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LETTER DATED 20 JANUARY 1956 FROM THE REPRESENTATIVE OF ISRAEL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to the letter dated 2 November 1955 from the representative of Egypt concerning the Nitsana (El Auja) area (S/3456).

The facts of the situation prevailing in the Demilitarized Zone of El Auja are known to the representatives of the United Nations in the area and were also brought to the attention of the Security Council in my letter dated 1 November 1955 (S/3454). The communication from the representative of Egypt, however, contains a number of inaccuracies which I have been instructed by my Government to correct.

At the 33rd meeting of the Egypt-Israel Mixed Armistice Commission held on 28 September 1950, the United Nations Chairman stated that the El Auja area was uninhabited at the time of the signing of the General Armistice Agreement. Hence it is clearly misleading for the Egyptian representative in his letter to refer to certain Bedouin tribes as "the original inhabitants of the area". The status of these Bedouin, who had penetrated into the El Auja zone from Egyptian territory after the signing of the Armistice Agreement, was defined by the Chairman of the same meeting of the Mixed Armistice Commission in the following terms: "... they have to be considered as infiltrators, having no Israeli identity cards."

These infiltrators established themselves in the Demilitarized Zone with the apparent purpose of harassing Israelis, and to this end engaged in such acts as mining the Beersheba-El Auja highway, opening fire on Israelis travelling through the Zone (in one instance wounding the Israel representative in the Mixed Armistice Commission), attacking Israel Bedouin and conducting forays against Israel villages. The records of the Mixed Armistice Commission show a number of Israel complaints lodged against these activities.

It was common knowledge that these activities were directed by the Egyptian authorities who supplied the Bedouin infiltrators with arms, ammunition and money.

The marauders were finally chased back across the frontier by Israel Bedouin, by the villagers of Kziot and by Israel police in September 1953.

Since then the Mixed Armistice Commission has dealt with a number of incidents in which attempts were made by the Egyptian Bedouin to cross the international frontier and penetrate anew into the Demilitarized Zone. These incursions have invariably been determined by the Commission to be violations of the General Armistice Agreement by Egypt.

On the other hand, the existence of an Israel settlement in the area is in complete accordance with the terms of the General Armistice Agreement, and an Egyptian complaint in the matter lodged before the Mixed Armistice Commission was disposed of on 2 October 1953 by the rejection of an Egyptian draft resolution proposing to declare the establishment of the Israel settlement a violation of the Agreement.

To correct the allegations contained in the letter from the representative of Egypt concerning the presence of Israel troops in the area, it is necessary to describe briefly the course of events leading up to the clashes in that sector in October and November 1955.

For a proper appreciation of these incidents it must be emphasized that the basic tenet of the Egypt-Israel General Armistice Agreement is the inviolability of the Armistice Demarcation frontier (in the Gaza area) and of the international frontier (in the Southern Negev, including the El Auja zone) alike.

The numerous violations by Egypt of the international frontier in the El Auja area led Israel on 3 January 1955 to propose a joint marking of the border. This proposal was accepted by Egypt, only to be repudiated by her immediately afterwards. Israel then proceeded to mark the frontier on her own in agreement with the United Nations Truce Supervision Organization, and with the participation of United Nations observers. The marking was, however, interrupted several times by attacks carried out by Egyptian armed forces, for which Egypt was condemned by the Mixed Armistice Commission. Egyptian interference turned into aggressive invasion when some of the Egyptian positions were moved across the international

frontier into the Demilitarized Zone. Successive requests by the Chief of Staff to remove these positions (whose legality even on the Egyptian side of the frontier was doubtful) from Israel territory were ignored. Egypt crowned her encroachments of the boundary by destroying the border markers in a well organized and extensive operation. It was in order to meet this situation that on 21 September 1955 Israel introduced an Army unit into the Demilitarized Zone, undertaking to withdraw it as soon as Egypt withdrew her military forces and ceased to intervene with the marking of the frontier.

Under an arrangement effected by the Chief of Staff with the Parties, the Israel Army unit was withdrawn on 2 October after Egypt had promised to remove her forces into Egyptian territory, limit their presence in the vicinity of the frontier in accordance with the General Armistice Agreement and proceed with the marking of the border under arrangements to be made by the Chairman of the Mixed Armistice Commission. The terms of the arrangement were, however, never implemented by Egypt, who refused to limit her forces in the Abou Aoueigila-El Quseima area, as she was bound to do under Article VIII, paragraph 3 of the General Armistice Agreement, forbade United Nations observers to enter the area and refused to co-operate in the completion of the marking of the frontier.

On 26 October Egypt launched an unprovoked attack against an Israel police post, maintained in the Demilitarized Zone under the above arrangement, killing one, wounding two and capturing two Israeli policemen. It is a misconstruction of facts to say that "the continuing existence of the Israeli-armed forces in the Demilitarized Zone is in contravention with the General Armistice Agreement and despite the several appeals of the Chief of Staff was the main cause of the incident of 26 October 1955 regarding the unprovoked Israeli attack carried out by its armed forces stationed in the Demilitarized Zone against the Egyptian Post." At no time after 2 October were there Israeli armed forces in the Demilitarized Zone and no appeal whatever had been made by the Chief of Staff on this matter

to the Israeli authorities.* The attack on the Israeli post was unprovoked.

Following their attack of 26 October Egyptian forces remained in the Demilitarized Zone. At least five appeals were made by General Burns and his staff to Egypt to withdraw beyond the international frontier, to no avail. Israel was left with no choice but to dislodge the Egyptian aggressors and to push them back into Egypt from Israel territory into which they had illegally penetrated.

The pretext adduced by Egypt to justify her attack on 26 October was the presence of Israel troops in the Zone. Allegations about the presence of such troops are as devoid of truth as the reference in the letter by the Egyptian representative to purported appeals made to Israel by the Chief of Staff of the United Nations Truce Supervision Organization for their removal.

I have the honour to request that this letter be circulated to the members of the Security Council.

Please accept, Sir, etc.

(Signed) Mordecai R. Kidron
For Permanent Representative of
Israel to the United Nations

* On 12 June 1951, a Special Committee, whose decisions are final, examined in the course of the consideration of the Egyptian interference with the freedom of passage through the Suez Canal the interpretation of the term "armed forces" under the General Armistice Agreement. The Special Committee's decision in this case confirmed that Egypt's "armed forces" are her military land, sea or air forces only, and civilian forces such as coast guards which are not subordinate to the Ministry of War are not to be regarded as armed forces within the meaning of the General Armistice Agreement's provisions (Egyptian-Israel Special Committee Protocol meeting held on 12 June 1951, page 16 ff; also General Riley's Report to the Security Council, S/2194). This interpretation applies equally to Israel and Egyptian forces and therefore to the civilian police now maintained by Israel in the Nitsana area.

