

SECURITY
COUNCILCONSEIL
DE SECURITES/1043
18 October 1948

ORIGINAL: ENGLISH

Dual DistributionLETTER DATED 18 OCTOBER 1948 FROM THE REPRESENTATIVE OF THE
PROVISIONAL GOVERNMENT OF ISRAEL TO THE PRESIDENT OF THE
SECURITY COUNCIL CONCERNING ALLEGED BREACH OF TRUCE BY
EGYPTIAN FORCES

Paris 18 October 1948

I have the honour on behalf of the Provisional Government of Israel to draw attention to a grave breach of the truce by Egyptian Forces in the Negeb, resulting in widespread fighting in that area.

1. On 25 June during the first truce, the Mediator ruled that the passage of Jewish convoys to settlements in the Negeb was consistent with the terms of the truce. The Mediator ruled:

"If pretext truce should be used to starve out Jewish settlements in Negeb for four week period without normal hazards of war action this would be clear military advantage for Egyptians and reverse for Jews thus contrary to both letter and spirit of the truce." (S 856).

2. In the first week of the second truce which began on 18 July Egyptian forces occupied a position south of Keratiyeh along the Majdal Faluja road, with the purpose of cutting off the Israeli Negeb with its twenty-five Jewish settlements from all contact with the north. The Israeli convoy-route running due south from Keratiyeh and the Egyptian line running due west, thus found themselves athwart each other. Israeli convoys were repeatedly fired upon by Egyptian forces, and had to be suspended. Jewish forces, expecting effective United Nations action, did not retaliate against Egyptian convoys travelling from east to west, as they could easily have done.

3. The contention of the Government of Israel that the obstruction of the Jewish convoys constituted a violation of the truce was upheld by the Central Truce Supervision Board on 11 September (Case Number 12) and approved by Count Bernadotte on 14 September. In that decision the Mediator ruled that Israeli forces should be permitted to use the road "without interference from any Arab forces between the hours of 0300 and 0900 GMT daily, and at no other time, for the purposes of transporting supplies and personnel permitted under the terms of the truce to and from Israeli settlements in the south." Similarly it was provided that Egyptian convoys could use the road for six hours in the afternoon.

The Truce Board went on to say that "it cannot accept the position taken by the Egyptian Army to the effect that the question of the use of supply routes in this area is not to be resolved until the withdrawal of Israeli forces from the villages of Hatta and Karatiyeh." The Truce Board had previously ruled (Case Number 11) that Israeli forces were entitled to be in occupation of these two villages.

4. On 7 October, Colonel Baruch, of the Israeli General Staff, addressed the following letter to the Mediator's Chief of Staff:

"On 11 September the Central Truce Supervision Board pronounced its decision on the Faluja-Karatiya Road (Case Number 12) in which General Lundstrom's decision of 18 August, allowing each party the use of the road for six hours daily was confirmed.

"On 14 September, this decision was approved by the late Count Bernadotte, and was communicated to the parties concerned. Although three weeks have elapsed since then, we have not yet been notified of the Egyptians' reply.

"The Egyptians keep on using this road for twenty-four hours a day, in defiance of the U.N. decision which stipulated that they should use it from 1000 - 1600 GMT, and at no other time. We therefore maintain that measures should be taken to put an end to this illicit traffic and would be grateful to be advised of your opinion on the matter."

5. In the light of this decision in Case Number 12, it is clear that any obstruction by Egyptian forces of Jewish convoys to the Negeb via Karatiyeh constitutes a breach of the truce and a repudiation of the Mediator's ruling. To acquiesce in this obstruction would also be inconsistent with the terms of the Security Council's resolution of 19 August, inasmuch as such acquiescence would enable Egypt "to gain military and political advantage from violation of the truce."

6. The United Nations representatives repeatedly ordered the Egyptian authorities to permit the passage of convoys on both sides of the Majdal-Faluja road. It was clear, however, that they were unable to enforce Egyptian adherence to the Mediator's decision in Case Number 12.

7. On 15 October, the Israeli military authorities sent a convoy southwards along the permitted road during the hours assigned to them by the Mediator's decision, after duly notifying the United Nations Chief of Staff. In this notification, the representative of the Government of Israel wrote:

"On 11 September, the Central Truce Supervision Board pronounced its decision on the Karatiyeh road, which was subsequently approved on 14 September by the late Count Bernadotte. Although more than a month has elapsed, no Egyptian reply has been published. We

repeatedly urged that the Egyptians be finally made to signify their acceptance or rejection of the Mediator's decision. During these two months, the United Nations Mission was apparently unable to make headway with Egyptian intransigence, and an intolerable situation has been allowed to continue unrelieved. I am accordingly directed by the Chief of the General Staff Branch to inform you that we shall tomorrow despatch a convoy within the time-limits stipulated by the Central Truce Supervision Board decision. May I remind you in this connection that Egyptians run their traffic for 24 hours daily in defiance of the United Nations decision, stipulating that their traffic should be permitted for six hours daily only."

8. The convoy despatched on 15 October consisted of sixteen trucks: it was heavily attacked by Egyptian forces south of Karatiyeh. Two trucks were destroyed, others damaged, and there were a number of casualties. The same afternoon at 1400 hours several convoys between Jewish settlements in the Negeb were attacked by Egyptian Spitfires in the area of Dorot and Ruhama. Widespread fighting is now in progress as a result of these Egyptian operations. The settlements of Dorot and Ruhama had previously been bombarded and bombed from the air in the course of Egyptian offensive activity in the first ten days of October. These events were brought to the notice of the Security Council by the representative of the Provisional Government of Israel on 14 October (S/P.V.365, pp. 53-65).

9. It is clear that Egyptian success in obstructing the 15 October convoy would have had the gravest and profoundest effects. It would have perpetuated Egyptian military advantage as a result of a truce violation; and at a time when illegitimate claims are being sponsored with regard to this part of the territory of Israel, the illusion that invading Arab forces exercise effective control on communications in that area might have been interpreted as giving those forces certain substantive rights as a result of the violation of the truce. In this sense, the Egyptian action would have led to the acquisition of a political advantage resulting from a truce violation.

10. On 16 October the Provisional Government of Israel made the following declaration to the Mediator's representatives:

"In view of continuous Egyptian attacks by land and from the air against Jewish settlements in the Negeb, and of the obstinate refusal of the Egyptian authorities to honour the Central Truce Supervision Board's decision in Case Number 12, culminating in an all-out attack on Israeli convoys travelling along the Karatiyeh

road on 15 October within times prescribed in that decision, the Provisional Government of Israel cannot see its way to order the suspension of operations in the area concerned until it obtains full guarantees from the Chief of Staff that passage of traffic to and from the Negeb will be allowed by the Egyptians, unmolested, and that further Egyptian attacks against Jewish settlements, positions, and communications, will cease."

11. At the time of writing, the Provisional Government of Israel has received no information on Egyptian intentions in this regard. On 17 October the Acting Mediator conveyed to the Foreign Minister of Israel a proposal for a three-day cease-fire at positions now held, during which all questions affecting peace and security in the Negeb might be discussed. This proposal has been duly communicated to the Provisional Government of Israel. The Security Council and the Acting Mediator will be kept informed of any new information coming to hand.

(Signed) AUBREY S. EBAN
Representative of the Provisional
Government of Israel to the United
Nations
