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LETTER DATED 27 SEPTEMBER 1955 FROM THE PERMANENT REPRESENTATIVE OF
ISRAEL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from the Government of Israel I have the honour to bring to the notice of the Security Council the text of a statement published by the Israel Ministry for Foreign Affairs on 13 September 1955, concerning certain regulations recently made by the Government of Egypt with the purpose of restricting free passage of shipping through the Straits of Tiran into the Gulf of Eilat (Aqaba):

"The regulations issued by the Egyptian Government requiring all vessels passing through the Straits of Tiran into the Gulf of Eilat (Aqaba) to give the Egyptian authorities 72 hours' notice and obtain their permission, are a new and serious infringement by Egypt of the rights of all countries to free and unhindered passage through this international channel. Acquiescence in them will aggravate the danger of incidents prejudicial to peace and security in the area.

"Insofar as the object of the regulations is to prevent access of merchant vessels to Eilat, they are in violation of the obligations of Egypt under the Israel-Egyptian General Armistice Agreement, the resolution of the Security Council of 1 September 1951, and of the general principles of international law governing the freedom of the seas and passage through international waterways.

Furthermore, they are incompatible with the most explicit undertakings given by the Egyptian Government on 28 January 1950 in reply to enquiries made by the United States Government after the Egyptian occupation of the Islands of Tiran and Sanafir. On that occasion the United States Government conveyed to the Government of Israel the following statement by the Government of Egypt:

'This occupation is not intended to prejudice in any manner the innocent passage across the waters separating these two islands

from the Egyptian coast of Sinai. It goes without saying that this passage, the only practicable one, will remain free as in the past in conformity with international practice and recognised principles of the Law of Nations.'

"Despite these undertakings and Security Council Resolution of 1 September 1951, the Egyptian Government has in the intervening years several times illegally molested or otherwise interfered with shipping through the Straits, including ships sailing from and to Israel. As recently as last July the British vessel ANSHUN was holed up above the waterline by shells fired from Egyptian guns in Tiran in an effort to prevent its passage to Aqaba.

"The new regulations are a blatant attempt by the Government of Egypt to arrogate to itself powers and exercise rights to which it has no title in international law or practice.

"The Government of Israel recognises no such rights on the part of the Government of Egypt. It rejects the legality of the Egyptian regulations. Israel is determined to protect the rights of free passage through this international channel at whatever time and whatever methods it will see fit.

"Announcement of this new Egyptian restriction comes a few days after Egypt's acceptance of the United Nations Chief of Staff's request for a cease fire. It calls in serious question the sincerity of Egypt's intentions to alleviate the tensions of the past weeks and revert to strict observance of the Armistice Agreement."

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

Please accept, Sir, etc.

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

