that firing would be reduced to a strict minimum; that it would be prohibited during daytime on people having crossed the demarcation line, unless they resisted arrest. Stolen property was to be returned as soon as found, without waiting for anything to be handed over by the other side in return; flocks found grazing on the wrong side of the demarcation line would be returned immediately, subject to payment for their keep, according to fixed rates, and also for the damage they might have caused. It was, moreover, agreed that complaints would be kept at a minimum by attempting to settle minor incidents at the local commanders' level.

23. A few days after that new Agreement had come into force, the Jordanians captured an Israeli driving school vehicle which had made an apparently stange mistake in leaving the Jerusalem-Tel-Aviv highway and crossing the demarcation line in very difficult terrain in the Latrun area. There were in the vehicle a civilian and three soldiers. The new Agreement provided that members of the security forces of either Party who crossed the demarcation line "by mistake" should be returned after interrogation. The Jordanians having delayed the return

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of the three soldiers, Israel announced on 8 January that the new Agreement to reduce and solve incidents was null and void. The Agreement provided that, if it came to expiration, the old "Agreement on measures to curb infiltration", signed on 13 May 1952, would automatically re-enter into force. On 8 January, Israel gave also formal notice of its desire to terminate the old Agreement in two weeks' time, as permitted by the text of that Agreement.

24. Thus, on 22 January, the local commanders' agreement for the prevention and settlement of minor incidents, particularly the crossing of the line by infiltrators or by flocks, came to an end. On that day an Israeli soldier was killed when an Israeli patrol crossed the demarcation line and exchanged fire with the inhabitants of Falame village.

25. On 24 January, Israeli representatives had a conversation with Mr. Vigier (the Chief of Staff, General Riley, was then in New York). The Israeli representatives suggested a meeting between Israeli and Jordanian military commanders of high rank to discuss means of solving problems caused by infiltration. They quoted in this connection detailed figures relating to criminal acts alleged to have been committed during the year 1952 by infiltrators from Jordan. They stated that the main areas affected by marauders were Jerusalem and the Jerusalem corridor, the plain of Sharon and the Beisan valley. Among the villages listed by Israel as those being used as bases of operation by the marauders, were Falame, Rantis and Qalqilya. A few days later these villages were in fact the theatre of serious incidents. Falame (which had been first attacked on 22 January) and Rantis were attacked on the night of 28/29 January by Israeli armed forces. Near the village of Qalqilya, on the night of 2/3 February, the Israeli railway was attacked with explosives by men coming from Jordan; and Israeli forces fired on the village across the demarcation line.

26. After this flare-up in the Rantis-Falame-Qalqilya area, the situation calmed down to some extent. The talks between high ranking military commanders proposed by Israel at the end of January did not take place. There were instead, during the month of March, talks on the problem of infiltration between the Senior Delegates to the Mixed Armistice Commission. These talks led to no result.

27. The situation again became tense in April until it reached its breaking point in the flare-up in Jerusalem on 22 April. Among the incidents which indicated and/or provoked an increase in tension, I shall mention particularly the Tel Mond incident on 5 April when two Israelis were killed (the responsibility for this crime was never fixed as the complaint was written off the agenda of the Mixed

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Armistice Commission without discussion or vote); the Wadi Fukin incident on 18 April, when Jordan alleged that Israelis had crossed the demarcation line and attacked Jordanians, while Israel complained that Jordanians had killed an Israeli watchman and wounded another. In the Wadi Fukin incident, the Chairman of the Mixed Armistice Commission considered that the conflicting evidence obliged him to abstain from voting. The Israeli Delegation then refused to vote and the officer in charge of the Israeli Delegation to the Mixed Armistice Commission stated that he saw no useful purpose in the working of the Mixed Armistice Commission.

28. The major Jerusalem incident on 22 April was immediately preceded by the murder on 20 April of two persons in the western part of the city, a murder which was attributed by the Israelis to infiltrators from Jordan. The Jordanians claimed that it was an internal crime carried out by Israeli criminals. This incident was later written off the agenda of the Mixed Armistice Commission without discussion or condemnation.

29. I have already referred to the flare-up in Jerusalem on 22 April. My predecessor had reported to the Security Council about it, and I shall only add this comment: Jerusalem, when tension increases between Israel and Jordan, is a dangerous powder keg. I have been told in particular by the Israeli authorities that criminal activities by infiltrators in the Israeli part of Jerusalem would create a very grave situation. To prevent such a situation from developing, we must depend on the Governments of both Parties to maintain a vigilant watch along the demarcation line and to stop individuals or groups bent on marauding, smuggling, or retaliation, from carrying out their intent. We must also depend on the cooperation of the two armies and police forces at the local commanders' level. The Truce Supervision Organization will, for its part, continue to fulfill its task. Its headquarters are in the Holy City. It was in a position, on 22 April, to act quickly and arrange a cease-fire.

30. Since 22 January, when the Agreement on measures to curb infiltration was cancelled, the number of complaints reaching the Mixed Armistice Commission had steadily increased. 91 complaints were handed into the Mixed Armistice Commission during the month of May. Efforts were made to persuade the Parties to accept again the procedure of local commanders' meetings which, in the past, had proved of great assistance in dealing rapidly with local incidents, including minor cases of infiltration. These efforts succeeded at the beginning of June and a new local commanders' agreement was signed on 8 June (S/3030). Afterwards, local commanders' meetings were held almost daily in various places along the demarcation line and the situation improved to some extent.

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31. The efforts to revive the idea of high level talks between senior military commanders were also successful. A meeting was held on 29 June. In my report to the Security Council (S/3047), I summed up the results of the meeting as follows:

"Jordan is taking measures against infiltration and will continue to do so. Israel will cooperate by supplying information to Jordan on infiltration. Israel will seek to improve methods of transmitting such information quickly, so that Jordan can make effective use of it. Detailed arrangements will be worked out in a meeting of high ranking police officers of both sides, which has been convened for 8 July. No further meeting between the two senior military commanders has been scheduled. However with an improvement of the situation another meeting between them might be arranged with a view to achieving further progress."

32. However, no detailed arrangements were agreed upon by the high ranking police officers in the two meetings which they held in July. Existing arrangements for implementing the local commanders' agreement remained unaltered.

33. ~~Neither has the further meeting between senior military commanders, which had been contemplated with a view to achieving further progress, taken place to date.~~

34. On 31 August 1953, the local commanders' agreement of 8 June was renewed for a further period of three months. From a practical point of view, local commanders' meetings have continued to be more useful than formal meetings of the Mixed Armistice Commission. My predecessor, in his report on the Jerusalem incident, has indicated (S/3007, paragraph 12) that the machinery of the Mixed Armistice Commission "did not function properly, since delegates tended to act as lawyers defending a case in a court..." Meetings of local commanders and police officers are freer from politics and can be more efficient.

35. Despite the useful work done in local commanders' meetings, tension has not subsided. Public opinion on either side has been inflamed by incidents. The hand grenade thrown on the night of 12/13 October into a house in the Israeli village of Yahude, which caused the death of two small children and their mother, may have provoked the attack on Qibiya 48 hours later, that resulted in the death of 53 Arab inhabitants and the destruction of more than 40 dwellings. On 22 October, the explosion of a land mine on the Israeli railway north of Ayal derailed an Israeli freight train. The Mixed Armistice Commission held Jordan responsible for this act of violence which fortunately caused no loss of life and relatively little damage, as the train was made up of empty tank cars.

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36. The latest news received from the United Nations observers indicates the persistence of tension, particularly in Jerusalem. Each Party has accused the other of concentrating more troops than allowed under the General Armistice Agreement in the so-called defensive areas, on both sides of the city. At an emergency meeting held on 24 October, the Mixed Armistice Commission decided that there should be an immediate investigation on both sides by United Nations observers. The investigation has disclosed no evidence of excessive troops in the two defensive areas. The situation is, however, dangerous and should be watched closely.

II. The Israel-Egyptian General Armistice Agreement

37. The main difficulties respecting the implementation of the Israel-Egyptian General Armistice Agreement have arisen along the demarcation line of the Gaza Strip and also, during the last few months, in connection with the El Auja Demilitarized Zone.

38. The Egyptian controlled area known as the "Gaza Strip" is about 4 kilometers wide and 50 kilometers long. It has a population of approximately 250,000 of which 200,000 are Palestine refugees. The majority of Israeli complaints in connection with that area refer to infiltration into Israel. Water pipes, pumps, cattle and crops have been stolen from the Israeli settlements in the Negev. The Israelis have retaliated by shooting at Arabs seen crossing the demarcation line. They have also sent motor patrols along the line, and shot at Arabs working on their lands in Egypt controlled territory. (This has, however, decreased somewhat in recent months.) There have been also night raids against Arab villages, during which people have been shot and houses blown up. After every serious shooting incident, Arabs have usually retaliated by laying mines on roads and tracks in Israel territory. The blowing up of an Israeli vehicle by a mine results in retaliatory action and the cycle of reprisals repeats itself.

39. One of the latest and gravest incidents in the Gaza Strip has been the attack upon several houses and huts in the Arab refugee camp of Bureij on the night of 28 August. That camp, organized and administered by UNRWA, is situated about 2 kilometers west of the demarcation line. Bombs were thrown through the windows of huts in which refugees were sleeping and, as they fled, they were attacked by small arms and automatic weapons. The casualties were 20 killed, 27 seriously wounded, 35 less seriously wounded. The Mixed Armistice Commission, in an emergency meeting, adopted by a majority vote a resolution according to which the

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attack was made by a group of armed Israelis. A likely explanation is that it was a ruthless reprisal raid. This seems probable in view of the fact that a quarter of the Israeli complaints during the preceding four weeks referred to infiltration in the area.

40. The Egyptian authorities have taken measures to cope with the problem of infiltration. The presence of 200,000 Palestine refugees in the Gaza Strip, however, renders their task particularly difficult.

41. South of the Gaza Strip, after a long period of quiet on the Egypt-Palestine frontier, the Israelis started in the early summer intensified action against the few Beduins who lived in the empty wastelands of the desert on both sides of the frontier, and north of the El Auja Demilitarized Zone. Israeli aeroplanes attacked Arabs and their herds of camels and goats. At the same time, incidents of increasing gravity occurred in the Demilitarized Zone itself. Israeli armed groups patrolled the Zone; they shot at Beduins at the two main wells; Arabs and their herds were killed by air and ground attacks; armed Israeli forces, up to approximately 30 men, shot the herds and burned the tents of Beduins.

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42. This appears to have been preparation for the establishment in September of an Israeli settlement at Abu Ruth, just east of the Demilitarized Zone, at about 8 kilometers from the road junction at El Auja. Three weeks later a new and smaller settlement, Rahel, was established in the Demilitarized Zone, at 2 kilometers from the road junction at El Auja.

43. The Egyptian Delegation sent a complaint to the Mixed Armistice Commission concerning these developments. In an emergency meeting held on 2 October, the following draft resolution moved by the Egyptian Delegate was adopted by a majority vote, Israel voting against:

"The Mixed Armistice Commission, having discussed the Egyptian complaint no. 336 decides:

"1. That an armed Israeli force has entered several times the Demilitarized Zone and attacked the Beduin inhabitants in the area, killing them and their livestock and preventing them from having water from the wells in the area, thus constituting a flagrant violation of Article VIII, paragraphs 1 and 5, of the General Armistice Agreement.

"2. That the existence of an Israeli armed force and regular Israeli police in the new kibbutz established in the Demilitarized Zone is a violation of Article IV, paragraph 1, and Article VIII of the General Armistice Agreement.

"3. That the Chairman of the Mixed Armistice Commission is called upon to take such measures as he deems necessary to avoid future violations of the Demilitarized Zone."

44. After the adoption of this resolution, the Israel Delegate submitted an appeal against it. It requested that the case be brought before the Special Committee, in accordance with Article X, paragraph 4, of the Israeli-Egyptian General Armistice Agreement.

45. A second draft resolution, moved by the Egyptian Delegate, was not adopted, the Chairman having abstained from voting. The draft resolution read as follows:

"The Mixed Armistice Commission, having discussed the Egyptian complaint no. 336 decides:

"1. That the new kibbutz established in the Demilitarized Zone near the road junction in the area of El Auja village is a violation of Article IV, paragraph 1, and Article VIII of the General Armistice Agreement.

"2. That the Mixed Armistice Commission calls upon the Senior Israeli Delegate to ask Israeli authorities to remove the new kibbutz from the Demilitarized Zone as soon as possible."

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46. The Chairman of the Mixed Armistice Commission explained that he had abstained from voting because the question of civilian activities in the Demilitarized Zone is not specifically covered by the General Armistice Agreement. He recalled that at the time the Agreement was drawn up, no organized civilian activities existed in the Demilitarized Zone and no provision was inserted in the Agreement similar to the provisions in the Israel-Syrian Agreement. In these circumstances and in the absence of specific authority from the United Nations Chief of Staff in this respect, he felt he should abstain. However, he drew the attention of the Parties to Article XII, paragraph 3, of the Agreement which lays down a procedure for the revision or the suspension of its application. He thought that, under this provision, the Parties could reach a settlement on such questions which have arisen after the conclusion of the Agreement and which have not been clearly covered by any of its provisions.

47. I share the point of view of the Chairman concerning his decision to abstain from voting.

III. The Israel-Lebanese General Armistice Agreement

48. The application of the Israel-Lebanese General Armistice Agreement has given rise to relatively few and minor difficulties. This is due to a great extent to the fact that the demarcation line coincides with the Lebanese-Palestinian frontier. There are cases of infiltration, almost all from Lebanon into Israel, of flocks crossing the demarcation line, etc. Such cases are normally settled by the Subcommittee on Border Incidents.

49. There was tension between the two countries in June and July, following a number of armed attacks in northern Galilee, which Israel alleged were made by bands organized in Lebanon. Lebanon, while rejecting the Israel allegation, has strengthened the surveillance on its border.

IV. The Israel-Syrian General Armistice Agreement

50. I shall now consider very briefly the question of the implementation of the General Armistice Agreement between Israel and Syria. The difficulties which have arisen are connected with the application of the provisions relating to the Demilitarized Zone. The Security Council has been asked to consider the most recent difficulty, namely Israeli action within the Demilitarized Zone in connection with the execution of a new canal project.

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51. The other difficulties are those which General Riley has reported upon during the past two years: the economic situation of the Arabs in the Demilitarized Zone, encroachments on Arab lands, control exercised by the Israeli police over the greater part of the Zone, Israeli opposition to the fulfillment by the Chairman and United Nations observers of their responsibility for ensuring the implementation of Article V of the General Armistice Agreement.

52. To sum up, the present situation on the Israel-Jordan Demarcation Line is due to a large extent to the problem of infiltration. This problem is particularly difficult because the demarcation line is long (about 620 kilometers) and because it divides the former mandated territory of Palestine haphazardly, separating, for instance, many Arab villages from their lands.

53. To solve the problem of infiltration, there are two methods available to the Parties. The first method was agreed to at the high level talks between senior military commanders on 29 June. In my report to the Security Council which I referred to previously (S/3047), I summed up the results of the talks as follows:

"Jordan is taking measures against infiltration and will continue to do so. Israel will cooperate by supplying information to Jordan on infiltration. Israel will seek to improve methods of transmitting such information quickly, so that Jordan can make effective use of it."

To carry out this agreement the Parties have at their disposal the procedure of local commanders' meetings, which have been revived since the beginning of June. The results achieved by this first method may not be spectacular, they may be slow. The method is, however, effective to the extent actually possible: if it does not suppress, it diminishes infiltration and its dangers.

54. The second method is resort to force. It reflects impatience with the slow results of peaceful means, and a preference, instinctive or deliberate, for the old law of talion: eye for eye, tooth for tooth. In such a frame of mind, respect for the provisions of the General Armistice Agreement forbidding the crossing of the demarcation line appears absurd, when such line is being crossed by thieves in the night. The old frontier spirit teaches belief in the efficiency of punitive raids, shooting and killing. The application of such method by civilians creates the chain reaction of retaliatory measures and blood feuds. It increases tension. If military forces carry out punitive raids across the demarcation line, the Armistice Agreement must be considered as having been deliberately broken in full knowledge of possible consequences, including the possibility of a clash with the military forces of the other Party. The dangers implied in such a resort to force should persuade the responsible authorities to abstain from it and adhere closely to peaceful means.

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55. With regard to the situation in the area of the international border between Syria and Palestine, difficulties exist primarily in connection with the Demilitarized Zone. These difficulties can be solved if the provisions of Article V of the General Armistice Agreement are applied in the light of the acting Mediator's authoritative comment, accepted by both Parties in 1949. In a later statement, which my predecessor, General Ailey, read at the Security Council meeting on 25 April 1951, Dr. Ralph Bunche wrote inter alia: "In the nature of the case, therefore, under the provisions of the Armistice Agreement, neither party could validly claim to have a free hand in the Demilitarized Zone over civilian activity, while military activity was totally excluded."

56. Total adhesion to these two principles would greatly ease the situation. It would mean, in particular, recognition of the special powers of the Chairman of the Mixed Armistice Commission and the observers in the Demilitarized Zone.

57. In the area of the Egypt-Palestine border, tension is due in part to the existence of an infiltration problem in connection with the Egypt-controlled Gaza Strip. The problem is similar to that existing in the area of the armistice demarcation line between Jordan and Israel. It is less acute, at least for the moment. Its solution should also be sought by peaceful means, rather than by retaliatory action. Another cause of tension in that area has arisen recently in connection with the Demilitarized Zone of El Auja. The settlement of a group of Israelis in the Zone posed last month the problem of the activities of settlers foreign to the area.

58. I have deliberately refrained from mentioning problems other than those which, from the point of view of the Truce Supervision Organization, are immediate problems, connected with their daily work.

59. I am aware, however, that other problems exist, and greatly contribute to tension. There is in Israel an impatience with the General Armistice Agreements which is due to the fact that they have not yet been replaced by final settlements. This impatience extends to the personnel of the Truce Supervision Organization, especially when it tries to exercise supervisory powers in a demilitarized zone. On the Arab side, the usual criticism is that the General Armistice Agreements have not given them security and that the Truce Supervision Organization is too weak to prevent what they consider to be Israeli breaches of the Armistice Agreements.

60. These opposite criticisms should not, in my opinion, lead to the conclusion that the General Armistice Agreements should be discarded before they can be replaced by peace settlements. The Armistice Agreements have lasted too long not to have lost part of their effectiveness. They still constitute, however, a barrier to breaches of the peace in the Middle East.

APPENDIX I

Statistics taken from the Official Records of the Hashemite
Jordan Kingdom -- Israel Mixed Armistice Commission

Period from 1 January 1953 through 15 October 1953

COMPLAINTS FROM ISRAEL 178

COMPLAINTS FROM JORDAN 167

Breakdown

COMPLAINTS
FROM ISRAEL

COMPLAINTS
FROM JORDAN

1. Crossing of the Demarcation Line by military units.	28	50
2. Crossing of the Demarcation Line by armed individuals or groups.	71	12
3. Crossing of the Demarcation Line by unarmed individuals or groups.	26	2
4. Firing across the Demarcation Line.	31	57
5. Overflights.	19	35
6. Expulsions.	--	7 (41 persons)
7. All others, including armoured cars in forbidden area, threats and illegal entry into the Demilitarized Zone.	3	4
	178	167

	<u>Israelis Killed</u>	<u>Israelis Wounded</u>	<u>Jordanians Killed</u>	<u>Jordanians Wounded</u>
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Israel alleges the following casualties inside Israel resulted from Jordanian attacks:

	32	37	25	5
--	----	----	----	---

Condemnation of Jordan by the Mixed Armistice Commission verified the following casualties caused by Jordanian action:

	10	13	--	--
--	----	----	----	----

Jordan alleges the following casualties inside Jordan resulted from Israeli attacks:

	11	6	86	59
--	----	---	----	----

Condemnation of Israel by the Mixed Armistice Commission verified the following casualties caused by Israeli action:

	2	--	55	23
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Of the 178 Israeli complaints, 27 were discussed at Emergency Mixed Armistice Commission meetings, 144 were handled during regular Mixed Armistice Commission meetings, 4 were withdrawn before they were discussed, and 3 are still outstanding.

Of the 167 Jordanian complaints, 19 were discussed at Emergency Mixed Armistice Commission meetings, 142 were handled during regular Mixed Armistice Commission meetings, 4 were withdrawn prior to discussion, and 2 are still held for discussion.

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APPENDIX I (continued)

The discussion of the 171 Israeli complaints by the Mixed Armistice Commission resulted in Jordan being condemned for 2 violations of the General Armistice Agreement.

The discussion of the 161 Jordanian complaints by the Mixed Armistice Commission resulted in Israel being condemned for 21 violations of the General Armistice Agreement

All other complaints of both parties were either withdrawn, settled without vote, or settled by indecisive vote.

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APPENDIX II

Statistics taken from the Official Records of the Hashemite Jordan Kingdom -- Israel Mixed Armistice Commission

Period from June 1949 through December 1952

COMPLAINTS FROM ISRAEL 638
COMPLAINTS FROM JORDAN 375

<u>Breakdown</u>	<u>COMPLAINTS FROM ISRAEL</u>	<u>COMPLAINTS FROM JORDAN</u>
1. Crossing of the Demarcation Line by military units.	30	162
2. Crossing of the Demarcation Line by armed individuals or groups.	99	5
3. Crossing of the Demarcation Line by unarmed individuals or groups.	396	13
4. Firing across the Demarcation Line.	70	116
5. Overflights.	4	30
6. Expulsions.	--	37
7. All others, including armoured cars in forbidden area, threats and illegal entry into the Demilitarized Zone.	39	12
	<u>638</u>	<u>375</u>

	<u>Israelis Killed</u>	<u>Israelis Wounded</u>	<u>Jordanians Killed</u>	<u>Jordanians Wounded</u>
Israel alleges the following casualties inside Israel were caused by Jordan attacks:	57	64	43	13
Jordan alleges the following casualties inside Jordan were caused by Israeli attacks:	8	1	89	70
Total casualties claimed by both parties as resulting from border violations:	65	65	132	83

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APPENDIX III

Statistics Taken from the Official Records of the Hashemite
Jordan Kingdom -- Israel Mixed Armistice Commission

The discussion of complaints by the Hashemite Jordan Kingdom -- Israel Mixed Armistice Commission during the year 1952 resulted in:

1. Jordan being condemned for 19 violations of the General Armistice Agreement;
2. Israel being condemned for 12 violations of the General Armistice Agreement;
3. And in addition 191 complaints against Jordan were settled without discussion by a resolution that included the following:

"The crossing of the line by civilians is inconsistent with Article IV, paragraph 3, of the General Armistice Agreement."

It must be noted that these cases were settled without investigation or discussion, merely to clear them from an already overloaded agenda.

4. All other complaints were either withdrawn, settled without vote or settled by indecisive vote.

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