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LETTER DATED 19 JULY 1948 FROM THE REPRESENTATIVE OF THE PROVISIONAL GOVERNMENT OF ISRAEL TO THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING DOCUMENTS S/891, S/898, S/900 AND S/905<sup>2</sup>

Sir:

1. I have the honor to address you concerning four messages recently sent to you by the Chairman of the Palestine Truce Commission in Jerusalem (S/891, S/898, S/900 and S/905) and to reiterate the protest which I voiced on behalf of the Provisional Government of Israel at the ~~Three~~ hundred and thirty-sixth meeting of the Security Council on 14 July, 1948.

2. In the first of these messages (S/891, 13 July) the Chairman of the Truce Commission comments upon the military situation in Jerusalem and states:

"We observe in Jerusalem Jews appear to be increasingly inclined ignore most elementary rules international war. Following their attempt seize King David Hotel Thursday night during cease-fire period, some their forces tried last night occupy Pontifical and Biblical Institution property of Holy See. Only due last minute intervention French Consul General were they compelled give up their design.

"Stressing that Christian world seemed almost indifferent to shelling Jerusalem by Arab Legion before truce, Jews boast that it would not take them more than a fortnight to conquer whole city nine-tenths of which they hold already. If they don't claim Jerusalem yet as Capital City of their state, it will no doubt be an essential instrument for bargaining during peace negotiations."

In this remarkable message there is no indication as to the identity of the "Jews" concerned; or what are the "elementary rules of international war" which they are alleged to be ignoring; or in what way they are contravening these rules. Similarly the Security Council is not informed who the Jews are who are "boasting", or what the relevance of this boast is to the Truce Commission, nor is any evidence given for the assertion that Jerusalem will "no doubt" be used for bargaining purposes.

3. In the second message (S/898, 15 July), the Chairman of the Truce Commission refers to the seizure of five British members of the staff of the Jerusalem Electric Corporation, to which further reference is made in the fourth message (S/905, 16 July). One passage in document S/898 reads:

<sup>2</sup> This letter was received by the Secretariat on 27 July 1948.

"Mystery kept on charges and protected negotiations have inclined my colleagues and I to believe that this incident, even if charges substantiated partly, may also be merely part of a whole scheme carefully planned by Jews beforehand in order seize illegally power station and its assets.

"Removal of Arab staff beginning of truce, threat used quite recently against non-Jewish personnel and arrest five British members staff are various stages of scheme bring Jerusalem's power station within network of powerful Jewish concern 'The Rutenberg Palestine Electric Corporation', uniting whole country.

"This plan would undoubtedly constitute a fresh blow to Jerusalem's international character independent of Jewish State and hasten move bring Holy City within latter's boundaries."

Here again, there is no indication who the anonymous "Jews" are, who are alleged to have plotted the "illegal seizure" of the power station. There is not a vestige of evidence offered for this alleged conspiracy, or for the alleged scheme to incorporate the power station in "a network of a powerful Jewish concern." It is not stated who is supposed to be responsible for the move to bring Jerusalem into the Jewish State.

It is also not clear what the competence is of the Truce Commission to intervene with regard to the protection of British subjects in Jerusalem. The matter was officially taken up by the British Consular Representative in Jerusalem and by the United Kingdom Representative to the Security Council. On July 13 the Minister of State for Foreign Affairs, Mr. Hector McNeil, informed the House of Commons that the Jewish authorities were not responsible for the abduction of these persons, who have, in any event, since been handed over to the legal authorities in Israel for public trial.

4. In the third message (S/900, 15 July), the Chairman of the Truce Commission again gives an account of the military situation in Jerusalem, and states inter alia:

"They have therefore made up their minds to attempt to seize the rest of town before truce period comes into force in order to appear at peace negotiations with major trump card in hand.

"This confirms the end of my message of Monday last stressing that unless Security Council acted immediately and vigorously, the international character of Jerusalem appeared to my colleagues and I to be dangerously threatened."

Some of the comments made above apply equally to this passage.

5. The Provisional Government of Israel wishes to make the following observations on this matter:

- a) The messages in question were dispatched on dates when no truce was in operation in Jerusalem, and when the Truce Commission could not be regarded as having any official concern with the conduct or objectives of military operations. Hostilities had been resumed on Arab initiative; and the Jewish forces as a belligerent were fully entitled to take all normal defensive measures, including the denial of strategic buildings to enemy occupation.
- b) Whether a truce is in operation or not, it cannot be the function of the Truce Commission to transmit to the Security Council vague insinuations unsupported by any facts, rumors concerning plots by unspecified "Jews", and tendentious speculations about the future political or military policy of any party.
- c) Anxiety over the international regime for Jerusalem would more appropriately have been expressed when the armies of foreign Arab states launched a brutal and destructive attack upon the Holy City with the object of annexing it for themselves; or when the United Nations Mediator made a tentative suggestion to place Jerusalem under the rule of King Abdullah of Trans-Jordan. It is somewhat incongruous to charge the Jewish community of Jerusalem with a lack of concern for an international status when they alone have defended it against the Arab attempt to annex the City and when there has been a complete international failure to provide for its security or its administration.
- d) It is most regrettable that all these allegations and insinuations should not be referred to the Provisional Government of Israel, or to the proper Jewish authorities in Jerusalem, for proper discussion and investigation, before they are given the status of United Nations documents, and awarded world-wide publicity. It is noteworthy that a passing dispute about the occupation of the King David Hotel was amicably settled before the Truce Commission's complaint about it had even reached the Security Council.
- e) Jewish public opinion in Israel and in Jerusalem has reacted strongly to these messages, which have seriously jeopardized that public confidence in the Commission which is essential to its successful functioning.

I would be grateful if you would bring this letter to the attention of the members of the Security Council.

I have the honor to be,  
Sir,  
Your obedient Servant,  
Aubrey S. Eban