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LETTER DATED 21 JULY 1949 FROM THE UNITED NATIONS ACTING MEDIATOR
ON PALESTINE TO THE SECRETARY-GENERAL TRANSMITTING A REPORT
ON THE PRESENT STATUS OF THE ARMISTICE NEGOTIATIONS
AND THE TRUCE IN PALESTINE

21 July 1949

I have the honour to communicate to you for transmission to the
President of the Security Council the attached report on the present
status of the armistice negotiations and the truce in Palestine.

(Signed) Ralph J. Bunche
Acting Mediator

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Report on the present status of the armistice negotiations
and the truce in Palestine

I have the honour, in pursuance of the resolution of the Security Council of 15 July 1948, to submit a report to the Security Council on the armistice negotiations between the Arab States and Israel which have been undertaken in response to the Security Council's resolution of 16 November 1948 (S/1080), and on the present status of the Palestine truce.

I. THE ARMISTICE NEGOTIATIONS

1. The Security Council resolution of 16 November 1948 (S/1080) called upon the parties directly involved in the conflict in Palestine to seek agreement forthwith by direct negotiations or by negotiations through the Acting Mediator on Palestine, with a view to the immediate establishment of an armistice. The armistice would include "the delineation of permanent armistice demarcation lines beyond which the armed forces of the respective parties shall not move", and "such withdrawal and reduction of their armed forces as will ensure the maintenance of the armistice during the transition to permanent peace in Palestine". The armistice would thus be the next step toward peace beyond the truce regime. In effect, the armistice would liquidate the military phase of the armed conflict in Palestine.
2. The Provisional Government of Israel promptly communicated its willingness to enter into the armistice negotiations called for, but the Arab States were slower in responding to the Security Council's call. Egypt, Lebanon and Transjordan, in December 1948, communicated their acceptance of the resolution in principle but were not immediately prepared to undertake the negotiations called for. It was not, therefore, until January 1949 that the first negotiations, involving Egypt and Israel, could be got underway.
3. As previously reported to the Security Council, armistice agreements have now been concluded between Egypt and Israel (S/1264), Lebanon and Israel (S/1296), Israel and Transjordan (S/1302), and Israel and Syria (S/1353). The agreement between Israel and Transjordan also covered the front held by Iraqi forces, and therefore made unnecessary any separate negotiations between Iraq and Israel. Since such Saudi Arabian forces as were involved in the Palestine conflict served under Egyptian command, they were covered by the terms of the Egyptian-Israeli agreement. Yomen has had no forces in the conflict and therefore no agreement involving Yemen has been necessary. As a result of these agreements, an armistice now applies to all of the fighting fronts in Palestine and by the terms
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of the agreements the military phase of the Palestine conflict is ended. Thus, the Security Council's resolution of 16 November 1948 has been fulfilled by the parties to the Palestine dispute.

4. The armistice agreements provide for a definitive end to the fighting in Palestine. Each agreement incorporates what amounts to a non-aggression pact between the parties, and provides for withdrawal and reduction of forces. The agreements have all been negotiated at the governmental level and signed for and on behalf of their respective Governments by delegations carrying credentials in good order. They are agreements voluntarily entered into by the parties, and any breach of their terms would involve a most serious act of bad faith.

5. The negotiations leading to these agreements were, in each case, tortuous and difficult. But they demonstrate that once the parties could be brought together, they could, with United Nations assistance, be led to reasonable and honourable agreement. That these agreements have been obtained is due to the intensive and determined effort exerted by the United Nations, and its firm resolve that this dispute should be settled by peaceful means. The fruits of this effort have been successively the four weeks' truce, the imposed truce of 15 July 1948, and now the four armistice agreements. Negotiations looking toward the formal peace settlement are being conducted by the United Nations Palestine Conciliation Commission.

6. The voice of the United Nations has weighed heavily in all of the negotiations concerning the truce and armistice agreements. The Secretary-General of the United Nations has given full and invaluable support and has intervened effectively in the numerous crises. In these agreements the parties have negotiated as equals. The armed forces of both sides remain intact and largely unimpaired by the earlier fighting. Throughout the negotiations, the parties showed understandable reluctance to assume responsibility before the United Nations and world opinion for causing their collapse or failure. In each instance, the parties came to the negotiations with a sincere desire to achieve agreement but with firm ideas as to the basis for such agreement. In the final analysis, agreement was possible only because they were willing to accept considerably less than their original demands. The statesmanship and the spirit of conciliation shown by the Governments and their delegations in each case made final agreement possible. The agreements have proved effective in practice and I see no reason why they should not continue to do so. The fighting in Palestine has ended.

II. THE TRUCE

1. The conflict which broke out in Palestine in May 1948, and which constituted a threat to the peace, was checked by means of a United Nations-sponsored truce. On 11 June 1948, the four weeks' truce called for in the Security Council resolution of 29 May 1948 (S/801) became effective, and it endured until 9 July 1948. This was a negotiated truce, voluntarily accepted by the Arab States and the Provisional Government of Israel. At the time this four weeks' truce went into effect, the conflict in Palestine was general and gaining in momentum. The truce which stopped the fighting and which checked the momentum of the conflict so effectively that it was never again to be resumed on a general scale was due primarily to the herculean efforts of the United Nations Mediator on Palestine, the late Count Folke Bernadotte. In seven days of negotiation of unparalleled intensity, in Tel Aviv and the capitals of the Arab States, Count Bernadotte succeeded in gaining the acceptance of all parties for the conditions of the truce which he had formulated and for its effective date of 11 June. This original four weeks truce was the turning-point in the Palestine conflict.

2. The four weeks' truce, by and large, was effective. There were a number of serious violations, but the general warfare was checked and the fighting fronts became more or less stabilized. When the Arab States rejected Count Bernadotte's appeal to prolong it beyond the four-week period, on the grounds that the truce had worked to the advantage of the Israelis, Count Bernadotte appealed in person to the Security Council to impose a truce. This was done in the Security Council resolution of 15 July 1948, ordering the disputing parties to refrain from further resort to force. All of the parties involved in the conflict informed the Security Council that they would abide by its decision. The resolution of 15 July constitutes an injunction which still remains in force. The imposed truce became effective on 18 July 1948, a date fixed by the Mediator.

3. The imposed truce was effectively applied until mid-October. There were local violations but none which involved serious fighting until the clash in the Negev which began on 14 October 1948. In the Negev and subsequently in Galilee, military activity under the truce led to important changes in the military situation which the Truce Supervision Organization could not rectify.

4. Prior to the October fighting in the Negev, Count Bernadotte and I, after his death, had warned that the truce in Palestine could not be maintained indefinitely without the probability of serious fighting

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occurring and consequent military advantage accruing to one side or the other. It was apparent as early as September 1948, that an indefinite truce, under which the fighting forces would remain arrayed against each other in close proximity, would become increasingly uneasy and insecure, and that the Truce Supervision Organization would not be able to control the increasing violations unless the United Nations would take most severe measures against those guilty of violations.

5. The United Nations experience with the truce in Palestine indicated that an imposed truce could be effectively applied and supervised for a period of four or five months at the most, but should then be superseded by a further step toward permanent peace. Although the truce imposed by the Security Council on 15 July 1948 was of indefinite duration and included a permanent injunction against resort to force in the Palestine dispute, both sides came to regard the truce as a mere interruption of hostilities, a phase in the fighting, rather than a definite end to the armed conflict. In maintaining the status quo, the truce inevitably perpetuated some conditions which after a period of months became so intolerable as to induce one side or the other to undertake corrective measures even at the expense of openly defying the truce.

6. When Count Bernadotte was called upon to supervise the four weeks' truce in the Security Council resolution of 29 May 1948, he had at his disposal in Cairo and Tel Aviv only seven members of the United Nations Secretariat, including secretaries. He had to recruit military and civilian personnel and fashion an efficient Truce Supervision Organization virtually overnight. On 11 June 1948, when the four weeks' truce became effective, the first military observers arrived in Cairo. Until they could be briefed and sent into the field, members of the Secretariat had to function as observers and several of them displayed singular courage in traversing no-man's land to bring local commanders together and in stopping local incidents of fighting. Members of the mission, military and civilian alike, have served the United Nations with great loyalty and ability.

7. The military observers from Belgium, France and the United States of America, and the Swedish officers who served with Count Bernadotte, deserve great credit for the courageous service they have rendered and continue to render to the cause of peace in Palestine. It has been a completely new experience for all of them, but they caught the spirit of the effort quickly and have served the United Nations with great devotion, even at the expense of their lives. The Governments which have made these

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unarmed men available are due full appreciation from the United Nations.

8. The United Nations effort in Palestine has been costly in casualties as well as in monetary expenditure. Ten members of the Organization, including the Mediator, have lost their lives over a period of fourteen months, and twice that many have been wounded. Some of these lives have been lost under conditions which would appear fully to justify the United Nations in holding the Governments concerned liable for the deaths. In some instances, as in the case of Count Bernadotte himself, had adequate protection been given, the deaths could have been avoided. Despite the casualties, however, bearing in mind the necessity for freedom of movement if truce supervision is to be effective, I firmly believe that the principle adhered to in Palestine by Count Bernadotte and by me after his death, has been sound. In the absence of any protective United Nations force, that principle has been to leave it to the discretion of the local authorities to determine how much or how little protection is needed by the United Nations personnel, since it is the responsibility of the local authorities to protect that personnel. Thus, neither Count Bernadotte nor I have ever asked any local authority for protection, nor did we ever refuse it when the local authority provided it.

9. Neither the Truce Supervision nor the Mediation operations could have functioned effectively had the United Nations not provided independent systems of communication and transportation. These involved great expenditure but they were indispensable to the work of the mission and often meant the difference between success or failure in negotiations, and indeed, life or death for the Mission's personnel.

III. CONCLUSIONS

1. The practical application of the Security Council's truce in Palestine has now been superseded by effective armistice agreements voluntarily negotiated by the parties in the transition from truce to permanent peace. Since all of these agreements are self-enforcing and establish the necessary machinery for their supervision, with the assistance of the United Nations Chief of Staff of the Truce Supervision and United Nations observers at his command, it would seem unnecessary longer to impose upon the States concerned the restrictive conditions of the Security Council truce. The Security Council resolution of 15 July 1948 imposed not only a truce and the conditions relating thereto, but ordered the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action.

2. In view of the existing state of affairs in Palestine, the Security Council might consider it advisable to review the situation in the light of the new conditions and to take appropriate action. Such action might

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declare it unnecessary to prolong the truce provided for in the Security Council resolution of 15 July 1948. It might, at the same time, reaffirm the order in that resolution to the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action, and might also call upon the parties to the dispute to continue to observe an unconditional cease-fire. Action along some such lines would be consistent with the realities of the present situation and would at the same time fully safeguard the basic objective of the Security Council that fighting in Palestine shall not be resumed.

3. In conclusion, I would respectfully call to the attention of the Security Council my communication to the Council of 17 January 1949 (S/1215). In my view, the action which the Council might now properly take should also provide, in accordance with the resolution of the General Assembly of 11 December 1948 (S/807), for the termination or the transfer to the United Nations Palestine Conciliation Commission of such functions as now remain to the position of Mediator under Security Council resolutions. With the armistice agreements concluded, there is no longer any useful function to be performed by the Mediator. Any further activity by me would inevitably impinge upon the work of the Palestine Conciliation Commission. This could create only confusion and duplication of effort and would serve no useful purpose whatsoever. Under the terms of the several armistice agreements, I have no responsibility for their implementation or supervision, since this responsibility, by mutual agreement, is assumed by the parties themselves. With the truce obsolete, the armistice agreements concluded, and the Palestine Conciliation Commission conducting peace negotiations, the mission of the Mediator has been fulfilled. I am happy to have had this great opportunity to serve the United Nations and the cause of peace in Palestine and in this, my final report, wish to thank the Security Council for the indispensable support which it has given to me in my efforts to discharge the responsibilities entrusted to me.

4. Finally, it is clear to me that the success or failure of any mediation or conciliation effort in a situation such as that presented by Palestine must depend very largely upon the measure of support afforded by the United Nations. If the voice of the United Nations is strong and clear, it can be the decisive factor in the mediatory effort to resolve the conflict. The most effective instrument at the disposal of a mediator or conciliator is the assurance of prompt and vigorous support and action by the United Nations.

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5. I have taken the liberty of attaching to this report, as an annex, a memorandum suggesting the general lines of the action which the Security Council might now consider it appropriate to take.

(Signed) Ralph J. Bunche
Acting Mediator

ANNEX

The Security Council,

Having noted with satisfaction the several armistice agreements concluded by means of negotiations between the parties involved in the conflict in Palestine in pursuance of its resolution of 16 November 1948 (S/1080);

Expresses the hope that the Governments and authorities concerned, having undertaken by means of the negotiations now being conducted by the Palestine Conciliation Commission, to fulfil the request of the General Assembly in its resolution of 11 December 1948 to extend the scope of the armistice negotiations and to seek agreement by negotiations concluded either with the Conciliation Commission or directly, will at an early date achieve agreement on the final settlement of all questions outstanding between them;

Declares that the armistice agreements, as an important step in the transition from truce to permanent peace in Palestine, render unnecessary the prolongation of the truce as provided in the resolution of the Security Council of 15 July 1948 (S/902);

Reaffirms the order set forth in its resolution of 15 July 1948 to the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action, and calls upon them to continue to observe an unconditional cease-fire;

Requests the Conciliation Commission, with the assistance of the United Nations Chief of Staff of the Truce Supervision Organization, to undertake the observance of the cease-fire in Palestine, and terminates all remaining functions of the United Nations Mediator on Palestine under Security Council resolutions;

Requests the Secretary-General to continue in existence such of the present Truce Supervision Organization as the Conciliation Commission, in consultation with the Chief of Staff, may require in maintaining the cease-fire, and as may be necessary in assisting the parties to the armistice agreements in the supervision of the application and observance of the terms of those agreements.

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