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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL  
Twenty-ninth year

Letter dated 3 January 1974 from the Acting Permanent  
Representative of Israel to the United Nations addressed  
to the Secretary-General

On instructions of my Government I have the honour to refer to the letter addressed to you by the Permanent Representative of Egypt on 24 December 1973 (A/9475-S/11172), and to state the following:

The allegations made in that letter, all of which are completely baseless, are categorically and emphatically rejected.

Since the outset of the hostilities, Israel has scrupulously observed its obligations regarding prisoners of war and wounded members of the enemy forces, as it had been doing at all previous times.

While Egypt created difficulties in respect of the handing over of information concerning Israeli prisoners and wounded and eventually agreed to hand over a list only in exchange for certain arrangements in the military field, Israel has fulfilled unconditionally its obligations under the First and Third Geneva Conventions. 1/ Lists of Egyptian prisoners of war had been continuously handed over by Israel to the International Committee of the Red Cross, even during the period of active hostilities, and representatives of the International Committee of the Red Cross were permitted to visit the Egyptian prisoners of war in their camps, as well as the wounded among them, in the hospitals.

The refusal of Egypt to comply with its obligations under the Geneva Convention, without receiving additional benefits therefor, is only a further example of an attitude which became evident even before the latest hostilities, when Egypt obstinately refused to observe article 109 of the Third Geneva Convention providing for the immediate return to their country of wounded and sick prisoners of war of certain categories. Thus, for example, Egypt refused for a

1/ United Nations, Treaty Series, vol. 75, Nos. 970 and 972.

number of years to return Lt. Dan Avidan to Israel, despite the fact that medical examinations had definitely established his serious condition. Egypt, ignoring the mandatory provisions of article 109, demanded, in return for Avidan's repatriation, the release of 24 healthy Egyptian prisoners of war who were in the hands of Israel. At the same time Israel returned on a number of occasions wounded or sick Egyptian prisoners of war without setting any conditions.

The First Geneva Convention does not lay down any obligation concerning the removal of wounded or sick from encircled areas. Article 15 of that Convention, mentioned in the Egyptian letter of 24 December 1973, provides, inter alia, that local arrangements may be concluded between Parties to the conflict for the removal or exchange of wounded and sick from an encircled area and for the passage of medical personnel and equipment to such areas.

Israel has several times proposed discussing agreed arrangements of this kind, but the Egyptian authorities refused to hold such discussions, and it was they who broke off the meetings at kilometre 101.

In the circumstances, the Egyptian authorities have only themselves to blame if, as a result of their obstinate refusal to discuss agreed arrangements in accordance with the Convention, unnecessary suffering is caused to their own people.

I have the honour to request that this letter be circulated as an official document of the General Assembly and the Security Council.

(Signed) Jacob DORON  
Acting Permanent Representative of Israel  
to the United Nations

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