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GENERAL

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LETTER DATED 23 SEPTEMBER 1951 FROM THE CHIEF OF STAFF OF THE TRUCE  
SUPERVISION ORGANIZATION IN PALESTINE ADDRESSED TO THE SECRETARY-GENERAL  
TRANSMITTING A REPORT ON FIGHTING IN THE TEL EL MUTILA AREA

Sir,

I have the honour to communicate to you for transmission to the  
President of the Security Council the attached report on the  
participation of Syrian army personnel in the fighting in the Tel  
El Mutila area at the beginning of May 1951.

I have the honour to be,

Sir,

Yours respectfully

W.E. Riley  
Lieut. General, USMC (Retd.)  
Chief of Staff

REPORT TO THE SECURITY COUNCIL

1. I refer to the resolution adopted by the Security Council on 18 May 1951 and in particular to paragraph 9 (b) in which the Security Council finds that:

.....  
"(b) Any aggressive military action by either of the parties in or around the demilitarized zone, which further investigation by the Chief of Staff of the Truce Supervision Organization into the reports and complaints recently submitted to the Council may establish,

constitutes a violation of the cease-fire provision provided in the Security Council resolution of 15 July 1948 and is inconsistent with the terms of the Armistice Agreement and the obligations assumed under the Charter".

2. After my return from New York to the Middle East on 16 May, I investigated into recent reports and complaints alleging aggressive military action by either Syria or Israel. Numerous complaints were on the draft agenda of the Israeli-Syrian Mixed Armistice Commission, some of them dating back to the end of March. The Mixed Armistice Commission, however, did not meet because the Parties continued to disagree on an agenda acceptable to both of them. Paragraph 9 (b) of the 18 May resolution authorized me, if I came to definite conclusions, to report to the Security Council, but after studying the information available and interrogating the United Nations observers on the evidence they had collected, I felt unable to submit conclusions until the Mixed Armistice Commission had discussed the complaints of the Parties.

3. Accordingly, in reply to a specific question put to me on 10 July by the Minister for Foreign Affairs of Israel, I stated on 31 July that "from the information available I was unable to reach a conclusion which would be based on my ability to prove or disprove the allegation that members of the regular Syrian military forces, or of Syrian para-military forces, were present in the demilitarized zone or participated in the fighting that took place in the Shamalne - Tel el Mutilla area between May 2 and 6, 1951".

4. On 25 August, the Minister for Foreign Affairs of Israel sent to the Security Council a communication (S/2312) in which he referred to the publication on 19 July in the Official Gazette of the Syrian Republic of two Orders (Nos. 1020 and 1021) of the National Ministry of Defence granting medals to soldiers who had participated in "war operations". The Israel General Staff

/Officer in

Officer in charge of the Mixed Armistice Commissions has sent me a photostatic copy and a translation into English of the two orders in question. This translation has also been circulated to the Security Council at the request of the Permanent Representative of Israel (S/2334).

5. In accordance with Order No. 1021, medals for the wounded were awarded to a second lieutenant, 12 sergeants or corporals and 37 privates wounded in the course of war operations at places and on dates indicated as follows:  
(a) Tel el Mutilla, 5 May 1951, 9 medals to wounded belonging to the First Infantry Battalion or the 16th Battalion; (b) Tal Abi Zaidon, 6 May 1951: 27 medals to wounded belonging to the First Infantry Battalion; (c) Tal el Muttaliqa, 6 May 1951: 14 medals to wounded of the Reconnaissance Regiment. In accordance with Order No. 1020; nine posthumous first grade war medals and 20 other war medals were awarded for courage and bravery displayed in the course of unspecified war operations by officers, sergeants, corporals or privates belonging - except for a major, H.Q. company, 1st Brigade H.Q. - to the First Infantry Battalion, the 16th Battalion or the Reconnaissance Regiment. The fact that the two orders were published together and that they mention the same three units leads to the conclusion that the war medals and the medals for the wounded were awarded in connexion with the same operations.

6. The two orders of the Syrian Ministry of Defence threw new light on a particularly important aspect of the events which had taken place in the Tel el Mutilla area at the beginning of May. Israel requested an emergency meeting of the Israel-Syrian Mixed Armistice Commission. In view of the situation regarding the convening of the Mixed Armistice Commission to which I have alluded in paragraph 2, I suggested as a possible alternative that I should report to the Security Council on the basis of paragraph (9) of the 18 May resolution. The Israel Government agreed. I then contacted Damascus and was answered that it was preferred that I should report to the Security Council.

7. I have accordingly the honour to report to the Security Council as follows:

8. Fighting in the Tel el Mutilla area began on 2 May while the Security Council was pursuing its consideration, begun on 17 April, of a number of Syrian and Israeli complaints alleging violations of the General Armistice Agreement, particularly in the Demilitarized Zone. At the opening of the 544th meeting of the Security Council, on 2nd May, the representative of Israel read a telegram from his Government referring to the encounter of a "considerable

/force

force of armed Syrian irregulars" by two sections of the Israeli army on Tel el Mutilla, a ridge situated in Israel-controlled territory, three and a half kilometres to the north of Lake Tiberias and one kilometre to the west of the Demilitarized Zone. The Arabs had opened fire on the two sections of the Israeli army which withdrew towards Kirbedabuseid, to the south-west of Tel el Mutilla, leaving behind 3 dead. "Two platoons of Syrian troops had then crossed the Demilitarized Zone and established themselves on Tel el Mutilla and Kirbedabuseid". They were "supported by irregulars and other Syrian forces in the Demilitarized Zone and from Syrian positions inside Syrian territory. Israel army units were engaging the Syrian forces".

9. On the same day, 2nd May, the Acting Chief of Staff sent to the Security Council a first report on the incidents (S/2113), followed on 3rd May by a more detailed report (S/2118). Two teams of United Nations observers had been sent to the area, one on the Israeli side, one on the Syrian side. The team sent on the Israeli side received from the Israeli company commander in the area the following report: when an Israeli army patrol had begun to confiscate cattle encountered one kilometre inside Israel-controlled territory, fire had been opened on them by armed Arabs "and Syrian soldiers". United Nations observers on the Syrian side received from Arabs of the village of Shamalne, situated in the Demilitarized Zone, a few hundred metres north of Lake Tiberias, the following version of the same incident: Arabs of their village had informed them that an Israeli patrol had seized their cattle in the Demilitarized Zone, near the Armistice demarcation line, and fired on Arab shepherds. Arab villagers armed with rifles had attempted to recover the cattle, which had been driven into Israel-controlled territory.

10. The United Nations observers reported that Arabs in civilian dress, whom they could not identify as Syrian soldiers, were occupying positions on Tel el Mutilla. Efforts to obtain the observance of cease-fire orders issued by the Acting Chief of Staff on 3 May were unsuccessful. On 3 and 4 May, a team of United Nations observers was sent to the Syrian side only, the presence of the other observers attached to the Israel-Syrian Mixed Armistice Commission being required on 3 May in the area of the Banat Yakub bridge where a new exchange of fire had taken place, and on 4 May at an informal meeting in which the Israel and Syrian Delegations to the Mixed Armistice Commission agreed on

/a cease-fire

a cease-fire to be effective at 1330 hours G.M.T. on the same day. On 3 May, United Nations observers saw automatic weapons and mortar fire directed by Israelis on Arab positions northwest of Shamalne (the Arabs were replying by rifle fire). On 4 May, the team of observers sent to the Shamalne area to ascertain whether the cease-fire was observed, saw 22 mortar shells bursting on Arab positions on Tel el Mutilla between 1530 and 1600 hours G.M.T. and later further mortar firing on the Arab positions, which the Mukhtar of Shamalne refused to evacuate for the reasons stated in paragraph 3 of the report sent on 5 May by the Acting Chief of Staff (S/2122).

11. Order No. 1021 of the Syrian Ministry of Defence to which the Foreign Minister of Israel has drawn the attention of the Security Council refers to operations in the Tel el Mutilla area on 5 and 6 May. On those two days two teams of United Nations observers were sent, one on the Syrian side, the other on the Israeli. On 5 May the United Nations observers reported that exchanges of automatic weapons and rifle fire were continuing. They also saw within ten minutes eleven mortar shells landing on Arab positions and 4 or 5 on Israeli positions on Tel el Mutilla.

12. The action by which the Israeli army, with the use of mortars, artillery and aerial bombardment dislodged the Arabs from the Tel el Mutilla area was reported upon by the Acting Chief of Staff in S/2123 and S/2124.

13. In connexion with the above incidents, violations of the General Armistice Agreement were alleged on both sides and complaints filed with the Mixed Armistice Commission. The principal Israeli allegation was made as early as 2 May and repeated several times: Israel alleged that Syrian army personnel had entered the Demilitarized Zone and Israel-controlled territory to the west of the Zone and was taking part in the fighting. United Nations observers had seen no evidence in support of these allegations. After the occupation of Tel el Mutilla by the Israeli army, on 6 May, United Nations observers were shown the bodies of two Arabs (one with pieces of army clothes), rifles, machine guns, mortar ammunition, etc., which could hardly be considered as sufficient evidence of the actual participation of Syrian soldiers in the operations. On 7 May, the Israeli army showed supplementary evidence, particularly two bodies in khaki battle-dress, but with no identification papers or badges, two mortars, great quantities of automatic weapons ammunition and two tags from empty boxes with Arab inscriptions denoting,

/it was said

it was said, two different units of the Syrian army.

14. Apart from the above-mentioned evidence which was to be discussed by the Mixed Armistice Commission in connexion with the relevant item on its draft agenda, the publication of the two orders of the Ministry of Defence in the Syrian Official Gazette furnishes, in my view, a proof which suppresses the necessity of a discussion in the Mixed Armistice Commission. Without prejudice to any findings which the Mixed Armistice Commission may reach in connexion with other complaints and allegations which have been submitted to it, the allegation that personnel of the Syrian army participated in operations in the Tel el Mutilla area at the beginning of May must, in my opinion, be considered as having been proved.

W. E. Riley  
Lieut. General USMC (Retd.)  
Chief of Staff

22 September 1951

