

NATIONS UNIES
CONSEIL
DE SECURITE



Distr.
GENERAL

S/4792/Add.1
19 April 1961

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL TO THE SECURITY COUNCIL ON
COMPLIANCE WITH SECURITY COUNCIL RESOLUTION S/4768

Addendum 1

Note by the Secretary-General

The Secretary-General has the honour to circulate for the information of the members of the Security Council the attached report by the Chief of Staff of the United Nations Truce Supervision Organization, Major-General Carl Cson von Horn, dated 19 April 1961, as an addendum to the Secretary-General's report dated 17 April 1961 on compliance with Security Council resolution S/4788 of 11 April 1961.

REPORT OF MAJOR-GENERAL CARL G. VON HORN, CHIEF OF STAFF OF
THE UNITED NATIONS TRUCE SUPERVISION ORGANIZATION IN PALESTINE
DATED 19 APRIL 1961

1. I have the honour to report on the meetings of the Israel-Jordan Mixed Armistice Commission convened to consider the following complaints:

- (a) Israel verbal complaint G.125 submitted on 13 April 1961;
- (b) Jordan verbal complaint G.128 submitted on 14 April 1961.

I. Israel Complaint

2. The Israel verbal complaint reads as follows:

"This morning (13 April) and yesterday it was observed that the Jordanians have brought heavy military equipment into the Jerusalem area contrary to article VII of the General Armistice Agreement. We request an immediate investigation and an emergency meeting to discuss this complaint. We also wish to discuss questions of co-operation arising out of the Security Council resolution of 11 April 1961."

3. The two delegations agreed that an investigation of this Israel complaint should be conducted on both sides separately. Three Israel witnesses declared having seen on the Jordan side of the demarcation line military equipment prohibited in the Jerusalem area under article VII of the General Armistice Agreement. A Jordanian senior staff officer who stated that no movement of troops or weapons could be made in the Jerusalem area without his knowledge and orders, denied the movement of any material prohibited under article VII of the General Armistice Agreement. The United Nations military observers who visited the whole Jerusalem area on the Jordan side of the demarcation line found no evidence of any equipment beyond that allowed in the General Armistice Agreement. There was no indication of equipment having been placed in position recently.

4. The Mixed Armistice Commission, having received the investigation reports, met in the morning of 17 April 1961. The emergency meeting had been requested by Israel and agreed to by the Chairman to deal with an alleged Jordanian violation of article VII in the Jerusalem area. However, it soon appeared, from the presentation of their case, that what the Israel delegation wanted in the first place to consider in every detail was the "questions of co-operation arising out

of the Security Council resolution of 11 April 1961" which, according to the last sentence of their verbal complaint, they also "wished to discuss".

5. The meeting of the Mixed Armistice Commission which, according to the Israel request, did not start until 17 April - Jordan had wanted an earlier meeting - recessed several times and ended on the morning of 19 April. It was referred to in the Israel press as a "marathon meeting". The Jordanian delegation suspected it was a "filibuster" and some attempts they made to end it only resulted in the presentation of new aspects of co-operation problems. From time to time, the Israel delegation summarized their views in proposals which they submitted to the Mixed Armistice Commission, asking the Jordanian delegation to give an immediate answer - which the latter were hardly in a position to give. These proposals which contain, in a condensed form, opinions which the Israel delegation has developed on co-operation between the members of the Mixed Armistice Commission are reproduced in the following paragraphs.

6. Late in the afternoon of 17 April, the Israel delegation proposed that the Mixed Armistice Commission decide to strike off all the outstanding complaints on its agenda. (There is a backlog of some 3,800 complaints on the agenda of the next regular meeting of the Mixed Armistice Commission and no regular meeting is possible until all or nearly all these complaints are struck off by mutual agreement. Experience has shown in the Israel-Jordan Mixed Armistice Commission, as in other Commissions, that the striking off of all complaints may be difficult to achieve, as a party may be reluctant to delete particular complaints.) Faced with this unexpected Israel proposal, the Jordanian delegation stated they had to refer it to higher authority for instructions and, if a vote was taken that day, they would be compelled to vote against it. The Israel delegation observed that in the light of this reference by the Jordanian delegation to a negative vote, they would like to consult with their authorities before proceeding further. The Jordan delegation opposed an adjournment, which meant that the Mixed Armistice Commission could not proceed with the discussion of the complaint for which Israel requested this emergency meeting viz., the complaint made by Israel that Jordan had violated article VII of the General Armistice Agreement in the Jerusalem area.

7. When, on the following day (18 April), the Mixed Armistice Commission voted on the Israel proposal to strike off all the outstanding complaints on its agenda,

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the proposal was not adopted. The Jordanian delegation voted against it and the Chairman abstained, considering that in such a matter he could not give the casting vote. The Israel delegation then proposed that "the Mixed Armistice Commission decides to direct the Sub-Committee to meet immediately to study ways and means of disposing of all outstanding complaints on its agenda and to report back to this meeting".

8. The above proposal was not adopted, the Jordanian delegation having voted against it and the Chairman having abstained. Four more proposals were made by Israel on 18 April and in each case the Jordanian delegation voted against and the Chairman abstained. The following are the texts of these proposals:

1. "Mixed Armistice Commission directs Sub-Committee to study alternatives to disposal of complaints by one party against the other by way of condemnation and to report results back to this meeting."
2. "Mixed Armistice Commission instructs Sub-Committee to study the articles of the General Armistice Agreement and specially article VII with a view to making it correspond with changed conditions and to report back to this meeting."
3. "Mixed Armistice Commission calls upon both parties to re-activate immediately the Jerusalem Area Commanders Agreement."
4. "Mixed Armistice Commission decides to call on the parties to General Armistice Agreement to agree to meet for purpose of reviewing, revising or suspending any of the provisions of General Armistice Agreement other than articles I and III."

9. After these votes, the Mixed Armistice Commission considered, during the night of 18/19 April, the Israel complaint alleging the violation by Jordan of article VII of the General Armistice Agreement. At the request of the Israel delegation United Nations observers who had taken part in the investigations were requested to attend the meeting. When the discussion ended, on 19 April, at 0245 GMT, the Israel delegation submitted no draft resolution or other text referring to its complaint. They submitted a new proposal relating to co-operation reading as follows:

"The Mixed Armistice Commission decides that its members are bound to co-operate so as to ensure that all the articles of the General Armistice Agreement will be complied with in full and calls on the two parties to the General Armistice Agreement to start immediately by direct negotiations to work out ways and means to bring about that result."

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10. When a few hours later the Mixed Armistice Commission met again on the morning of 19 April, the Israel delegation requested a separate vote for the first part of the above proposal down to and excluding the words "and calls on the two parties...". The Jordanian delegation voted against the adoption of the first part of the Israel proposal. The Chairman abstained, as he considered that it did not belong to the Mixed Armistice Commission to restate principles of international law concerning the observance of international obligations. The Israel delegation then stated that "in the light of these circumstances" it saw "no possibility of continuing its presence here". The Israel delegation walked out.

II. Jordan Complaint

11. After the departure of the Israel delegation on the morning of 19 April, the Chairman notified the two delegations that he intended to convene the Mixed Armistice Commission on the afternoon of the same day. It would discuss verbal complaint G.128 submitted by Jordan on 14 April 1961 - a complaint which he had also accepted as necessitating an emergency meeting.

12. The Jordan verbal complaint read as follows:

"The Hashemite Kingdom of Jordan observed between 12/14 April 1961 that Israel concentrated troops and heavy equipment on the Israel side of Jerusalem in excess of those allowed for in article VII and annex 2 of the General Armistice Agreement, such as tanks, armoured vehicles, artillery and troops. Any further details will be submitted during the investigation or the meeting."

The Jordanian and Israel delegations had agreed that the above complaint would be investigated on both sides separately.

13. On the Jordan side the United Nations observers had interrogated witnesses who declared having seen on the Israel side of the demarcation line heavy material arriving by rail in Jerusalem streets. On the Israel side, the junior Israel delegate to the Mixed Armistice Commission had said that it was not necessary to carry out any investigation on the ground that he was prepared to give a statement. He stated (on 15 April) that at this stage he had nothing to add to what he had said in the Sub-Committee meeting on 9 March 1961, that he would like to assure Jordan that Israel had no hostile intentions against her, and that it was Israel's aim

to keep tranquillity along the demarcation line. (It was in the Sub-Committee meeting of 9 March that the Jordanian delegation was informed by the Israel delegation that there would be in the 20 April military parade in Jerusalem about seventy armoured vehicles including tanks and artillery of all kinds, that all weapons would be unarmed and that there would be no ammunition; that the aforementioned troops and equipment would begin to assemble in Jerusalem during the week preceding 20 April and that their departure would take place immediately after the parade and be completed on 23 April.)

14. The Israel delegation was absent when the Mixed Armistice Commission considered the Jordanian complaint on the afternoon of 19 April. Following resolution submitted by the Jordanian delegation was adopted. The Chairman voted for the resolution:

"The Hashemite Kingdom of Jordan, Israel and the Mixed Armistice Commission, having discussed the Hashemite Kingdom of Jordan's complaint No. G.128 dated 14 April 1961 and the investigation reports by the United Nations military observers concerning this complaint:

1. Recalls the Hashemite Kingdom of Jordan-Israel-Mixed Armistice Commission resolution dated 20 March 1961;

2. Finds that on or about 12/14 April 1961 Israel had concentrated a large amount of heavy military equipment on the Israel side of the demarcation line in the Jerusalem Holy City area. This was in violation of the arms and equipment allowed for under the terms of article VII and annex II of the General Armistice Agreement. The arms and equipment consist of heavy tanks, heavy artillery guns and various types of armoured cars;

3. Calls on the Israel authorities to withdraw forthwith such heavy arms and equipment from the Israel side of the Jerusalem area."
