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LETTER DATED 29 MARCH 1954 FROM THE REPRESENTATIVE OF ISRAEL ADDRESSED
TO THE SECRETARY-GENERAL.

I have the honour to enclose observations of the Government of Israel on the Report received from the Chief of Staff of the United Nations Truce Supervision Organisation in Palestine (S/3183) in accordance with the Security Council Resolution of 24 November 1953 (S/3139/Rev.2).

I have the honour to request Your Excellency to bring this letter together with the enclosure to the notice of the members of the Security Council.

Please accept, etc.

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Ambassador and Permanent Representative
of Israel to the United Nations

54-09025

The Government of Israel has carefully studied the report submitted by the Chief of Staff of the Truce Supervision Organisation to the Security Council on February 24, 1954. This Report which covers the period November 24, 1953 - February 24, 1954, was written in compliance with the Resolution of the Security Council (S/3139/Rev.2) requesting the Chief of Staff "to report within three months to the Security Council with such recommendations as he may consider appropriate on compliance with and enforcement of the General Armistice Agreements, with particular reference to the provisions of this Resolution, and taking into account any agreement reached in pursuance of the request by the Government of Israel for the convocation of a conference under Article XII of the General Armistice Agreement between Israel and Jordan."

2. A complete picture of developments in the Israel-Jordan Armistice during the period under review is essential both for purposes of accurate record and for a clear appreciation of the grave events which have occurred since February 24. Certain facts and considerations which have a direct bearing on the increase of tension on the Israel-Jordan frontier do not find their place in the report of February 24, 1954.

Acts of Force

3. Part I of the Report, dealing with the Israel-Jordan General Armistice Agreement describes all the incidents occurring during the period under review for which responsibility was attributed by the Mixed Armistice Commission to Israel, while only two of the three incidents for which Jordan was held responsible are cited with equal prominence in the body of the Report.

The third incident involved the crossing of the demarcation line by a member of the Jordan non-regular forces who fired and killed an Israel policeman carrying out his duties well inside Israel territory near Beit Kika on January 27, 1954. At an emergency meeting of the Mixed Armistice Commission held on January 28, 1954, Jordan was found guilty of a breach of the Armistice Agreement (Appendix C, page 3 of the Report).

4. But mere reference to emergency meetings of the Mixed Armistice Commission does not convey the true picture of the situation along the Israel-Jordan frontier. Grave incidents which occurred during the period under review which had not been considered at emergency meetings of the Mixed Armistice Commission are nevertheless fully relevant to any accurate appraisal of the position. The following are seven incidents:

- (1) On 17 December 1953, an Israel patrol observed illegal cultivation and grazing in the no-man's land in the vicinity of Iatrun, under the protection of a unit of 20 Jordanian soldiers who took up positions and opened fire on the Israelis.
- (2) On 19 January 1954, an Israel Border Police Patrol (four policemen) was kidnapped by a group of Arab Legionnaires in the Irgun Simha area.
- (3) On 19 January 1954, Israel Border Police, in the Nir Eliyahu area (M.R.1461-1782), was attacked by automatic fire from across the demarcation line. National Guardsmen crossed the demarcation line trying to outflank the patrol.
- (4) On 14 February 1954, Israeli workers in Israel territory and an Israel patrol in the Sheveika area (M.R.1541-1958) were attacked by National Guardsmen who crossed the demarcation line and opened fire upon them. At the same time fire was opened upon the Israelis from across the demarcation line.
- (5) On 21 February 1954, Israeli workers repairing the roof of a house in the Talbieh quarter of Jerusalem were fired upon from across the demarcation line.
- (6) On 23 February 1954, Israelis dismantling mines in the Jerusalem area were fired upon from Jordanian territory though previous notice of the dismantling had been given.
- (7) On 23 February 1954, fire was opened from across the border upon a team of Israeli surveyors near Baqa el-Gharbiya (M.R.15575-20480).

Raids and Illegal Crossings

5. The Security Council's Resolution of November 24, 1953 "takes note of the fact that there is substantial evidence of crossing the demarcation line by unauthorised persons often resulting in acts of violence and requests the Government of Jordan to continue and strengthen the measures which they are already taking to prevent such crossings." This is an extremely moderate description by the Security Council of the Jordanian policy of violent infiltration which is the most fundamental cause of all tensions and outbreaks on the Israel-Jordan frontier.

6. The Report (Section 6 Para.1) conveys an unduly sanguine description of the measures allegedly taken by Jordan to give effect to this injunction by the Security Council. None of these measures have ever been communicated to the Israel authorities nor do the facts bear out the contention that effective steps against illegal crossings have been taken by the Jordan Government. Indeed, the following incidents not mentioned in the Report reveal that neither restraint nor punitive action has been applied by the Jordan authorities in a serious effort to halt illegal border crossings many of which are accompanied by violent acts.

- (1) On 10 January 1954, the Mukhtar of the village Qatanna interfered with the marking of the demarcation line on the Israel side of the border, and organised the villagers with a view to preventing the work of demarcation. It is to be noted that the villagers of Qatanna, for whom the Mukhtar in question is responsible, have during the past years been found guilty by the Mixed Armistice Commission of numerous violations of the General Armistice Agreement. Moreover, a considerable number of complaints submitted by Israel in the course of the last three months referred to incidents in the Qatanna area. Despite the fact that these actions by the Mukhtar seem to fall well within the scope of effective measures against infiltration, he has not been replaced.
- (2) During the last three months Israel representatives have submitted to Jordanian delegates several lists with names of known infiltrators. The Jordanian representatives have failed to inform Israel of any action taken against these known infiltrators, some of whom had been arrested in Israel territory more than once.

- (3) During the period covered by the Report, 37 cases of illegal ploughing by Jordanians in Israel territory were reported to the Mixed Armistice Commission. It is difficult, therefore, to understand by what standards the "measures" listed under 6 (e) of the Report deserve to be described as "effective".

Joint Efforts at Border Control

7. After enumerating measures taken by Jordan and Israel separately, the Chief of Staff states that "no joint effort has yet been attempted". (Part I, Section 13 of the Report).

It is regretted that the Report contains no reference to the attempts made to arrive at joint procedures, and no mention of the divergent attitudes of the parties towards the desirability of such arrangements. Such an analysis would be all the more relevant in view of the importance attached by the Chief of Staff to such procedures. The Report states: "While a joint effort in itself would not suppress all thieving, armed robbery and smuggling, it would reduce them to a minimum." (Part I, Section 14 of the Report).

It is important to record, therefore, that Israel has continuously offered its full cooperation to Jordan in taking joint action for reducing tension along the border, while Jordan's attitude has remained uniformly uncooperative. A most significant example is Jordan's refusal to cooperate in marking the demarcation line on the ground. The teams which Israel has sent for this purpose have been frequently subjected to armed attacks by Jordanians. Thus on 28 December 1953, on 10 January 1954 and on 23 February 1954, demarcation teams were fired upon by Jordanians in the Rantis-Budrus, Qatanna and Baqa el-Gharbiya areas respectively. In the first incident an Israel soldier was killed.

Violation of Article XII

8. The Report conspicuously fails to give any accurate indication of the respective attitudes of the Israel and Jordan Governments towards their obligations under Article XII of the General Armistice Agreement. This is the major political development which ensued in the period under review. It has thrown a clear light on the degree and sincerity with which each party strives to improve the functioning of the armistice. The Report deals with this crucial question in a single sentence:

"The difficulties which have arisen in connection with the convocation of that conference have not contributed to create a better atmosphere between the two countries."
(Section 15, Part I, of the Report).

A detailed description of the nature of the "difficulties" would surely help the members of the Security Council to define responsibility for creating them. It will be recalled that the Security Council, in its Resolution of 24 November 1953 asked the Chief of Staff for a report "taking into account any agreement reached in pursuance of the request of the Government of Israel for the convocation of a conference under Article XII of the General Armistice Agreement between Israel and Jordan."

It is clear that the Security Council expected to hear what had occurred as a result of a conference to be held in compliance with Article XII. It was naturally taken for granted that the conference would be convened, and perhaps even reach agreement within 90 days of the adoption of the Resolution. The fact that it was not possible for the Chief of Staff to report on any agreement reached at such a conference, was due solely to the refusal by Jordan to honour its obligations under Article XII of the General Armistice Agreement. Any tension that has arisen in connection with the invocation of Article XII is attributable not to the party which has availed itself of the machinery duly established by the Agreement, but to the party which has dishonoured its signature, repudiated its obligations under Article XII, and held the office and responsibility of the Secretary-General in profound disrespect. It would, therefore, have been no more than appropriate that the responsibilities for any increase of tension, in this connection, should have been squarely placed by the Report on Jordan's evasive and recalcitrant conduct during the period under review, in flagrant violation of the Armistice Agreement. The exchange of correspondence between the Secretary-General and the Governments of Jordan and Israel regarding the convocation of a conference under Article XII of the General Armistice Agreement, published by the Secretary-General of the United Nations on 19 February and 24 March 1954 (Documents S/3180 and Add.1) give a clear picture of recourse by Israel to its legal rights, and repudiation by Jordan of its contractual obligations.

Increase of Tension

9. It cannot be considered that the Report accurately reflects the degree of gravity of the Israel-Jordan border situation. In commenting on the fact that the number of Israeli complaints, alleging crossing of the demarcation line has greatly increased during the last few months, the Report states that:

"An increase in the number of complaints does not, however, suffice to indicate a deterioration in the local situation on the border. It may indicate an intensification of the cold war between the central authorities ... There have been other periods of psychological warfare - not only in the case of Israel and Jordan - when the parties to a General Armistice Agreement have apparently rivalled in piling up complaints...".

10. The references to "cold war" and "psychological war" in this context are obscure. It is difficult however to understand how a conclusion of deteriorating security could fail to emerge from a very great number of complaints, all based on actual incidents, which had not been disproved and which should have merited the careful and respectful scrutiny of the United Nations Armistice authorities. To invalidate such complaints in advance by deprecating the motives for their submission would not conform with the best judicial tradition. Unless and until a complaint has been proved frivolous, the Truce Supervision Organisation can hardly wish to prejudge its validity.

11. The recent outrage in the Negev where 11 Israeli civilians travelling on a bus were killed in broad daylight by assassins armed with machine guns does not bear out the view that Israel's complaints should be taken merely as "intensification of the cold war". (Part I, Para.7, Part II, Para.41), nor do subsequent events bear out the estimate of an improved situation conveyed in Part I, Section 9, Note.1.

CONCLUSIONS

In submitting these supplementary facts and views on the Chief of Staff's Report, the Government of Israel desires to emphasize the extreme gravity of the developments which took place in the period under review and which reached a sombre climax in later weeks. The main features of the period November 24, 1953 to February 24, 1954, in the Israel-Jordan Armistice can be summarized as follows:

- (1) Infiltration from Jordan into Israel continued unabated with a sorry toll of life, injury and damage. No measures were taken by the Jordan authorities which resulted in any substantial decrease in the number of illegal crossings, illicit ploughings or armed assaults.
- (2) The Jordan authorities refused to cooperate in any joint efforts at border control.
- (3) Attempts by the Israel authorities to improve the position by marking the frontier at certain critical points were frustrated by Jordanian violence.
- (4) A major effort by the Secretary-General of the United Nations, acting in pursuance of Israel's invocation of Article XII to remedy the functioning of the Armistice by a discussion under his chairmanship was met by Jordan with delays, evasions and eventual refusal, in violation of the Armistice Agreement and in open disrespect of the United Nations. This defiance is all the more flagrant in view of the fact that Israel accepted every condition of time, place and agenda which the Secretary-General considered as helpful to the Conference's chance of success.

New York
29 Mar. 1948

