

UNITED NATIONS
SECURITY
COUNCIL



GENERAL

S/2397
22 October 1951

ORIGINAL: ENGLISH

Letter dated 19 October 1951 from the representative of Israel
to the President of the Security Council, concerning
the fighting in the Tel-el-Matilla area.

With reference to the report dated 23 September 1951 from the Chief of Staff of the Truce Supervision Organization in Palestine to the Secretary-General (S/2359) on fighting in the Tel-el-Matilla area, I have the honour to request that the following be circulated for the information of the Security Council.

2. On 2 May 1951 at the 544th meeting of the Security Council I informed the Council on behalf of the Government of Israel that an incursion of Syrian troops had taken place into the Demilitarized Zone, and into Israel territory west of the Demilitarized Zone at Tel-el-Matilla. It was clear to my Government that the purpose of the Syrian attack was to substantiate an expansionist claim to the Demilitarized Zone, which had been previously avowed by the representative of Syria, and to this end also to occupy strategic heights in the Tel-el-Matilla area. The Security Council was accordingly urged to react with promptitude to those grave incidents which constituted both a violation of the Armistice Agreement and an act of aggression within the meaning of Chapter 7 of the Charter.

On 6 May 1951 I transmitted to the President of the Security Council a telegram (S/2121) supplemented in detail by my statement to the Council at its meeting on 8 May 1951 (S/PV/545) recording further military action in the Demilitarized Zone by Syrian regular and irregular forces as well as continued and repeated assaults by those forces on Tel-el-Matilla. Despite the presence of dead Syrian soldiers, of Syrian army equipment and documents, the United Nations Observers did not feel themselves able to assert that Syrian forces had penetrated the Demilitarized Zone and territory beyond it.

3. At both of the above meetings, as well as at a further meeting of the Security Council on 18 May 1951, the Syrian representative emphatically rejected these complaints and solemnly assured the Council that the Syrian army had never participated in the fighting.
4. At its meeting of 18 May 1951 the Security Council adopted a resolution in which, after making a definite finding with reference to the aerial action undertaken by Israel on 5 April 1951 in response to the killing of seven Israeli policemen, the Council went on to state (paragraph 9b) that "any aggressive military action by either of the parties in or around the Demilitarized Zone which further investigation of the Chief of Staff of the Truce Supervision Organization into the reports and complaints recently submitted to the Council may establish" would also "constitute a violation of the cease-fire provision provided in the Security Council resolution of 15 July 1948 and are inconsistent with the terms of the Armistice Agreement and the obligations assumed under the Charter".
5. The Chief of Staff of the United Nations Truce Supervision Organization in his letter of 23 September 1951 to the Secretary-General, after recalling paragraph 9b of the Security Council resolution of 18 May 1951, gives details of subsequent information which had reached him and concludes that "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".
6. This statement thus constitutes a retroactive finding by the Security Council that the Syrian military action was a violation of Syria's obligations under the Security Council resolution of 15 July 1948, under the General Armistice Agreement, and under the Charter of the United Nations.
7. In placing these circumstances on record it is pertinent to state that the finding of the Chief of Staff sets in luminous perspective the events with which the Security Council resolutions of 8 May and 18 May were concerned and makes clear that the root cause of the political and military tensions in the Huleh area was a deliberate aggressive design by the Government of Syria to secure possession and control of territory outside its own international boundaries.

8. In conclusion, reference must be made to a letter dated 22 September 1951 from the Syrian Minister of National Defense to the United Nations Chief of Staff (S/2360). The finding by the Chief of Staff that Syrian army personnel had participated in the operations in Tel-el-Mutilla was based on official statements published in the Official Government Gazette by the Syrian Ministry of National Defense recording the award of medals to soldiers for gallantry in action at Tel-el-Mutilla and adjoining areas on 5 and 6 May 1951. Despite this evidence from its own Official Gazette, the Syrian Government in its letter to General Riley proceeds to deny that "a single shot from an individual or collective weapon" was fired by its forces and proceeds in a statement, which must be classed as among the more remarkable diplomatic documents of our times, to press the claim that as a sovereign State it is entitled "to print or broadcast anything it may deem expedient in prevailing circumstances", in other words, to practice any deception that it may deem appropriate.

(Signed) Abba EBAN
Permanent Representative of
Israel to the United Nations

