

**UNITED**



**NATIONS**

**REPORT  
OF THE SECURITY COUNCIL  
TO  
THE GENERAL ASSEMBLY**

**Covering the period from 16 July 1955 to 15 July 1956**

**GENERAL ASSEMBLY  
OFFICIAL RECORDS : ELEVENTH SESSION  
SUPPLEMENT No. 2 (A/3157)**

**NEW YORK, 1956**

**( 58 p. )**

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## NOTE

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## TABLE OF CONTENTS

	<i>Page</i>
INTRODUCTION .....	v
PART I	
<b>Questions considered by the Security Council under its responsibility for the maintenance of international peace and security</b>	
<i>Chapter</i>	
1. THE PALESTINE QUESTION .....	1
A. Cessation of hostilities and measures to prevent further incidents in the Gaza area .....	1
B. Syrian complaint concerning incidents in the area east of Lake Tiberias...	2
C. Status of compliance given to the General Armistice Agreements and the resolutions of the Security Council adopted during the past year.....	13
1. Consideration of the item and adoption of the resolution of 4 April 1956	13
2. Report of the Secretary-General pursuant to the Security Council's resolution of 4 April 1956.....	19
3. Consideration of the Report of the Secretary-General by the Security Council .....	23
PART II	
<b>Other matters considered by the Council</b>	
2. ADMISSION OF NEW MEMBERS.....	31
A. Consideration of General Assembly resolutions 817 (IX) and 918 (X) and of the application of Spain, and the recommendation of sixteen appli- cant States to membership.....	31
B. Consideration of proposals concerning Japan and the Mongolian People's Republic .....	36
C. Application of the Sudan.....	39
D. Application of Morocco.....	41
3. PROPOSAL TO CALL A GENERAL CONFERENCE OF THE MEMBERS OF THE UNITED NATIONS FOR THE PURPOSE OF REVIEWING THE CHARTER.....	41
PART III	
<b>The Military Staff Committee</b>	
4. WORK OF THE MILITARY STAFF COMMITTEE.....	42
PART IV	
<b>Matter submitted to the Security Council which was not admitted to its agenda</b>	
5. LETTER DATED 13 JUNE 1956 FROM THE REPRESENTATIVES OF AFGHANISTAN, EGYPT, INDONESIA, IRAN, IRAQ, JORDAN, LEBANON, LIBYA, PAKISTAN, SAUDI ARABIA, SYRIA, THAILAND AND YEMEN ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING ALGERIA.....	43



## PART V

### Matters brought to the attention of the Council but not discussed

<i>Chapter</i>	<i>Page</i>
6. REPORTS ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS.....	47
7. COMMUNICATIONS FROM THE ORGANIZATION OF AMERICAN STATES.....	47
8. COMMUNICATION RELATING TO THE KOREAN QUESTION.....	47
9. COMMUNICATION RELATING TO THE SITUATION IN MOROCCO.....	48
10. REPORT OF THE DISARMAMENT COMMISSION.....	48
11. CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT, THE HAGUE, 1954.....	48
12. COMMUNICATIONS CONCERNING THE SITUATION IN EASTERN ARABIA.....	48
13. LETTER DATED 12 JULY 1956 FROM THE REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL .....	49

### Appendices

I. Representatives and deputy, alternate and acting representatives accredited to the Security Council.....	50
II. Presidents of the Security Council.....	50
III. Meetings of the Security Council during the period from 16 July 1955 to 15 July 1956.....	51
IV. Representatives, Chairmen and Principal Secretaries of the Military Staff Committee .....	51

## INTRODUCTION

The present report<sup>1</sup> is submitted to the General Assembly by the Security Council in accordance with Article 24, paragraph 3, and Article 15, paragraph 1, of the Charter.

Essentially a summary and guide reflecting the broad lines of the debates, the report is not intended as a substitute for the records of the Council, which constitute the only comprehensive and authoritative account of its deliberations.

With respect to the membership of the Council during the period covered, it will be recalled that the Assembly,

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<sup>1</sup> This is the eleventh annual report of the Security Council to the General Assembly. The previous reports were submitted under the symbols A/93, A/366, A/620, A/945, A/1361, A/1873, A/2167, A/2437, A/2712 and A/2935.

at its 534th plenary meeting on 14 October 1955, elected Australia and Cuba, and, at its 560th plenary meeting on 20 December 1955, elected Yugoslavia as non-permanent members of the Council to fill vacancies resulting from the expiration, on 31 December 1955, of the term of office of Brazil, New Zealand and Turkey. The newly-elected members of the Council also replaced the retiring members on the Disarmament Commission which was established under the Security Council by the General Assembly in accordance with its resolution 502 (VI) of 11 January 1952, to carry forward the tasks originally assigned to the Atomic Energy Commission and the Commission for Conventional Armaments.

The period covered in the present report is from 16 July 1955 to 15 July 1956. The Council held thirty-two meetings during that period.

## PART I

### Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

#### Chapter 1

#### THE PALESTINE QUESTION

##### A. Cessation of hostilities and measures to prevent further incidents in the Gaza area

1. In a letter dated 29 August 1955 (S/3425) and five subsequent communications (S/3426, S/3427, S/3428, S/3433 and S/3434), the acting permanent representative of Israel to the United Nations brought to the notice of the Security Council the grave deterioration of the security situation on the demarcation line in the Gaza strip, which had occurred after Egypt, following an incident on 22 August, had broken off talks with Israel on the possibility of eliminating the causes of friction on the border between the two countries. The new outbreaks of violence which he had brought to the attention of the Council were not isolated phenomena, but were the results of a deliberate policy which the Egyptian Government proposed to pursue undeviatingly.

2. In a letter dated 6 September 1955 (S/3431), the representative of Egypt reported to the Security Council that, since 22 August 1955, Israel armed forces had embarked upon vast military operations, including crossings of the demarcation line at several points. Moreover, while the Egyptian authorities had immediately accepted a cease-fire to start on 30 August, as proposed by the Chief of Staff of the United Nations Truce Supervision Organization in Palestine, Israel had not given its approval, and on the following day "committed the most flagrant incident since the conclusion of the General Armistice Agreement" in the area of Khan Yunis. This operation had resulted in the death of ten Egyptian soldiers and twenty-five refugees, nineteen others being injured.

3. In a report circulated on 6 September 1955 (S/3430), the Chief of Staff of the Truce Supervision Organization stated that the chain of violent incidents had started with an incident on 22 August in which Israel forces occupied an Egyptian post near the demarcation line and that the Mixed Armistice Commission might be unable to determine which of the parties was responsible for beginning the action.

4. That episode had been followed by an organized series of attacks on vehicles, installations and persons carried out by gangs of marauders operating well inside Israel territory. On 26 August, in view of the deterioration of the situation in the Gaza area, the Chief of Staff had requested that responsible Israel authorities in the area be instructed to act with restraint and, on 28 August, he had obtained the agreement of Egyptian authorities to the re-posting of United Nations military observers at certain points on the Egyptian side. On 30 August, in response to the Chief of Staff's appeal to

the parties to observe a strict cease-fire covering all hostile acts, Egypt had informed him of its agreement, but had stated that, should the other side start any aggressive action, it would have to bear the consequence of its aggression. Israel's reply contained a condition—that the Egyptian Government should first accept responsibility for the acts of violence in Israel territory—which the Chief of Staff deemed unreasonable and unacceptable as a condition for a cease-fire. On 31 August, he had learned of the detention by Israel authorities of United Nations observers and personnel. The restrictions on the movements of United Nations observers immediately preceded the action at Khan Yunis on the night of 31 August-1 September carried out by Israel forces and resulting in the killing of thirty-six Egyptians and the wounding of thirteen. On 4 September, after a renewed appeal for a cease-fire to both parties, the cease-fire was accepted by both Israel and Egypt, the latter reiterating that its earlier acceptance of a cease-fire held good. The Chief of Staff concluded that a repetition of the incidents of firing between Egyptian outposts and Israel motor patrols, which had precipitated many crises since February 1955, would be avoided only if the forces of the opposing sides were separated by an effective physical barrier along the demarcation line; and if, in addition, defensive positions and motorized patrols were kept at least 500 metres from the demarcation line on either side.

5. On 7 September, in a letter (S/3432) to the President of the Security Council, the representatives of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America requested the convening of the Council to consider the item entitled: "The Palestine question: cessation of hostilities and measures to prevent further incidents in the Gaza area", and submitted the following draft resolution:

*"The Security Council,*

*"Recalling its resolution of 30 March 1955,*

*"Having received the report of the Chief of Staff of the Truce Supervision Organization,*

*"Noting with grave concern the discontinuance of the talks initiated by the Chief of Staff in accordance with the above-mentioned resolution,*

*"Deploing the recent outbreak of violence in the area along the Armistice Demarcation Line established between Egypt and Israel on 24 February 1949,*

*"1. Notes with approval the acceptance by both parties of the appeal of the Chief of Staff for an unconditional cease-fire;*

"2. *Calls upon* both parties forthwith to take all steps necessary to bring about order and tranquillity in the area and in particular to desist from further acts of violence and to continue the cease-fire in full force and effect;

"3. *Endorses* the view of the Chief of Staff that the armed forces of both parties should be clearly and effectively separated by measures such as those which he has proposed;

"4. *Declares* that freedom of movement must be afforded to United Nations observers in the area to enable them to fulfill their functions;

"5. *Calls upon* both parties to appoint representatives to meet with the Chief of Staff and to co-operate fully with him to these ends;

"6. *Requests* the Chief of Staff to report to the Security Council on the action taken to carry out this resolution."

6. At the 700th meeting (8 September 1955), the representatives of the United Kingdom of Great Britain and Northern Ireland, the United States of America, France, New Zealand, Iran, Peru, Belgium, China and the Union of Soviet Socialist Republics stressed the advisability of not bringing into the debate the question of responsibility for the recent incidents, the necessity of maintaining the cease-fire in the Gaza area, and the necessity of resuming the interrupted negotiations and of complying with the suggestions formulated in the report of the Chief of Staff, particularly the measures intended to separate the opposing armed forces. The representative of Iran noted that the detention by Israel of United Nations personnel constituted a serious situation, which he trusted would not recur.

7. The representative of Israel expressed his agreement with the objectives of the joint draft resolution; however, he considered that the real solution for maintaining peace did not lie only in practical measures or technical devices but in the mutual interpretation of the armistice as a transition to peace.

8. The representative of Egypt stressed that Israel was responsible for the discontinuance of the talks initiated in conformity with the Security Council's resolution of 30 March 1955. He underlined the gravity of the attack on Khan Yunis which had been committed after the cease-fire appeal addressed to the parties by the Chief of Staff and accepted by Egypt. His Government would consider favourably the proposals contained in the report of the Chief of Staff and was always ready to co-operate with the Truce Supervision Organization.

**Decision:** *The joint draft resolution was adopted unanimously (S/3435).*

## **B. Syrian complaint concerning incidents in the area east of Lake Tiberias (S/3505)**

### **1. INCLUSION OF THE ITEM IN THE AGENDA**

9. In a letter dated 13 December 1955 (S/3505), the permanent representative of Syria to the United Nations informed the President of the Security Council that, on the night of 11-12 December 1955, Israel armed forces had launched a concentrated large-scale attack along the whole area lying to the east of Lake Tiberias. After a fierce fight Israel forces had occupied four observation posts parallel to the eastern shores of Lake Tiberias on Syrian territory. That planned attack had

resulted in the killing of five officers, thirty-two soldiers and twelve civilians, including three women; eight other soldiers had been wounded and thirty taken prisoner. In the course of that attack, a large number of houses belonging to Syrian villages had been destroyed and the occupants had been killed under the debris. The whole series of attacks constituted a most flagrant violation of the Syrian-Israel General Armistice Agreement and an act of open aggression and provocation. Accordingly, Syria requested the Security Council to meet as soon as possible and to take the measures necessary to meet that serious situation.

10. At the 707th meeting (16 December 1955), the Syrian complaint was included in the agenda and the Council invited the representatives of Syria and Israel to participate in the discussion. The representatives of Turkey, the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics, France, Iran, China, Peru, Belgium and the President, speaking as the representative of New Zealand, stated that the tragic incident which had occurred on the Syrian-Israel border had been considered by their Governments as a matter of great and grave concern and their Governments deplored that attack. They considered that the Council should await the final report of the Chief of Staff of the Truce Supervision Organization, as well as the text of the Mixed Armistice Commission's decision on the case.

11. At the same meeting, the representative of Syria stated that the armed aggression by Israel had been without any justification, since for the last two years the situation along the armistice lines had been relatively calm, with only sporadic events of an ordinary character. Israel had itself stated that, in the first six months of 1954, its casualties on the Sea of Galilee had been two killed and seven wounded and that, from January to October 1955, a few minor incidents had occurred. Even if that statement were to be accepted, it should not constitute sufficient ground for Israel to carry out a large-scale attack resulting in such loss of life and property. Similarly, Israel should not have resorted to force even if it had a complaint on the basis of an old dispute concerning fishing rights in Lake Tiberias.

12. Israel had admitted that the attack was a measure of retaliation, but the principle of retaliation had been expressly rejected by the Council and it had previously condemned Israel for such actions. It was evident that Israel had persistently violated the Charter. For that reason, the representative of Syria wished to remind the Council that, under Article 6 of the Charter, a Member State which had persistently violated the principles of the Charter might be expelled from the Organization by the General Assembly upon the recommendation of the Security Council. Mere and repeated condemnation of Israel by the Council was inadequate to meet the situation. Syria would remind the Council of its competence to recommend the expulsion of Israel. Similarly, Syria would urge the Council to decide upon economic sanctions, as provided for in the Charter.

13. In conclusion, the representative of Syria drew the Council's attention to a letter dated 15 December 1955 (S/3514) addressed by the Prime Minister of Egypt to the Secretary-General, wherein the former had informed the Secretary-General that the Israel attack against Syria constituted an attack upon Egypt, in view of the treaty obligations between the two countries.

Since the Council had been unable to prevent the recurrence of those attacks, Egypt felt compelled to deal with the situation itself, including the use of its armed forces, with a view to ensuring its safety and maintaining peace in the area.

14. The representative of Israel stated that in accordance with the terms of the Israel-Syrian Armistice Agreement the whole of Lake Tiberias, with a narrow strip of land on its eastern shore, lay within Israel territory, and Syria had no political or geographical status on the Lake. He recalled that the Syrian-Israel Mixed Armistice Commission, by a resolution adopted on 15 March 1954, had established the Israel character of Lake Tiberias as Israel territory and rejected any Syrian right to intrude upon activity therein. That applied both to fishing and to the use of the ten-metre strip on the eastern shore. Nevertheless, in discussing that resolution, Israel had suggested negotiations for the renewal of the 1923 agreement which had provided for fishing by Syrians in the Sea of Galilee. Syria, however, had refused to enter into such negotiations. Syria, which had opposed the Commission's ruling, had embarked upon a steady course of frustrating its purposes. Syrian artillery, established close to the frontier, had dominated Israel's territory on the eastern shore, as well as hundreds of metres of the Lake's surface.

15. The repeated call of the Mixed Armistice Commission to Syria to implement its ruling of 15 March went unheeded. Accordingly, a situation had manifestly arisen in which a crucial choice had presented itself: either peaceful activity on the Lake would have to be stopped in deference to Syrian guns, or Syrian guns would become silent in order that the conditions for work and development might be restored. It had been against that background, following the unprovoked attack by Syrian batteries on 10 December, that Israel forces had undertaken the operation of 11 December. Israel must tell the Council that, if it did not defend itself from time to time against attempts to paralyse its activities in various parts of the country, then those attempts would have become more frequent and more persistent and would have gone far beyond any possibility of localized repulse.

16. Referring to the Egyptian Prime Minister's letter to the Secretary-General, the representative of Israel stated that, in his Government's opinion, it was a sinister communication and that it would not be in the interests of the peace in the Middle East for the Egyptian Prime Minister to act on the basis of that communication. That letter had made it necessary for Israel to declare to the Government of Egypt that, if Israel was ever attacked, it would defend itself in accordance with its inherent rights.

## 2. REPORTS OF THE CHIEF OF STAFF

17. In a report dated 15 December 1955 (S/3516), the Chief of Staff of the Truce Supervision Organization in Palestine stated that Israel had linked the Tiberias attack to the shelling of Israel fishing boats and their police escorts on Lake Tiberias on 10 December. Incidents connected with fishing on Lake Tiberias had, from time to time, increased the tension between Israel and Syria: Israel had resented Syrian interference with its fishing activities; Syria had resented the fact that its inhabitants were no longer exercising the fishing rights they had enjoyed under the Anglo-French Agreement of 7 March 1923. Israel had expressed its readiness to negotiate the renewal

of the 1923 Agreement and had also suggested that individual Syrians should be granted fishing permits. Those suggestions had not been accepted by Syria and Israel police had not only protected Israel fishermen, but had prevented the inhabitants of Syria from fishing in the Lake. Accordingly, the Israel police had, from time to time, been fired at from Syrian positions close to the shore of the Lake; the Israel police had also fired at those Syrian positions. Israel had claimed that, in the first six months of 1954, its casualties on the Lake had been two killed and seven wounded. During the same period, Syrian casualties had been one woman killed and four soldiers wounded.

18. In most cases, according to Israel complaints, firing by Syrian positions had been directed not at Israel fishing craft, but at Israel police boats. Those boats often cruised close to the shore, preventing the inhabitants of Syria from crossing the ten-metre strip to fish in, or use the water of, the Lake. Such cruising had been considered provocative by near-by Syrian positions, and there had often been exchanges of fire. In order to prevent incidents during the fishing season, Syria had been informed that, during the 1955 fishing season, Israel fishermen would concentrate their activities on the north-eastern part of the Lake. Syria had acted on that information and, accordingly, no Israel fishing boats had been fired at since the beginning of the fishing season. The 10 December incident, which had been followed by the violent retaliatory action against the Syrian positions on the night of 11-12 December, had been again an incident between Israel craft other than fishing boats and a Syrian position. There had been no Israel or Syrian casualties during that incident, and neither party had requested an emergency meeting of the Mixed Armistice Commission. The Chief of Staff stated that the incidents of Syrian shooting at Israel boats on Lake Tiberias, which Israel had given as the reason for its retaliatory action on the night of 11-12 December, would hardly appear to be its sole cause, when viewed against the background of the relations between the parties. He explained that, apart from the differences existing between the parties with regard to the demilitarized zone, the relations between them had been more seriously embittered by their failure to agree to an exchange of prisoners during 1955.

19. The Israel action on the night of 11-12 December, the Chief of Staff reported, was a deliberate violation of the provisions of the General Armistice Agreement, including those relating to the demilitarized zone, which had been crossed by the Israel forces which had entered Syria.

20. Like the Qibya and Gaza incidents, the Tiberias incident had been explained by Israel as a retaliatory action on a large scale. There was, however, a risk in retaliatory action, *vis.*, that the attackers might not be able to limit the extent of the operation to that planned and, through reaction by the forces of the attacked country, full-scale hostilities might ensue. The disparity between the scale of retaliation and the provocation which had been cited by the Israel Government was striking. In view of the above-mentioned factors, the Chief of Staff considered that an attempt to find a solution to the problem by suggesting agreements to be effected within the scope of the Israel-Syrian General Armistice Agreement was probably not realistic. The informal procedure of informing the Syrians about Israel fishing activities with a view to avoiding firing by mistake might, however, if the parties agreed,

help in preventing further incidents in the north-eastern area of Lake Tiberias. The right of Israel to send police boats to patrol anywhere would in no way be impaired by a new gentleman's agreement similar to the one signed in May 1953 to keep them at a certain distance from the shore. Similarly, the Israel right to the ten-metre strip along the shore would not be affected by letting Syrian inhabitants water their cattle in, or draw water from, the Lake. The Syrian authorities could also, without impairing their legal position in the matter, authorize individuals residing in Syria to apply for fishing permits issued by the Israel authorities.

21. In conclusion, the Chief of Staff stated that an early exchange of prisoners would also help in relieving tension. In the present circumstances, the alternative to the use of force, which was to be strongly condemned, was the implementation of the General Armistice Agreement, supplemented, if possible, by gentlemen's agreements within the framework of the Armistice Agreement and in its spirit.

22. In a supplementary report dated 30 December 1955 (S/3516/Add.1), the Chief of Staff stated that interrogation of a Syrian cadet taken prisoner during the Tiberias attack had elicited the information that, on 10 December, from his post at Douga he had fired with a bazooka at an Israel police boat which was at a distance of eighty metres from the shore. Copies of documents in Arabic, reported to have been captured during the raid, were made available to the Chief of Staff. On the assumption that they were authentic, the first document, dated 14 March 1954, contained orders from the Syrian Chief of Staff to the effect that the limit of territorial waters off the Syrian shore in Lake Tiberias should be considered to be at 250 metres from shore; that fire should be opened on Israel military boats approaching closer than 250 metres; and that no fire should be opened on fishing boats, unless they took part in landing operations. The Chief of Staff commented that, while the General Armistice Agreement did not contain any clause authorizing Syrian authorities to consider any particular area in Lake Tiberias as Syrian waters, it should be noted that the Syrian order had been issued in March 1954 when so-called Israel police boats, armed with machine-guns and cannon, had been considered by the Mixed Armistice Commission to be naval craft prohibited by the General Armistice Agreement in defensive areas. Continued use of such boats in the vicinity of the north-eastern shore of the Lake might have been considered provocative or threatening after the Mixed Armistice Commission's decision, thus explaining, though not excusing, Syrian orders to fire at Israel military boats getting closer than 250 metres from the shore.

23. The second document, dated 8 November 1955, contained instructions given by the Syrian Commander of the south-western front in connexion with the 1955-1956 fishing season, according to which Syrians were to be prevented from fishing until new orders had been received. Israel fishermen were not to be prevented from fishing, unless they came nearer than 250 metres from the shore. Fishing by Syrians was absolutely prohibited and fish originating from the Lake were to be confiscated.

24. Finally, there were other documents which contained instructions for the defence of the Douga post against an Israel attack. Such instructions were for any army a matter of routine. As regards the emplacement of a Syrian bazooka within ten metres of the shore, the Chief of Staff stated that the order to emplace

it in the ten-metre strip contravened the Armistice Agreement.

### 3. VIEWS OF THE PARTIES AND OF THE MEMBERS OF THE COUNCIL

25. At the 709th meeting (22 December 1955), the representative of Syria stated that Israel had violated the cease-fire, broken the Armistice Agreement, committed an act of aggression and, finally, betrayed its obligations under the Charter. It was irrelevant to set up the plea of fishing rights as a justification for Israel's large-scale attack against Syria. The representative of Israel had also made reference to frontiers as well as to the sovereignty of Israel over Lake Tiberias; he had also asserted that Syria had no political or legal status in relation to the Lake. All those assertions were a flagrant violation of the Armistice Agreement. In the first place, the representative of Syria said, there were no frontiers between Syria and Israel. Then, Israel had no sovereignty over Lake Tiberias, while Syria had every legal and political status in the whole matter. Indeed, it should be remembered that, under the Armistice Agreement, there were only demarcation lines and no international boundaries. Similarly, Israel had no legal or political status, not only on Lake Tiberias, but on every inch of the Palestine territory that was under its control.

26. The representative of Syria then submitted the following draft resolution (S/3519):

*"The Security Council,*

*"Having examined the report of the Chief of Staff of the United Nations Truce Supervision Organization in Palestine dated 15 December 1955,*

*"Recalling its resolution of 15 July 1948,*

*"Recalling further its condemnation of Israel military actions as expressed in its resolutions of 24 November 1953 and 29 March 1955,*

*"Noting that the Security Council in the said two resolutions has called upon Israel to take effective measures to prevent the recurrence of such military actions,*

*"Deeply concerned that Israel has not heeded the said resolutions,*

*"Considering that further military action by Israel tends to disturb the peace and security of the area,*

*"1. Condemns Israel for the outrageous attack which was carried out by its military forces on 12 December 1955 against the territory and armed forces of Syria;*

*"2. Decides that the said action is a violation of the resolution of 15 July 1948, the Syrian-Israel Armistice Agreement and Israel's obligations under the Charter;*

*"3. Decides further that the said armed attack constitutes an aggression under the provisions of Article 39 of the Charter;*

*"4. Calls upon the Members of the United Nations to adopt the necessary measures for applying economic sanctions against Israel;*

*"5. Decides to expel Israel from the United Nations under Article 6 of the Charter for her persistent violation of the Principles of the Charter;*

*"6. Decides that Israel should pay adequate compensation for the loss of and damage to life and property caused by the said attack;*

"7. *Requests* the Secretary-General of the United Nations to render to the Security Council progress reports on the implementation of this resolution."

27. At the same meeting, the representative of Israel remarked that a State which did not acknowledge the rights of its neighbour to its very statehood did not belong in an international society which was based on the sovereign equality of all its members. Syria had taken part in an attempt to destroy Israel by armed force. In the Lake Tiberias area, the avowed purpose of Syrian gun positions was to deny to Israel and to transfer to Syria effective control over Israel territory. There had been a use and threat of force by Syria against the territorial integrity of the State of Israel, a policy specifically forbidden by the Charter.

28. The contents of the captured Syrian documents which Israel had communicated to the Council (S/3518) showed how Syrian authorities had considered that their jurisdiction over the waters of Lake Tiberias extended to 250 metres from the shore, and on occasions as far as 400 metres. The Israel delegation hoped that the Council would include in its resolution a clear injunction to Syria to avoid interference with Israel's activity on the Lake and Israel territory surrounding the Lake; and also a clear statement forbidding Syria from exercising illegal control on Lake Tiberias or its shores.

29. In a letter dated 9 January 1956, the representative of the Union of Soviet Socialist Republics requested the President of the Council, in accordance with rule 38 of the provisional rules of procedure, to put the Syrian draft resolution to vote in the following form (S/3528):

*"The Security Council,*

*"Having examined* the report of the Chief of Staff of the United Nations Truce Supervision Organization in Palestine dated 15 December 1955,

*"Recalling* its resolution of 15 July 1948,

*"Recalling further* its condemnation of Israel military actions as expressed in its resolutions of 24 November 1953 and 29 March 1955,

*"Noting* that the Security Council in the said two resolutions has called upon Israel to take effective measures to prevent the recurrence of such military actions,

*"Deeply concerned* that Israel has not heeded the said resolutions,

*"Considering* that further military action by Israel tends to disturb the peace and security of the area,

*"1. Condemns* Israel for the outrageous attack which was carried out by its military forces on 12 December 1955 against the territory and armed forces of Syria;

*"2. Decides* that the said action is a violation of the resolution of 15 July 1948, the Syrian-Israel Armistice Agreement and Israel's obligations under the Charter;

*"3. Calls upon* Israel to take all necessary measures to prevent such actions;

*"4. Warns* Israel that any future recurrence of such actions will bring about a situation requiring the Security Council to consider the question of the application of Article 39 of the United Nations Charter;

*"5. Decides* that Israel should pay adequate compensation for the loss of and damage to life and property caused by the said attack;

*"6. Requests* the Secretary-General of the United Nations to render to the Security Council progress reports on the implementation of this resolution."

30. On 11 January 1956, France, the United Kingdom and the United States circulated the following draft resolution (S/3530):

*"The Security Council,*

*"Recalling* its resolutions of 15 July 1948, 11 August 1949, 18 May 1951, 24 November 1953 and 29 March 1955,

*"Taking into consideration* the statements of the representatives of Syria and Israel and the reports of the Chief of Staff of the Truce Supervision Organization on the Syrian complaint that an attack was committed by Israel regular army forces against Syrian regular army forces on Syrian territory on 11 December 1955,

*"Noting* the report of the Chief of Staff that this Israel action was a deliberate violation of the provisions of the General Armistice Agreement, including those relating to the demilitarized zone, which was crossed by the Israel forces which entered Syria,

*"Noting also* from the reports of the Chief of Staff that there has been interference by the Syrian authorities with Israel activities on Lake Tiberias in contravention of the terms of the General Armistice Agreement between Israel and Syria,

*"1. Reminds* the Government of Israel that the Council has already condemned military action in breach of the General Armistice Agreements, whether or not undertaken by way of retaliation, and has called upon Israel to take effective measures to prevent such actions;

*"2. Condemns* the attack of 11 December as a flagrant violation of the cease-fire provisions of its resolution of 15 July 1948, of the terms of the General Armistice Agreement between Israel and Syria, and of Israel's obligations under the Charter;

*"3. Expresses* its grave concern at the failure of the Government of Israel to comply with its obligations;

*"4. Calls upon* the Government of Israel to do so in the future, in default of which the Council will have to consider what further measures are required to maintain or restore the peace;

*"5. Calls upon* the parties to comply with their obligations under Article 5 of the General Armistice Agreement to respect the Armistice Demarcation Line and the demilitarized zone;

*"6. Requests* the Chief of Staff to pursue his suggestions for improving the situation in the area of Lake Tiberias and to report to the Council as appropriate on the success of his efforts;

*"7. Calls upon* both parties to co-operate with the Chief of Staff in this and all other respects, to carry out the provisions of the General Armistice Agreement in good faith, and in particular to make full use of the Mixed Armistice Commission's machinery in the interpretation and application of its provisions."

31. At the 710th meeting (12 January 1956), the representative of the United Kingdom said at the outset that, with regard to the Palestine question, his Gov-



ernment's policy was to make every effort to bring about a lasting settlement between Israel and its neighbours. However, there could be no possibility of reducing tension with a view to a more permanent settlement so long as the Government of Israel sought to impose its policy on its Arab neighbours by force. He recalled that, over the past two years, the Council had had to deal with deplorable incidents at Qibya, Nahhalin and at Gaza, and now with that of Lake Tiberias; all of them were calculated military attacks, involving loss of civilian lives, in some cases on an appalling scale. Moreover, the Government of Israel had not disguised the fact that those attacks had been perpetrated by units of its own army.

32. The reports of the Chief of Staff made it clear that Israel had a legitimate grievance in regard to Syrian activities in the north-east corner of Lake Tiberias. But the most striking fact that emerged from the Chief of Staff's reports was the scale and violence of the Israel attacks resulting in such a shocking loss of life. The United Kingdom delegation had always held the view, which the Council had also often embodied in its resolutions, that, whatever the provocation, the whole principle of retaliation was wrong, both morally and politically. Israel, however, had not heeded those injunctions. It was time for Israel to understand that such a policy, morally reprehensible and mistaken, did not pay. If ever another attack of the same kind were launched, the Council might well have to decide, because its previous injunctions were insufficient, what further measures it should take to restore peace and order.

33. The United Kingdom delegation regretted that the representative of Israel had intimated in his letter of 29 December (S/3524) that his Government would reject the proposal submitted by the Chief of Staff about the patrol boats on the ground that it would impair Israel's rights. He felt it was reasonable to ask both parties to co-operate with the Chief of Staff in pursuing the helpful and modest proposals he had made to reduce tension in the area.

34. As regards the Syrian draft resolution, as amended by the USSR, his delegation felt that for a member of the Council to sponsor in a mutilated form the proposal of one of the parties seemed not only odd but undesirable. The draft resolution did not mention Syrian interference with Israel activities and had made no mention at all of the helpful suggestions of the Chief of Staff. On the question of compensation, the representative of the United Kingdom said the three-Power draft resolution had made no provision, because it had seemed doubtful whether such a provision could properly be made in regard to one isolated case. It was right in principle that compensation should be paid for injury and damage resulting from illegal acts of violence, but the difficulty was to see how the principle could be fairly enforced on both sides. He indicated that, when the time for voting came, he would ask that the three-Power draft resolution be given priority.

35. The representative of the United States said that, in co-sponsoring the three-Power draft resolution, his delegation did not advocate the cause of one side or the other; its sole desire was to prevent the recurrence of the kind of action undertaken by Israel in the Lake Tiberias area and to secure for the peoples of the Palestine area and the Middle East a peaceful settlement. His delegation had repeatedly declared that no Government had the right to take the law into its

own hands. It was most serious that a Member of the United Nations, indeed a Member created by the United Nations, should now be before the Council for the fourth offence of that kind in two years. The United States was concerned that Israel and its Arab neighbours were continuing to avoid their obligations under the Armistice Agreements and the Charter to strive for the restoration of peace in the area. The Tiberias attack had served only to inflame and intensify the hostility which already existed. Israel's deed was so out of proportion to the provocation that it could not be accurately described as a retaliatory raid. The Security Council must do more than condemn Israel. It should warn Israel that another transgression would compel the Council to consider what further measures under the Charter were required to maintain or restore the peace.

36. As regards the question of compensation, the United States representative said that his Government had given most careful thought to the wisdom of calling upon Israel to pay compensation in the light of the fact that it felt there should be reparation for Israel's deed. However, it had been unable, because of all of the complications involved, to formulate a procedure which would be equitable for assessing compensation for the act. That did not mean that his delegation disagreed with the principle of compensation, nor did it mean that it was not prepared to establish such machinery for the future, such as requesting the Secretary-General to study ways and means of equitable assessment and payment of compensation for such offences. As regards the future, his delegation considered it of the utmost importance that the parties should live up to their Armistice Agreements, respect the armistice lines and the demilitarized zones and co-operate fully with the Chief of Staff. The Syrian-Israeli Mixed Armistice Commission did not function and the responsibility, therefore, rested squarely with both parties, who had established the Commission for the specific purpose of resolving differences between them. There were hundreds of cases on the Commission's agenda, yet the parties would not meet to resolve them. The parties must make use of their Mixed Armistice Commission machinery. In normal circumstances the Council should have awaited the decision of the Mixed Armistice Commission and the Council's present consideration of the matter was justified only by the shocking aspect of the attack of 11 December and should not serve as a precedent for other complaints which had not been processed through the Mixed Armistice Commission.

37. The representative of France said that the Tiberias attack was certainly an aggressive act by its very nature, irrespective of the losses and damage suffered by either side, and the Council would be failing in its duty if it did not try to find ways to stop the recurrence of such incidents. The Chief of Staff had made various useful suggestions and the three-Power draft resolution gave him the Council's full support. Those suggestions could not, however, be effective as long as the parties continued to regard the demarcation line as a barrier which only the adversary was forbidden to cross, but which in no way hampered any incursions of their own.

38. After explaining the terms of the three-Power draft resolution, by which Israel was condemned for its attack of 12 December, the representative of France pointed out that Syria, having signed an armistice with Israel, had no right to establish gun or bazooka positions



beyond the demarcation line on the Israel side. Syrian troops had also committed a breach of the armistice when they had fired on boats sailing on Lake Tiberias. Accordingly, the three-Power draft resolution called upon the parties to comply with their obligations under article 5 of the Armistice Agreement to respect the Armistice Demarcation Line and the demilitarized zone.

39. The French delegation fully subscribed to the principle that States bore pecuniary responsibility for damage caused by the unlawful acts of their agents. It did not believe, however, that the Council was legally competent, or that it was the organ best equipped to arrange for fair compensation in those cases. Recourse could be had in that regard to the International Court of Justice. The representative of France added that the three-Power draft resolution was concerned not only with the past, but was also designed to prevent the recurrence of incidents in the future.

40. The representative of the Union of Soviet Socialist Republics said that the Israel representative had attempted to explain the Tiberias attack as reprisals which Israel was entitled to take for action which Syria was supposed to have taken against Israel fishing boats. That explanation could not be accepted, since the Chief of Staff's report clearly indicated that, after the Syrian side had been informed that the fishing season had begun, not a single Israel fishing boat had been fired at by Syria. The Security Council, in its resolutions of 24 November 1953 and 29 March 1955, had expressed the strongest censure of Israel's actions against Jordan in the region of Qibya and against Egypt in the region of Gaza, actions which Israel had attempted to justify by claiming the right of retaliation, precisely as it was doing in connexion with the incident in the Lake Tiberias area. Bearing in mind that Israel had disregarded the Council's earlier resolutions censuring it, and that Israel's military actions were aggravating the situation on the Arab-Israel frontier, the USSR delegation believed that the Council should call upon Israel to take all necessary measures to prevent such actions in the future, and should at the same time solemnly warn Israel that any recurrence of such action might bring about a situation requiring the Council to consider the question of the application of Article 39 of the Charter. The Council should also call upon Israel to observe scrupulously the Armistice Agreement and the Council's resolutions.

41. Moreover, the Security Council should invite Israel to pay compensation to Syria for the losses caused by the attack. The Syrian draft resolution, as amended by the USSR delegation, fully met those purposes. The USSR delegation assumed that a stern warning by the Council would receive serious consideration by Israel. Such a warning was essential, since the Council's resolutions on the Qibya and Gaza incidents had failed to have their due effect upon Israel.

42. The Council would not be justified, the USSR representative went on to state, in shifting some of the blame for the Lake Tiberias attack to Syria. The United Kingdom representative had mentioned alleged provocations by Syria which supposedly had caused Israel to retaliate. But the report of the Chief of Staff showed that Syrian authorities had not fired at Israel fishing boats, and that the 10 December incident, which allegedly had led to the Tiberias retaliatory attack, had been an incident between Israel craft, other than fishing boats, and Syrian positions. The Chief of Staff had also stated that there had been no Israel or Syrian casualties in the 10 December incident, and that neither

party had requested an emergency meeting of the Mixed Armistice Commission. Thus, it was clear that there was no justification for affirming or stating, as the representative of the United Kingdom had done, that there had been any provocation by Syria.

43. At the 711th meeting (12 January), the representative of Yugoslavia stated that a study of the documents showed that Israel's attack was an utterly unjust and unprovoked act of retaliation. The statement that the Israel attack had been provoked by the 10 December incident could not be accepted. His delegation was alive to the warning of the Chief of Staff to the effect that such retaliatory acts might lead to grave and unforeseen consequences.

44. The Yugoslav Government did not approve of frontier incidents or any other acts which might be considered as provocations. Neither could it accept the position that such acts should be used as a pretext for and justification of the use of force and retaliation. In that particular case, retaliatory acts not only discouraged efforts to reach solutions of the numerous problems in that part of the world, but also rendered more difficult the improvement of the international climate in general. Israel, being responsible for that attack, as well as for the loss of life and material damage to which it had led, should be resolutely censured and be called upon to take all measures to prevent any further aggravation of the situation in the future. The decision the Council would take must, in addition, endeavour to put an end to such action and to create conditions which would spare the Council the necessity of having to consider again not only measures of that kind, but also other possibilities.

45. As regards the main problem of Palestine, the representative of Yugoslavia stated, it would be necessary to find an early solution that would be based primarily on the interests of the countries concerned. A settlement could not, however, be imposed upon the parties, certainly not by measures which inherently carried the danger of further tension. Efforts for the settlement of problems could be successful only if the peoples of those countries were approached as independent and equal factors primarily interested in the solution of the said problems. Such a policy should find its expression in the unanimity of the Security Council on the case before it.

46. The representative of Iran stated that, after a study of the reports of the Chief of Staff, his delegation considered that the Israel attack of 12 December constituted an act of aggression and a flagrant violation both of the Charter and of the Israel-Syrian Armistice Agreement. In the present instance, the Council could not rest content merely by reprimanding Israel in terms similar to those used after the Qibya and Gaza incidents. It must face up to its responsibilities quite impartially and its decision must show fairness and a sense of justice. The Council should stress in its resolution that its condemnation of Israel must be regarded as a final warning, and that any further act of aggression would compel the Council to consider the application of sanctions in accordance with the provisions of the Charter. Moreover, since the attack was premeditated, Israel must be held liable for the loss of life and property. The Council should also try to reduce, indeed to eliminate, the areas of friction between the two parties. In that connexion, the Chief of Staff had recommended certain measures in his reports, and the Iranian delegation was prepared to give them its support in principle.

47. The representative of Iran then said that the Council had before it two draft resolutions. His delegation approved the three-Power draft resolution, except for certain points on which he proposed to submit some amendments. His delegation was in no way opposed, in principle, to the Soviet draft resolution. His delegation wished to submit the following amendments (S/3532) to the joint draft resolution: (1) to delete the fourth paragraph of the preamble; (2) to delete paragraph 4 of the operative part and replace it by the following:

"Declares that the commission of such acts in the future will constitute a breach of the peace within the meaning of Article 39 of the Charter, requiring consideration by the Security Council of the measures provided for in Chapter VII of the Charter."

(3) to delete paragraph 5 of the operative part; and  
(4) to add the following new paragraph:

"Decides that Israel should pay adequate compensation for the loss of and damage to life and property caused by the attack."

48. The representative of Belgium said that, according to the reports of the Chief of Staff, the Syrian authorities had been interfering with Israel activities in the Lake Tiberias area. On the other hand, it had been established that the Syrian positions had not fired on fishing boats in the course of the 10 December incident. In reading the impartial account of the facts, it was impossible not to be struck by the disparity between the military operations of 11-12 December and the incident alleged to have caused it. Similar operations carried out at Qibya and Gaza had led to the same conclusion. The impression was left that all three attacks were the outcome of a continuous and deliberate policy. The object was to prevent, by large-scale reprisals, the repetition of isolated acts in contravention of the Armistice Agreement. That policy was contrary to the basic principles of the Charter, to the General Armistice Agreements, to the Council's resolutions and to the moral principles accepted by all civilized peoples.

49. The representative of Belgium believed that the measures proposed by the Chief of Staff were reasonable and he hoped that they would be unanimously approved by the Council. As to the question of compensation, that was a complex question which, in practice, presented serious difficulties; it would be difficult to take any definite stand on the matter until its implications in the present case had been fully determined.

50. At the 712th meeting (13 January), the representative of China stated that the Tiberias attack was unjustified either on grounds of law or by military and political necessity and should be condemned. Although there was unjustified Syrian interference with Israel activities on Lake Tiberias, such interference could not be cited as a justification for a large-scale attack. Fortunately, the Chief of Staff had put before the two parties certain proposals to find a *modus vivendi* and the Council should support him in his efforts to bring about an improvement in the situation.

51. The representative of China then said that his delegation would support the three-Power draft resolution in principle. He had noticed, however, that it had omitted provisions for compensation to the Syrian families for their loss of life and property and injury. That omission was unjust and regrettable. Because of the difficulties involved in arranging compensation, his delegation felt that the ideal solution might be for Israel to make a voluntary offer of compensation.

Such an offer on the part of Israel would be an act of statesmanship. If such an offer should not be forthcoming, then his delegation would suggest that the Council itself should include, in its resolution, a provision for compensation.

52. The representative of Australia said that, in the opinion of his delegation, even if the alleged provocation by Syria had been greater, that would not have been a justification for Israel's action of reprisal carried out with such ruthless violence resulting in the loss of fifty-six Syrian lives. The Australian delegation was also concerned with the fact that such a prepared military action could only have been undertaken in circumstances that had permitted a prior calculation of the likely reaction of the members of the Council and, therefore, it had involved an element of contempt for the Armistice Agreement and for the United Nations.

53. An appeal to force in such a situation as had existed in the Lake Tiberias region, the Australian representative said, could not contribute to the removal of the friction that lay behind the various incidents in that area, but could only augment the existing tension and create further distrust. Even more important was the danger that retaliatory military action of that kind might expand into large-scale hostilities. The Australian delegation, therefore, supported the proposal to condemn Israel for that attack, and it had no doubt that the Council must be prepared to consider further action if its authority was again subjected to a challenge of that kind.

54. It should be recognized, however, that the explanation of such incidents was to be found in a situation that went far beyond the friction over Lake Tiberias. Neither party had shown any scrupulous regard for the Armistice Agreement nor any strong determination to reduce local tension.

55. To condemn the offensive military action of Israel was not, however, to condone the past actions of Syria in interfering with Israel activities on Lake Tiberias which, under the Armistice Agreement, lay wholly within Israel territory. While the responsibility for the Tiberias incident rested unquestionably with Israel, the Australian delegation considered it essential that a new approach should be made by the parties to the problem of reducing friction in the area. Therefore it seemed appropriate that, in considering the terms of the resolution to be adopted, the Council should not only censure Israel, but should also place the incident in proper perspective and point the way to the alleviation of the underlying tension through the use by both parties of the existing United Nations machinery.

56. The representative of Cuba said that his delegation deplored the Tiberias incident on the ground that the resort to force, except in self-defence, ran counter to the principles of the Charter; it constituted a violation of the Armistice Agreements, increased the tension prevailing in the area and rendered peaceful understanding even more difficult to achieve. The Council would have to take steps to prevent the recurrence of such actions, which were liable to lead to a state of war with unforeseeable consequences for world peace. Accordingly, the resolution which the Council should adopt must be sufficiently objective, well-considered and constructive in order to pave the way to a peaceful settlement.

57. The Cuban delegation felt that the Council should give special attention to the Chief of Staff's

suggestions, which offered a reasonable basis for agreement between Syria and Israel. The Council must censure Israel's attack. In the circumstances while a solemn and emphatic warning to Israel might have some effect, it might also, at the same time, tend to sanction acts of provocation by the other side, and steps must be taken to prevent that.

58. As to the question of compensation, the Cuban delegation, while sympathetic to the principle, believed that the problem was one with which a judicial body would be more competent to deal. Should Israel accept the suggestion made by China regarding voluntary compensation, the Cuban representative believed that such a gesture would create a favourable climate for the solution of that problem.

59. The President, speaking as the representative of Peru, said that he was gratified to note that unanimous agreement had emerged on certain issues, such as the condemnation of the attack, as well as a warning to Israel with regard to measures to be taken by the Council in order to preserve peace. There also seemed to be an agreement on the need to support the measures taken by the Chief of Staff.

60. On the question of compensation, the representative of Peru felt that there were serious difficulties, for neither the Charter nor the previous proceedings of the Council would enable the procedure to be determined or the organ for such compensation to be designated. At best, the draft resolution could only propound the principle, leaving it to the parties to decide how they would exercise their right.

61. At the 713th meeting (17 January), the representative of the United Kingdom submitted a revision of the three-Power draft resolution (S/3530/Rev.2) which contained a new first operative paragraph, reading: "Holds that this interference in no way justifies the Israel action". The United Kingdom representative explained that the sponsors of the joint draft resolution, in the light of the statement of the representative of Iran, had wanted to set at rest any doubts regarding the fairness of referring in the preamble to Syrian contravention and there was no desire to equate sporadic Syrian interference on the Lake with the Israel attack of 11-12 December.

62. At the same meeting, the representative of Syria said that the contention of the representative of the United Kingdom that Israel had a legitimate grievance in regard to Syrian activities around the north-eastern corner of Lake Tiberias was not supported by the facts. According to the reports of the Chief of Staff, Syria had not interfered with Israel's fishing activities, but had engaged some Israel naval craft which, under the terms of the Armistice Agreement, were prohibited on the Lake since it was a Defensive Area. It was also clear from the reports of the Chief of Staff that the inhabitants of Syria were prevented from exercising the fishing rights which they had enjoyed under the Anglo-French Agreement of 1923. As regards the statement of the representative of the United Kingdom that Lake Tiberias, as well as a ten-metre strip of land on its north-eastern shore, lay wholly under Israel jurisdiction, the representative of Syria pointed out that the Armistice had not invested Israel with such jurisdiction. The demarcation line provided under the Armistice Agreement was not to be construed in any sense as a territorial or political boundary.

63. As to the statement of the representative of France that Syrian armed forces had no right to establish gun positions on the Israel side of the armistice line, the representative of Syria said that no evidence had been produced to show that Syrian positions had been established beyond the demarcation line. The representative of Syria next pointed out that it was according to a directive of the Chairman of the Syrian-Israel Mixed Armistice Commission, with which Israel had agreed to comply, that Israelis were to keep their fishing boats at a distance of 250 metres from the eastern and north-eastern shores of the Lake.

64. On the question of compensation, in the absence of agreement on the procedure to be followed, the Syrian delegation would suggest the establishing of a three-Power commission by the Council to study, in collaboration with the Secretary-General, all aspects of compensation, as well as all ways and means of assessment and enforcement.

65. The representative of Syria then went on to state that Israel's conduct had brought about its political and moral excommunication from international life and, as a persistent violator of the Charter, Israel deserved to be expelled from the United Nations. Sanctions constituted the only effective deterrent measures against Israel. He urged the Council to recommend to Member States a cessation of economic aid to Israel, say for one year, which period would be renewable upon further aggression. The United States, in particular, should withhold aid, as it had once before with commendable effect, since it was from the United States that Israel derived its greatest economic support.

66. The representative of Israel, after describing the situation in which Israel had to maintain its life as a State, said that, as regards Lake Tiberias, Israel was faced with the choice of either giving up the Lake as a domain of sovereign Israel enterprise, or of resisting the aggressive threat which Syria openly maintained. Some members had referred to an apparent disproportion between the effects of the Israel response and the dimensions of the single incident that had immediately preceded it. That, however, was not a true or valid comparison. The dimensions of Israel's occasional reactions were more than matched by the accumulated effect of repeated incidents, of a constant state of tension, of hostility and of aggression maintained by its Arab neighbours. Nor had the Arab States given up their concept of belligerency, despite the Council's firm stand against it. Israel's policy was to refrain from any acts of force so long as its territory and population were not assaulted by force. The representative of Israel said that the discussion on the justification of Israel's response to provocation could best be ended by bringing the provocations themselves to an end, and by the Arab States abandoning belligerency and honouring to the full the Armistice Agreements they had signed with Israel.

67. As regards the proposals made by the Chief of Staff, the Government of Israel had agreed in particular with the proposal concerning the exchange of prisoners, and had expressed its willingness to conclude an agreement authorizing individuals residing in Syria to apply to Israel for fishing permits in Lake Tiberias. In the circumstances, he wished to stress that Syria had no established right to fish in Lake Tiberias. Israel had not automatically inherited the obligations or contracts of the Mandatory Power. Israel might decide to agree or not to agree to concede those rights to the use of the waters of Lake Tiberias to Syrians on the

other side. As regards the 250-metre limit, he wished to point out that at no time had the Israel Government ever entered into an agreement to abstain from patrolling or fishing in a certain area of the Lake. Indeed, all that had happened was that in 1951 Israel had informed the Chairman of the Israel-Syrian Mixed Armistice Commission that, because of the fishing season at that time, Israel fishermen would work at 250 metres from the shore, but that that distance might be changed depending upon the season.

68. On the question of indemnities, the representative of Israel said that more Israel civilians had lost their lives through armistice violations than citizens of the Arab countries. It would surely be wrong to attempt a selective application of the compensation principle to the victims of a particular clash, while making no corresponding provision for the scores and hundreds of Israelis who had lost their lives at Arab hands in violation of the Armistice Agreement.

69. Referring to the three-Power draft resolution, the representative of Israel said that the expressions of condemnation, concern and warning contained therein were wholly disproportionate to the action to which they referred. As to the Soviet draft resolution, his delegation deeply regretted its unbalanced approach. It saw in it the unfortunate extension of an attitude previously expressed in the vetoing of two important resolutions of the Council.

70. At the 714th meeting (18 January), the representative of Yugoslavia said that the existence of two draft resolutions before the Council and the failure to arrive at an agreed text, despite the general consensus of the Council on the evaluation of the case before it, could not be explained merely by differences in specific formulations. He considered that the degree of agreement existing in regard to certain elements of the case offered an adequate basis for efforts in the direction of finding a generally acceptable solution. On the other hand, one of the elements on which there still remained a difference of opinion concerned the linking of the Israel attack with certain frontier incidents in which both parties had been engaged. Since the Council had condemned the policy of retaliation, the representative of Yugoslavia believed that the linking of the earlier incidents with the Tiberias attack would be inconsistent, particularly because, according to the Chief of Staff's report, the 11 December attack had been preceded by a relative truce, especially with regard to Israel fishing activities. It was essential for the Council to reach a unanimous and generally acceptable decision. The negative consequences of a division in the Council could not be limited only to the aggravation of disputes in the area, but could easily intensify the divergences between the great Powers as well. Accordingly, his delegation wished to submit the following draft resolution (S/3536) as a compromise text and in the hope that it would render possible a unanimous decision.

*"The Security Council,*

*"Recalling its resolutions of 15 July 1948, 11 August 1949 and 18 May 1951, concerning methods for maintaining the armistice and resolving disputes through the Mixed Armistice Commission,*

*"Recalling its previous condemnations of retaliatory actions as expressed in resolutions of 24 November 1953 and 29 March 1955,*

*"Taking into consideration the statements of the representatives of Syria and Israel and the reports*

*of the Chief of Staff of the Truce Supervision Organization on the Syrian complaint that an attack was committed by Israel regular army forces against Syrian regular army forces on Syrian territory on 11 to 12 December 1955,*

*"Noting the finding of the Chief of Staff that 'the Israel action on the night of 11 to 12 December was a deliberate violation of the provisions of the General Armistice Agreement, including those relating to the demilitarized zone, which was crossed by the Israel forces which entered Syria',*

*"Noting also that disputes arising from activities on Lake Tiberias, as reported by the Chief of Staff, are no justification for any party to violate the General Armistice Agreement,*

*"Recalling that the Government of Israel has previously been called upon to take effective measures to prevent military actions in breach of the General Armistice Agreements and expressing its grave concern at the failure of Israel to comply with these requests,*

*"1. Condemns the attack of 11 to 12 December as a flagrant violation of the cease-fire provisions of its resolution of 15 July 1948, of terms of the General Armistice Agreement between Syria and Israel, and of Israel's obligations under the Charter;*

*"2. Calls upon the Government of Israel to refrain from such military actions in the future, in default of which the Council will have to consider what other measures provided for in the Charter are required to maintain or restore the peace;*

*"3. Considers that an established violation of the General Armistice Agreement entails compensation by the party responsible for the loss of and damage to life and property, if any, and that therefore in this case Syria is entitled to compensation;*

*"4. Requests the Chief of Staff to take appropriate steps for the release of prisoners taken in this action;*

*"5. Requests further the Chief of Staff to pursue his suggestions for improving the situation in the area of Lake Tiberias and to report to the Council as appropriate on the success of his efforts;*

*"6. Expresses its conviction that a strict respect of the provisions of the General Armistice Agreement by both parties concerned, their co-operation with the Chief of Staff in all respects and the full use of the Mixed Armistice Commission's machinery in the interpretation and application of the said Agreement are prerequisites for the stability and security in that area."*

71. The representative of Iran said that it would not be appropriate to insert in the three-Power draft resolution any reference to interference by the Syrian authorities with Israel's activities in Lake Tiberias. Not only was there no confirmation of such interference in the Chief of Staff's report, but it also would not be right to treat a large-scale attack by Israel in the same way as alleged interferences which could have been dealt with by the Mixed Armistice Commission. Nevertheless his delegation, in order to arrive at a unanimous decision, would withdraw its amendments in document S/3532, and substitute for them the following amendments (S/3537) to the three-Power draft resolution (S/3530/Rev.2):

*"1. In the fourth paragraph of the preamble after the words 'Noting also' replace the words 'from the reports of the Chief of Staff that there has been' by*

the words 'without prejudice to the ultimate rights, claims and positions of the parties that reference has been made in the reports of the Chief of Staff to'.

"2. In paragraph 7 of the operative part after the words 'in the area of Lake Tiberias' insert the words 'without prejudice to the rights, claims and positions of the parties'.

"3. Between paragraphs 7 and 8 of the operative part insert a new paragraph reading: '*Calls upon* the Government of Israel to release forthwith all Syrian military personnel in its custody'.

"4. Paragraph 8 of the operative part would become paragraph 9."

72. The representative of the Union of Soviet Socialist Republics stated that the discussion had shown that all members of the Council had reached the conclusion that Israel had carried out a wholly unwarranted invasion of Syrian territory and that thereby it had violated both the Charter and the Armistice Agreement between itself and Syria. The Council's decision should not only condemn Israel's action, but hold a warning that another such action could bring about a situation requiring the Council to consider applying Article 39 of the Charter. The Syrian-Soviet draft resolution contained such a warning, and the Soviet delegation believed such a warning would strengthen peace in that area. The Soviet delegation also considered that the restraint shown by the Syrian Government in the case under discussion should be noted in whatever decision the Council adopted.

73. The representative of the USSR further pointed out that the question of compensation had been ignored in the three-Power joint draft resolution, although during the debate the majority of the Council members had not questioned Syria's right to such compensation. The omission of any provision for compensation was a serious defect. Moreover, the draft resolution contained a provision which could be interpreted as an attempt to place on Syria at least part of the responsibility for the invasion of Syrian territory by Israel armed forces. Such an attempt was unwarranted and completely incomprehensible, considering that Syria had been itself the victim of the attack, as confirmed by the facts reported. Accordingly, his delegation believed that, in the form in which it was now before the Council, the joint draft resolution could not help in preventing any repetition of attacks by Israel on the territory of Arab States.

74. The representative of France said that the sponsors of the three-Power draft resolution were prepared to accept, in the interests of securing unanimity, that part of the Iranian amendments which required adding the words "without prejudice to the ultimate rights, claims and positions of the parties" in the fourth paragraph of the preamble, as well as in operative paragraph 7. However, the sponsors were unable to accept the Iranian amendment concerning the reference to Syrian interference with Israel activities on Lake Tiberias, as they could not agree to give a different treatment to one part of the report of the Chief of Staff. The representative of France wished to thank the Yugoslav representative for his efforts to promote unanimity. He hoped that the three-Power text, as amended, would meet the Yugoslav representative's wish to reach that objective.

75. The representative of the United States of America stated that the sponsors agreed that the retention of military prisoners by both parties was bound

to lead to further friction and misunderstanding. They were, therefore, prepared to accept an additional provision to their draft resolution by which the parties would be called upon "to arrange with the Chief of Staff for an immediate exchange of all military prisoners". The amended paragraph should not be construed to mean an exchange of one prisoner for another; on the contrary, it meant that all prisoners should be returned and set free.

76. The representative of the United Kingdom, in response to a request by the representative of the USSR for clarification of the terms of operative paragraph 5 of the three-Power draft resolution, stated that the sponsors were prepared to add the words "under the Charter" in that paragraph between the words "measures" and "are required to maintain or restore the peace".

77. At the 715th meeting (19 January), the representative of Syria, commenting on the draft resolutions before the Council, said that the USSR draft resolution, as well as that of Yugoslavia, were nearest to the merits of the case. The three-Power draft contained reference to Syrian interference on Lake Tiberias. But Syria's rights of fishing, navigation and irrigation in Lake Tiberias and on its shores, *ab antiquo* as they were, had been endorsed by international treaties. The peaceful exercise of those rights could not be described as interference in any manner; it would have been an interference on the part of Israel if it were to hamper the free exercise of Syrian rights. As to the question of prisoners, he explained that the Syrian military personnel held by Israel had been captured within Syrian territory as a result of an attack, whereas the Israel military personnel in Syrian custody had been seized on Syrian territory carrying out an operation of espionage and subversion. Finally, the draft resolution had failed to impose a penalty, to apply sanctions and to arrest Israel's war-like tendencies.

78. The representative of Cuba said that his delegation fully appreciated the high principles the Yugoslav draft resolution was designed to serve, but it still preferred the three-Power draft resolution, particularly the drafting of the fourth paragraph of the preamble. The deplorable Tiberias incident must not be regarded as an isolated act, but as a consequence of the situation which had existed in the area for quite some time. Accordingly, his delegation felt that the draft resolution should mention the interference with the rights of Israel on the Lake. Moreover, the operative part of the Yugoslav draft resolution included a paragraph referring to the payment of compensation. His delegation still believed that the Council was a political organ and not competent to award compensation rights.

79. The representative of the Union of Soviet Socialist Republics said that his delegation still maintained that the events preceding the Tiberias incident should not have been mentioned at all because the Council was not in possession of full information on them. If, however, the subject was to be referred to in any way, then the Yugoslav draft resolution reflected the actual state of affairs far more accurately than did the three-Power draft resolution. Nevertheless, the Soviet delegation still considered the Syrian-Soviet draft resolution was best suited to the Council's purpose. At the same time, however, it felt that the Yugoslav draft resolution might enable the Council to take a unanimous decision. Accordingly, he was prepared not to press for the Syrian-Soviet draft resolution to



be voted on first, and would make no objection to priority being given to the Yugoslav draft.

80. The representative of Israel said that he had noticed that the representative of Syria had indicated that the people of Syria would continue to exercise what he called peaceful rights upon the Lake. In that case, he would point out that Syria had no rights whatever upon Lake Tiberias. Concerning the statement made by the representative of the USSR in which he stated that since its very first days of existence Israel had pursued a threatening policy towards its neighbours, the representative of Israel expressed regret that such a charge should have been made far beyond the context of recent incidents on Lake Tiberias. He read excerpts of statements made by Soviet representatives in the Security Council between 15 May and 14 July 1948, which, in his delegation's opinion, contradicted what the representative of the USSR had stated at the previous meeting.

81. As to the Yugoslav draft resolution, the representative of Israel believed that its adoption would contribute to an increase of tension in the Middle East. First, its omission to refer specifically to the Syrian contraventions seriously disturbed its balance and made it a most unsatisfactory basis for approaching the future task of pacification in the Lake Tiberias area; second, it did not call upon Syria, or both parties, to respect the Armistice Demarcation Line and the demilitarized zone; third, his delegation was sure that the formulation of paragraph 4 was not to be interpreted that only Syrian prisoners should be released, while Israel prisoners held in Syria should not. Finally, the paragraph concerning compensation was *ultra vires* and unconstitutional, since the General Armistice Agreement could not be said to entail anything that Israel and Syria had not mutually agreed that it should entail.

82. The representative of France said that, whatever the advantages of the Yugoslav draft resolution might be, the sponsors of the three-Power draft resolution could not accept it. Notwithstanding the fact that the three-Power draft resolution had been before the Council since 11 January, the Yugoslav draft showed certain differences of stress and balance as compared with the three-Power draft. It did not mention the Chief of Staff's report concerning interference by the Syrian authorities; neither did it say anything about the appeal that should be made to the two parties to respect the Armistice Demarcation Line. The paragraph on prisoners was more restricted than that proposed by the United States delegation. For all those reasons, his delegation believed that the three-Power draft resolution, as amended, was preferable to the Yugoslav proposal.

83. The representative of Iran said that his delegation was prepared to accept the French representative's counter-amendment to the fourth paragraph of the preamble, as well as the United States amendment to operative paragraph 8, concerning the exchange of prisoners. However, that did not mean that his delegation had abandoned the opinion which it had expressed concerning the alleged interference by the Syrian authorities with activities on the Lake Tiberias. His delegation realized that the three great Powers might have allowed political considerations to prevail over legal considerations, particularly in a political body of the United Nations, and that those political considerations had led them to press for the main-

tenance of the fourth paragraph of the preamble as it now stood.

84. The representative of Australia said that, in view of the progress made in revising the three-Power draft resolution, which now appeared likely to command general support, his delegation considered that it should retain its priority. Although the sustained hostility of Israel's neighbours did not justify the attack under consideration, he wished to express his delegation's concern at the lack of progress in resolving the fundamental issues between Israel and its neighbours. While the Australian delegation welcomed the modest provisions of the three-Power draft resolution, it deeply regretted that the Council was not in a position at the present to take more far-reaching steps in that direction.

85. The representative of the Union of Soviet Socialist Republics, in answer to the statement made by the representative of Israel, said that the representative of Israel had quoted a number of statements made by Soviet representatives in the Security Council on various occasions during discussions on the Palestine question. He did not wish to alter anything said on the Palestine question by Soviet representatives in the past, nor did he see the need to do so; he merely wished to point out that those statements were in no way in conflict with what he had said in the present instance. For very understandable reasons, the representative of Israel had not mentioned that since then such events as the Qibya and Gaza incidents had been provoked by Israel. It had already been pointed out that the Tiberias attack was the fourth time in two years that Israel had appeared before the Council to answer charges of violation of the Charter, as well as of the Armistice Agreements.

86. Referring to some points in the statement made by the representative of Israel, the representative of Yugoslavia said that paragraph 4 of his resolution concerned military prisoners taken in this action, which was on the agenda of the Council. All other military prisoners held by both sides were covered by paragraph 5 requesting the Chief of Staff to pursue his suggestions for improving the situation in the area.

87. After a brief discussion on the question of priority, the Council decided, by 8 votes to 2, with 1 abstention, to grant priority to the three-Power draft resolution.

**Decision:** *At its 715th meeting on 19 January 1956, the Council unanimously adopted the following resolution (S/3538):*

*"The Security Council,*

*"Recalling its resolutions of 15 July 1948, 11 August 1949, 18 May 1951, 24 November 1953, and 29 March 1955,*

*"Taking into consideration the statements of the representatives of Syria and Israel and the reports of the Chief of Staff of the Truce Supervision Organization on the Syrian complaint that an attack was committed by Israel regular army forces against Syrian regular army forces on Syrian territory on 11 December 1955,*

*"Noting that, according to the report of the Chief of Staff, this Israel action was a deliberate violation of the provisions of the General Armistice Agreement, including those relating to the demilitarized zone, which was crossed by the Israel forces which entered Syria,*

"*Noting also* without prejudice to the ultimate rights, claims and positions of the parties that according to the reports of the Chief of Staff there has been interference by the Syrian authorities with Israel activities on Lake Tiberias, in contravention of the terms of the General Armistice Agreement between Israel and Syria,

"1. *Holds* that this interference in no way justifies the Israel action;

"2. *Reminds* the Government of Israel that the Council has already condemned military action in breach of the General Armistice Agreements, whether or not undertaken by way of retaliation, and has called upon Israel to take effective measures to prevent such actions;

"3. *Condemns* the attack of 11 December 1955 as a flagrant violation of the cease-fire provisions of its resolution of 15 July 1948, of the terms of the General Armistice Agreement between Israel and Syria, and of Israel's obligations under the Charter;

"4. *Expresses its grave concern* at the failure of the Government of Israel to comply with its obligations;

"5. *Calls upon* the Government of Israel to do so in the future, in default of which the Council will have to consider what further measures under the Charter are required to maintain or restore the peace;

"6. *Calls upon* the parties to comply with their obligations under Article V of the General Armistice Agreement to respect the Armistice Demarcation Line and the demilitarized zone;

"7. *Requests* the Chief of Staff to pursue his suggestions for improving the situation in the area of Lake Tiberias without prejudice to the rights, claims and positions of the parties and to report to the Council as appropriate on the success of his efforts;

"8. *Calls upon* the parties to arrange with the Chief of Staff for an immediate exchange of all military prisoners;

"9. *Calls upon* both parties to co-operate with the Chief of Staff in this and all other respects, to carry out the provisions of the General Armistice Agreement in good faith, and in particular to make full use of the Mixed Armistice Commission's machinery in the interpretation and application of its provisions."

### **C. Status of compliance given to the General Armistice Agreements and the resolutions of the Security Council adopted during the past year**

#### **1. CONSIDERATION OF THE ITEM AND ADOPTION OF THE RESOLUTION OF 4 APRIL 1956**

88. In a letter dated 20 March 1956 (S/3561), the representative of the United States of America requested the President of the Security Council to call an early meeting of the Council to consider the following agenda item: "The Palestine question: status of compliance given to the General Armistice Agreements and the resolutions of the Security Council adopted during the past year." The representative of the United States stated that his Government had become increasingly concerned over the developments in the Palestine area, which might well endanger the maintenance of international peace and security. Information relating to the build-up of armed forces on either side

of the Armistice Demarcation Lines had led the United States to believe that the parties might not be fully complying with the provisions of their Armistice Agreements. Despite the earnest efforts of the Chief of Staff, the parties had not agreed to proposals which he had put forward to them on his initiative or as a result of the Council's resolutions of 30 March 1955 (S/3379), 8 September 1955 (S/3435), and 19 January 1956 (S/3538). Since those resolutions had been adopted unanimously by the Council, it should be a matter of concern to each of its members to ascertain the extent of compliance being given to them.

89. At its 717th meeting (26 March 1956), the Council included in its agenda the item as formulated in the letter of the United States.

90. At their request, the representatives of Egypt, Israel, Jordan, Lebanon and Syria were invited by the President of the Council to participate in the discussion without vote.

91. The Council had before it the following draft resolution (S/3562) submitted by the representative of the United States:

*"The Security Council,*

*"Recalling* its resolutions of 30 March 1955, 8 September 1955 and 19 January 1956,

*"Recalling* that in each of these resolutions the Chief of Staff of the Truce Supervision Organization and the parties to the General Armistice Agreements concerned were requested by the Council to undertake certain specific steps for the purpose of ensuring that the tensions along the armistice lines should be reduced,

*"Noting* with grave concern that despite the efforts of the Chief of Staff the proposed steps have not been carried out,

"1. *Considers* that the situation now prevailing between the parties concerning the enforcement of the Armistice Agreements and the compliance given to the above-mentioned resolutions of the Council is such that its continuance is likely to endanger the maintenance of international peace and security;

"2. *Requests* the Secretary-General to undertake, as a matter of urgent concern, a survey of the various aspects of enforcement of and compliance with the four General Armistice Agreements and the Council's resolutions under reference;

"3. *Requests* the Secretary-General to arrange with the parties for the adoption of any measures which after discussion with the parties and with the Chief of Staff he considers would reduce existing tensions along the Armistice Demarcation Lines, including the following points:

"(a) Withdrawal of their forces from the Armistice Demarcation Lines;

"(b) Full freedom of movement for observers along the Armistice Demarcation Lines and in the demilitarized zones and in the Defensive Areas;

"(c) Establishment of local arrangements for the prevention of incidents and the prompt detection of any violations of the Armistice Agreements;

"4. *Calls upon* the parties to the General Armistice Agreements to co-operate with the Secretary-General in the implementation of this resolution;

"5. *Requests* the Secretary-General to report to the Council in his discretion but not later than one month from this date on the implementation given

to this resolution in order to assist the Council in considering what further action may be required."

92. The representative of the United States stated that until recently, in the opinion of his Government, progress had been made toward the resolution of the Palestine question, and it thought that most of the basic issues underlying the uneasy truce in Palestine were coming nearer to a solution. That trend unfortunately had recently been reversed. However, it would be wrong to conclude that the United Nations had failed in its responsibilities. The alarming situation in the Palestine area challenged the United Nations to find new means of arresting the current grave trend. His Government was convinced that through the United Nations the tensions must be eliminated and the prospect for peace restored. The United States believed that in the first instance United Nations efforts should be concentrated on full compliance with the General Armistice Agreements by Israel and the Arab States and on the carrying out in detail of the resolutions of 30 March and 8 September 1955 and 19 January 1956. Those resolutions had been adopted unanimously, and if the steps suggested by them had been carried out the present serious situation would not exist. His Government therefore proposed that the Council should request the Secretary-General to undertake as a matter of urgency a personal investigation of ways and means of settling the numerous problems which stood in the way of peace and hold discussions with the parties and the Chief of Staff on putting the above resolutions into immediate effect. The Chief of Staff had repeatedly emphasized the primary importance of several of the measures proposed in those resolutions, measures which deserved an honest chance. He stressed that the draft resolution was not intended in any way to derogate from the over-all responsibility of the Security Council in the Palestine question. He trusted that all would recognize the good faith of the proposal and would lend their full support to the Secretary-General.

93. The representative of France, in supporting the United States draft resolution, said that it was clear that the Council's latest decisions on the Palestine question were not being heeded by the parties and that it had proved impossible to apply the measures designed to prevent incidents, on which the Chief of Staff had been carrying out negotiations. It therefore seemed necessary that a thorough investigation should be carried out on the spot, on behalf of the Council, by the Secretary-General. He warned, however, that too much should not be expected from the Secretary-General's mission. No one, however able, could bring about a speedy solution of the Palestine problem.

94. The representative of Australia welcomed the initiative of the United States in summoning the Council and in presenting its draft resolution. The existing situation not only represented a danger to peace and security but, in addition, was at present perhaps the most serious obstacle to the economic development of the countries concerned and to the raising of living standards of people of the Middle East. It therefore called for positive action by the Council. The problem of reducing tensions along and in the neighbourhood of armistice demarcation lines was largely one of practical local arrangements. Progress in that respect would improve the prospects for wider agreement.

95. The Australian Government supported the proposal to entrust the Secretary-General with the task of securing compliance with the Armistice Agreements, and it had full confidence in his ability and devotion.

It also attached great importance to the provision which enjoined the parties to co-operate with the Secretary-General in the implementation of the draft resolution. The United Nations had a continuing responsibility relating to the whole of the Palestine question, and it must stand ready to adopt further measures under the Charter should the situation require them.

96. The representative of Peru said that in discussing the draft resolution there were three elements which must meet with general agreement even in the preliminary stages. These elements were the need to preserve the armistice, to increase and to make the powers of the Chief of Staff fully effective and to use the experience, initiative and knowledge of the problem which the Secretary-General possessed through his direct contact with events. His delegation believed that adoption of the draft resolution by the Council would add vast moral strength to all the other effective measures which might be taken by the United Nations.

97. The President, speaking as the representative of the United Kingdom of Great Britain and Northern Ireland, said that his Government welcomed the initiative taken by the United States. The Council in the past twelve months had passed unanimously three resolutions endorsing practical proposals for the reduction of tension between the parties. But little had been done to give effect to these proposals. This was a matter of grave concern to his Government. A further effort was needed, and it was right that the Council should turn to the Secretary-General to undertake this difficult task. There were two reasons why it was particularly appropriate for the Council to ask the Secretary-General to accept the additional task proposed. The Council emphasized the great importance it attached to the mission by asking the head of the permanent Organization of the United Nations to undertake it. Secondly, the Secretary-General, because of his daily contact with the work of the Truce Supervision Organization, was in a better position than anyone else to act promptly and efficaciously with a view to bringing about arrangements to reduce tension in the area. While in the United States draft resolution certain important objectives had been specifically mentioned, he had no doubt that the Secretary-General, availing himself of the lead given to him under operative paragraph 3 of the United States draft resolution, would do all he could to arrive with the parties at any other similar, practical arrangement to relieve existing tensions along the armistice demarcation lines in discussion with the parties concerned and the Chief of Staff.

98. At the 718th meeting (28 March), the representative of the United States declared that there were no hidden meanings in the draft resolution submitted by his delegation. It aimed at bringing about discussions between the Secretary-General and the parties to find agreed measures for reducing the tension and carrying out the Armistice Agreements. Its only purpose was to prevent war. His Government merely wanted the Council to act promptly in the face of a gravely worsening situation and, in so doing, to indicate certain steps which the Secretary-General and the parties might take to carry out the provisions of the Armistice Agreements. Its sole and limited purpose was the effective functioning of the Armistice.

99. The representative of Cuba said that he would vote in favour of the United States draft resolution, which was a laudable effort to prevent the outbreak of war in the Palestine area. His delegation had every



confidence in the Secretary-General's good judgement and capacity to discharge successfully the mission which was being entrusted to him. However, there were very serious obstacles in the way of a solution of the problem by the Secretary-General alone, and for that reason all Member States, and particularly the permanent members of the Security Council, must co-operate actively to prevent the outbreak of war.

100. The representative of Belgium said that the United States draft resolution did not seek to pass judgement on the substance of the Palestine question. It only called upon the Secretary-General to survey the present situation in that area, particularly with reference to enforcement of and compliance with the General Armistice Agreements and the Council's latest resolutions. It could not be denied that such a survey had become necessary and that no one was better qualified than the Secretary-General to undertake it. The draft resolution before the Council was generally acceptable to his delegation.

101. The representative of Egypt, with a view to seeking clarification, said that his delegation's interpretation of operative paragraph 3 of the draft resolution was that the "measures" which the Secretary-General would recommend, after discussion with the parties and the Chief of Staff, would be within the framework of the General Armistice Agreement concluded between Egypt and Israel in February 1949. It was apparently for the Secretary-General to assess the advisability of implementing sub-paragraphs (a), (b) and (c) of operative paragraph 3, since those provisions were not applicable to all the Armistice Agreements. His delegation considered that the reference to demilitarized zones and defensive areas in operative paragraph 3 (b) related to demilitarized zones and defensive areas as defined in the General Armistice Agreements. Operative paragraph 5 of the United States draft resolution also required clarification, for it raised the question of what further action the Council would have to take after examination of the Secretary-General's report. The representative of Egypt further stated that it appeared from the text of the draft resolution and the statements made during the course of the debate that the aim of its sponsor was to find means, within the framework of the Armistice Agreements, to eliminate tension prevailing on the armistice lines.

102. The representative of Syria, appreciating the initiative of the United States in placing before the Council a draft resolution, requested certain clarifications which he regarded as essential for the achievement of successful results. His Government would be interested to know, he said, the scope of the Secretary-General's assignment. In that respect he noted that there was a distinction between ascertaining the extent of compliance and investigation of means of settling problems standing in the way of peace. He pointed out that the expression "various aspects" of enforcement of the General Armistice Agreements, which operative paragraph 2 requested the Secretary-General to survey, could cover problems of a political, economic or financial nature.

103. The representative of Syria listed a series of further questions and stressed that he had submitted those questions with the sole object of clarification. His Government indeed welcomed a survey of the extent of compliance with the Armistice Agreements and the resolutions of the Council adopted during the past year.

104. At the 719th meeting (3 April), the representative of Jordan said that his Government had a clean record of abiding by the General Armistice Agreement in the face of tremendous difficulties, so that Jordan and its regular forces had never been censured by the Council for violations of that Agreement. The armed forces of Jordan had taken their positions along the front lines not only for defensive purposes but also to carry out their obligations under the General Armistice Agreement and to keep order and discipline on the demarcation line. That was an important fact which should be taken into consideration before any suggestion for a withdrawal of forces was contemplated. Nothing could jeopardize his Government's interests more than constant instability and disorder. The creation of tension did not serve Arab interests. For that reason, his Government favoured any attempt to reduce tension on the demarcation line within the framework of the Armistice Agreement. It welcomed the visit of the Secretary-General and would use its best endeavours to facilitate his mission.

105. The representative of Lebanon said that his Government welcomed the initiative of the United States Government to request the Secretary-General to undertake a mission of inquiry on behalf of the Council. However, the United States draft resolution had appeared at first to be open to interpretations not in keeping with the purpose which it was intended to achieve. For that reason, his Government endorsed the requests of the Governments of Egypt and Syria for clarification. His understanding of the draft resolution was that the Secretary-General's mission would not go beyond the Armistice Agreements and would be limited to the technical requirements for their application. Secondly, any measures which the Secretary-General might contemplate would be adopted only with the agreement of the parties concerned.

106. The President, speaking as the representative of the United States, said that he was confident that there was no basic misunderstanding either by the parties to the Armistice Agreements or by the members of the Council as regards the intentions of his Government in submitting to the Council the present draft resolution. In reply to the questions raised by the representatives of Syria and Egypt, he quoted from his statements at the two previous meetings of the Council, and added that his Government saw no other way of preventing the situation from deteriorating further than by providing for strict compliance with the Armistice Agreements and the resolutions of the Council referred to in the draft resolution. Specifically, the United States draft resolution envisaged that the Secretary-General should arrange, after discussion with the parties and the Chief of Staff, for measures which were entirely within the framework of the General Armistice Agreements and the Council's resolutions under reference. The demilitarized zones and Defensive Areas mentioned in the draft resolution were those which had been defined in the Armistice Agreements. He then submitted a corrigendum (S/3562/Corr.1) to capitalize the initial letters of the words "defensive areas" in operative paragraph 3 (b). The "various aspects" of compliance with the Armistice Agreements which the Secretary-General was being requested to survey, the United States representative explained, referred only to matters which would come within the natural purview of the United Nations Truce Supervision Organization. The arrangements referred to in operative paragraph 3 (c) would of course be arrangements as agreed between

the parties concerned and the Secretary-General. The Secretary-General naturally could not amend or set aside the undertakings of the parties under the Armistice Agreements. The phrase "in his discretion" in the last paragraph of the draft resolution applied to the timing of the Secretary-General's report. In adopting his delegation's draft resolution, the representative of the United States added: the Council would not be relinquishing its primary responsibility for maintaining international peace and security. In the light of the Secretary-General's report and the situation then prevailing, the Council would have to consider whether any further action was required and what that action might be. However, his Government hoped that further action concerning compliance with the the Armistice Agreements and the relevant resolutions of the Council would not be necessary.

107. The representative of Yugoslavia stated that, while the present situation in the Middle East did not call for dramatic moves or hasty actions, further efforts were required to reduce existing tensions and to strengthen the general fabric of peace in that vital area. Any such action should be taken through the United Nations, since the Palestine question had been the responsibility of the Organization for years and the armistice system in that area had been established under the auspices and with the aid of the United Nations. Any such action would also have to have the agreement and active co-operation of the parties concerned. It was upon the restraint and realism of the parties, and on their determination to use only peaceful methods, that peace and stability in that area would depend.

108. The practical task before the Council was to ensure a fuller measure of compliance with the Armistice Agreements and the relevant Security Council resolutions and a more satisfactory working of the armistice system itself. In the view of the delegation of Yugoslavia, there could not have been a better choice than the Secretary-General to undertake that mission. With the above understanding of the draft resolution, his delegation would support it.

109. The representative of China said that, as a result of the clarifications offered by the representative of the United States, the limitations within which the proposals contained in the draft resolution operated were made clear. Those proposals dealt exclusively with the Armistice Agreements and with those Council resolutions which concerned the implementation of those Agreements. His delegation was in full sympathy with that objective and would support the draft resolution; it also welcomed the assurances given in the course of the discussion by the representatives of Egypt, Jordan and Lebanon of their Governments' full co-operation with the Secretary-General.

110. At the 720th meeting (3 April), the representative of Israel stated that his Government had often advocated fuller utilization of the office and person of the Secretary-General for the examination of international tensions. In that respect, the Secretary-General would continue to receive the full co-operation of his Government. In the opinion of his delegation, it was necessary to do more to preserve security in the Middle East than was envisaged in the draft resolution, although that might well serve as a valuable contribution. The Government of Israel advocated early measures to restore the operation of the General Armistice Agreements to their full integrity. There was reason to fear that wide gaps had arisen in their

structures so that their basic stability was threatened. The Government of Israel would draw the attention of the Secretary-General to some of the questions arising from those imperfections, such as whether it was fully understood that signatory Governments were responsible for preventing crossings of the Demarcation Lines for any purpose whatsoever; whether any practices were being maintained by any party on land or by sea which the Council had defined to be in violation of the General Armistice Agreements; whether all parties were fully aware of their mandatory obligations under the articles calling for conferences of revision or review of the Armistice Agreements. It might also be asked whether adequate facilities had been provided for access to the Holy Places and to cultural and educational centres and whether there were any concentrations of troops in any Defensive Area which might have exceeded the limits prescribed in the relevant articles of the Armistice Agreement.

111. The representative of the Union of Soviet Socialist Republics stated that his delegation shared the view that the Council should keep incessant watch on the way its decisions were being carried out, especially in those areas in which a threat to the maintenance of international peace and security might easily arise. The USSR delegation, therefore, had no objection to the idea expressed in the United States draft resolution, provided that it was basically acceptable to all the parties concerned. The Soviet delegation also considered it appropriate that the Council should invite the Secretary-General to conduct an investigation into the extent to which both the Armistice Agreements and the relevant Council resolutions were being carried out by the parties and also empower him to seek agreement with the parties concerning the adoption and implementation of such measures as might be needed to reduce tensions along the Armistice Demarcation Lines. However, his delegation supported the view that all measures to relieve the existing tensions in the Palestine area should be carried out only by agreement with the parties concerned and with due regard to their interests. That was to be stressed because recently certain western Powers had developed a pronounced tendency, under the pretext of preventing an Arab-Israel war, to plan for direct armed intervention in the affairs of the Arab States, in violation of the sovereign rights of those States. The representative of the USSR referred to various press reports concerning measures taken and planned by those western Powers for separate action with regard to the Middle East. As far as the USSR delegation knew, the countries concerned were not being consulted with regard to possible action in the Middle East that might be taken by the western Powers. The USSR delegation, therefore, reiterated its belief that any action affecting the interests of the countries of the Middle East must be discussed and decided with the participation of those countries and with due regard to their interests. No decisions affecting peace and security in that area should be taken outside the United Nations.

112. In view of the above considerations, and taking into account the statements of the parties concerned, the USSR delegation considered that the United States draft resolution could be improved by the following amendments (S/3574):

"1. In the first paragraph of the preamble, mention also the Security Council's resolutions of 24 November 1953 and 29 March 1955.

"2. In paragraph 1 of the operative part replace the words 'such that its continuance is likely to endanger the maintenance of international peace and security' by the word 'unsatisfactory'.

"Paragraph 1 will then read:

"1. *Considers* that the situation now prevailing between the parties concerning the enforcement of the Armistice Agreements and the compliance given to the above-mentioned resolutions of the Council is unsatisfactory."

"3. In paragraph 3 of the operative part, replace the words 'after discussion' by the words 'after concordance'.

"In sub-paragraph (b) of paragraph 3, delete the words 'and in the Defensive Areas'."

113. In connexion with those amendments, the USSR representative noted that mention of the Defensive Areas in the draft resolution could be interpreted as broadening the functions of inspection and might be considered as intervention in the domestic affairs of the States concerned. If acceptable to the parties concerned, the United States amendment to its draft resolution that the words "Defensive Areas" be capitalized, in order to specify that the terms applied to the areas defined in the Armistice Agreements, might meet the situation. He also noted that it would be premature at present to define the situation in the manner followed in the first paragraph of the operative part and it would be better for the Council to have the reports of the Secretary-General and of the Chief of Staff before giving its views on the nature of the situation prevailing in the Palestine area. With the above amendments, the USSR delegation would support the United States draft resolution.

114. The representative of the United Kingdom said that, if the Council were to debate the responsibilities and actions of other countries in the Middle East, there would be much to be said. However, such a debate would not advance the present aim of the Council which was the relaxation of tensions along the demarcation lines between Israel and the Arab States.

115. The President, speaking as the representative of the United States, denied that the United States was engaged in any improper activity, whether militaristic or unilateral, or both, in the Middle East.

116. The representative of Iran welcomed the initiative taken by the United States. The ever-worsening situation in the Palestine area and the growing number of incidents along the demarcation lines had made it imperative to take steps to reduce the tension in that area. Moreover, despite the best efforts of the Chief of Staff, the existing armistice machinery had proved ineffective under the present circumstances. However, it would be a mistake to exaggerate the situation and to speak of the imminent possibility of war in the Middle East. That would unnecessarily create suspicions and would only aggravate the situation. The delegation of Iran had full confidence in the peaceful intentions of the Arab leaders and also believed that the Government of Israel would not permit itself to be swayed by extremist elements.

117. The draft resolution before the Council, as explained by the United States representative, was a constructive appeal for fresh efforts to ensure better compliance with the provisions of Armistice Agreements and so to remove the causes of friction along the demarcation lines and in the demilitarized zones. There could not be a better qualified person than the

Secretary-General to undertake the mission envisaged in the draft resolution. Although his delegation was mindful of the difficulties in the way of a permanent solution of the Palestine question, it was nevertheless convinced that if the Secretary-General could carry out the measures laid down in the draft resolution, that would make it possible to remove the remaining obstacles in the way of a permanent solution.

118. The representative of France, after referring to the statement of the representative of the USSR, declared that Member States had the right to consult with each other on topics of common interest. Such consultations had not caused or aggravated tension; it was rather the tension itself that had made the consultations necessary.

119. The President, speaking as the representative of the United States, said that the amendments submitted by the USSR delegation (S/3574) were not only unnecessary but also did not seem to be desirable. The first amendment went into the past without accomplishing anything constructive thereby. The second was fallacious because it was clear that failure to comply with three unanimous resolutions of the Council was "likely" to endanger peace. As regards the third amendment, it was obvious that there must be a discussion before there was concordance.

120. The representative of the United States then said that operative paragraph 3 of his delegation's draft resolution clearly indicated that agreement of the parties concerned would be necessary for the adoption of measures for reducing tensions. The words "in the Defensive Areas" as now included in the draft resolution made it clear that it meant areas so defined in the Armistice Agreements. The objectives of the United States resolution were clear beyond any shadow of a doubt. The draft resolution was addressed to a clear and present danger, and designed to dispatch the Secretary-General to the area so as to reduce the growing tension. The text of the draft resolution was sufficient in its present form and it was his Government's belief that the Governments in the area were prepared to accept the resolution as it was. Therefore, as the sponsor of the draft resolution, his Government believed that it was desirable not to accept amendments.

121. At the 721st meeting (4 April), the representative of Egypt expressed his satisfaction with the clarifications of the draft resolution offered by the United States representative. He said that members of the Council, particularly the representatives of the United Kingdom, Yugoslavia, Iran and the USSR, had expressed general agreement with the representative of the United States on the purpose of the Secretary-General's mission. The representative of the USSR had proposed certain amendments and some of those amendments had corresponded to the questions raised by the Egyptian delegation. The representative of Egypt renewed the pledge of his Government's full co-operation with the Chief of Staff and with the Secretary-General in his new mission, and added that Egypt had already accepted the proposals made by the Chief of Staff after the Council's resolution of 29 March 1955 and had similarly accepted the Secretary-General's proposal to reduce tension in the demilitarized zone of El Auja.

122. The representative of Syria also expressed his appreciation of the explanations given by the representative of the United States. He emphasized that the mission to be entrusted to the Secretary-General was not a matter only of investigation, but of finding

ways and means of implementing the Armistice Agreements. The Secretary-General could, for example, suggest measures that would ensure the immunity of the demarcation lines against any violation by armed forces. Secondly, the Secretary-General would find cases of violations in the demilitarized zones. There were standing violations which were not of a temporary nature. For instance, on Lake Tiberias the Secretary-General would find a naval force against the express provisions of the General Armistice Agreement. The problem was not so much to inquire into the violations but to remove them in every physical sense and to propose measures to that end. The representative of Syria then noted with approval the mention of the four Armistice Agreements in the first operative paragraph of the draft resolution. He added that Syria had always advocated that, although there were four Armistice Agreements, yet the armistice itself was indivisible, and any violation in one sector was in reality a violation of the whole. Similarly, a situation of tension in one area became a situation of tension in all the areas of the armistice.

123. Referring to the USSR amendments, the representative of Syria stated that they would improve the original text of the draft resolution and facilitate the task of the Secretary-General. His Government appreciated the step taken by the United States in submitting the draft resolution to the Council, as it had brought back the Palestine question to the United Nations, where it rightfully belonged.

124. At the same meeting, the representative of the Union of Soviet Socialist Republics said that he regretted that the United States could not accept his delegation's amendments. The proposal of the United States to capitalize the words "Defensive Areas" met the purpose of the USSR amendment on that point, which he would not press if the United States version were preferred by the other members of the Council. As regards the USSR amendment to operative paragraph 3, the representative of the USSR stated that, after the clarification given by the representative of the United States, there appeared to be no difference of substance, and he therefore failed to understand why the amendment, which made the point clearer by using the words "after concordance" should not be acceptable to the sponsor of the draft resolution. Similarly, the United States draft resolution had referred only to some Council resolutions and had failed to include other relevant resolutions, in particular those of 24 November 1953 and 29 March 1955. The state of compliance with the latter also required verification.

125. The representative of the USSR then pointed out that the end of operative paragraph 1 of the draft resolution contained a quotation from the Charter, which would show that the Security Council attached great importance to the situation in the Palestine area and that the continuance of that situation might endanger international peace and security. The USSR delegation wondered on what grounds the Council could pronounce itself in that manner. It had not yet heard the parties directly concerned nor did it have a report from the Chief of Staff. The Council thus did not have enough facts at its disposal to take a decision to state that the situation in the Middle East was likely to endanger the maintenance of international peace and security. The Council should, therefore, confine itself to the statement that the present position in the Middle East was unsatisfactory. After receipt of the report of the Secretary-General, the Council

could judge whether the continuance of the situation was likely to endanger the maintenance of international peace and security and what measures should be taken as a consequence. Passing such a judgement on the situation now might also provide an excuse later on for measures by-passing the Council. The Soviet amendments improved the draft resolution by making its terms more clear and definite. They also made clear the position of the Council on this important question. For those reasons, he requested favourable consideration of the USSR amendments.

126. The representative of Peru said that his delegation had already expressed its general approval of the United States draft resolution and was prepared to vote for it. Under the draft resolution, the Secretary-General was to study the facts objectively and was to endeavour to arrange with the parties after discussion with them, which necessarily implied their agreement, certain measures for reducing tension in the Palestine area. Thus, the draft resolution would commend an objective survey of the facts and a solution by agreement of the parties, as peace by conciliation was obviously better than one which was imposed from outside.

127. Referring to the USSR amendments, the representative of Peru said that his delegation was glad to note that the USSR delegation was not insisting on its amendment concerning clarification of "Defensive Areas". He hoped that the USSR delegation would also not press its amendment asking for inclusion of two resolutions of the Council in the preamble of the draft resolution. If that amendment were to be accepted, then reference would have to be made to a great many other resolutions of the Council. The representative of Peru also thought that the use of the word "unsatisfactory" to describe the situation prevailing in the Palestine area would not only make the wording of the draft resolution very vague but also would not justify the Council in taking such an important step as sending the Secretary-General to that area. Operative paragraph 1 of the draft resolution, in the opinion of the delegation of Peru, did not explicitly invoke Article 39 in Chapter VII of the Charter. It merely described a situation the continuance of which would be likely to endanger peace. The statement did not commit in any way any member of the Council to subsequent action.

128. At the 722nd meeting (4 April), the representative of Israel said that a one-sided appraisal of responsibility for past violations of the Armistice Agreements had been made by a representative of one of the parties. As a result of the speech of that party, a misconception might also have arisen as to the character of the General Armistice system. There were four Armistice Agreements, not one. Each of them had a separate text and a separate group of signatories and each was registered separately with the United Nations, in accordance with Article 102 of the Charter. Similarly, there were four demarcation lines and the draft resolution had accurately referred to them in the plural. The representative of Israel added that his Government could not accept the idea that any State could be concerned with the operation of an agreement to which it was not a signatory.

129. The representative of the United Kingdom said that his delegation was not prepared to support the USSR amendments. Regarding the proposal to mention two earlier resolutions of the Council on the Palestine question, he said that, in the present limited

and practical context, it seemed unnecessary to refer to any resolutions other than the three listed in the United States proposal. As for the amendment to operative paragraph 1, the situation in the area was dangerous, and not merely unsatisfactory.

130. The representative of France also believed that the USSR amendments were unnecessary. They reflected a distrust inconsistent with the atmosphere of harmony that had prevailed in the discussion. If the Council did not limit itself to referring to the three recent resolutions providing for negotiations through the Chief of Staff, it might well find itself going back to 1947, if not further. To term the situation merely unsatisfactory would scarcely justify sending the Secretary-General to the area.

131. The representative of Australia considered that the USSR amendments did not improve the actual wording of the draft resolution. In particular, he agreed with other representatives that the original wording was to be preferred to the term "unsatisfactory" as a description of the situation. He hoped that the USSR would not press its amendments.

132. The representative of Yugoslavia would support the USSR amendment to operative paragraph 1, since it would bring that paragraph more into conformity with the spirit of Chapter VI and particularly with Article 34 of the Charter. It coincided broadly with the views of his delegation on the situation in the area and had the advantage of dispelling any possible impression that the situation was being prejudged pending the Secretary-General's mission. On the other hand, he was not convinced that the other USSR modifications were really necessary in view of the explanations given by the representative of the United States.

133. The representative of the Union of Soviet Socialist Republics, referring to the French delegation's statement that the USSR amendments were based on unjustified suspicions, quoted from a State Department press release to show that the United States, the United Kingdom and France were engaged in consultations to decide on the nature of the action to be taken to prevent hostilities in the Middle East. The representative of the USSR pointed out that none of the three States belonged to the Middle East, and that they were holding their consultations at a time when the Council itself was considering measures to improve the situation in that area. In view of that and of the reasons submitted by his delegation at the previous meeting, the representative of the USSR maintained that his delegation's amendments were necessary.

134. The President, speaking as representative of the United States, said that his delegation hoped that the draft resolution would be adopted unanimously by the Council. The United States Government saw no harm in having consultations with other countries in an effort to maintain peace. The United States representative added that the capitalizing of the initial letters of the words "Defensive Areas" in operative paragraph 3 (b) was not an amendment, but a typographical rectification. Pursuant to its right under rule 32, the United States delegation as the original mover of the resolution objected to a Soviet request for a paragraph-by-paragraph vote, holding that the resolution constituted a whole and should be adopted or rejected as a whole.

**Decisions:** *At the 722nd meeting on 4 April 1956, the USSR amendment to the first paragraph of the*

*preamble was rejected by 2 votes (Cuba, Peru) to 1 (USSR), with 8 abstentions. The USSR amendment to the first operative paragraph was rejected by 3 votes (Australia, Cuba, Peru) to 2 (USSR, Yugoslavia), with 6 abstentions. The first part of the USSR amendment to operative paragraph 3 was rejected by 2 votes (Cuba, Peru) to 1 (USSR), with 8 abstentions.*

*The United States draft resolution was adopted unanimously.*

135. The representative of the Union of Soviet Socialist Republics explained that his delegation had voted in favour of the United States draft resolution bearing in mind its acceptability to all the parties interested and the clarifications that the sponsor of the draft resolution had offered, especially that all measures provided for in the resolution would be carried out within the framework of the Armistice Agreements and with the agreement of the interested parties and of the Council.

136. The representative of the United Kingdom stated that a lessening of existing tension along the demarcation lines was a matter of real urgency and the United Kingdom delegation hoped that the Secretary-General would receive wholehearted co-operation from all parties concerned, without which the mission could not succeed.

137. At the same meeting, the Secretary-General said that he shared the grave concern felt about the problems of the Middle East by members of the Council and, under the circumstances, he would not hesitate to assume the responsibility which the Council had wished to put on his office. The scope of the Council's request was well indicated and had been clarified further in the course of the debate. The specific responsibility placed by the request on the Secretary-General was entirely in line with the character and obligations of his office. It obviously neither detracted from nor added to the authority of the Secretary-General under the Charter. The extent to which exploration of ways of reducing tension along the demarcation lines was possible and likely to yield lasting results necessarily depended on the willingness of all the parties concerned to co-operate fully with him in a joint effort inspired by mutual confidence. He trusted that he could count on such co-operation, as well as on the restraint of all who were interested in a good outcome, but were not parties to the conflict.

## 2. REPORT OF THE SECRETARY-GENERAL PURSUANT TO THE SECURITY COUNCIL'S RESOLUTION OF 4 APRIL 1956

138. Following the adoption by the Security Council of its resolution of 4 April 1956 (S/3575), the Secretary-General left for the Middle East on 6 April for consultation with the Governments concerned on the questions raised in the resolution. He visited the countries concerned from 10 April to 3 May 1956, and in that period transmitted to the Council texts of communications relating to the negotiations that passed between him and the authorities in Egypt and Israel (S/3584, S/3586 and S/3587), as well as a progress report (S/3594) on his mission. On 9 May, he submitted the report (S/3596) on his mission to the Council.

139. In his report of 2 May (S/3594), the Secretary-General explained that, in addition to surveying and reporting on the state of compliance with the four General Armistice Agreements and the resolutions

referred to in the Council's resolution of 4 April 1956, and arranging with the parties for the adoption of measures to reduce tensions along the Armistice Demarcation Lines, he considered his mandate to include negotiation on his part to get the parties to re-establish fullest possible compliance with the Armistice Agreements. It had to him been obvious that no measures for establishing full compliance with procedural or substantive clauses of the General Armistice Agreements would be fruitful or lasting unless firmly anchored in a reaffirmation of the duty of all parties concerned to observe a cease-fire. The Secretary-General reported that, during the period of his stay in the Middle East, his negotiations for such assurances had in all cases been concluded with positive results. With that background he had studied with the Governments concerned the possibility of re-establishing full compliance with the various other clauses of the General Armistice Agreements. The wish to reach such full compliance had been shared by all parties.

140. The Secretary-General, in his report of 9 May (S/3596), gave a full account of the outcome of his mission, with reference to the terms of his mandate as contained in the Council's resolution of 4 April 1956. By way of general observations, he noted that the cause for the present state of non-compliance was not an unwillingness on the part of Governments to carry out their obligations. The disquieting situation characterized by widespread non-compliance was to be explained by political and practical circumstances. The demarcation lines had, in many cases, no bases in history or in the distribution of population or private property and had to be observed in a situation of great political tension. As the frequency of incidents increased, a chain of actions and reactions had been created. Some uncertainty as to the scope of the obligations under the Armistice Agreements had, in his view, also contributed to the unfortunate development. He considered it essential to eliminate to all possible extent that uncertainty. A tendency to regard the Agreements, including the cease-fire clauses, as entities might explain a feeling that a breach of one of the clauses, other than the cease-fire clause, might justify action in contravention of that clause. However, the very logic of the Armistice Agreements showed that infringements of other articles could not serve as a justification for an infringement of the cease-fire article. Compliance with the cease-fire article could be conditioned only by similar compliance of the other party. The cease-fire was a stipulation in the Agreement independent of the other articles. The Secretary-General, therefore, asked the Governments concerned for assurances—which he received in every case—that they would observe the obligations under the cease-fire clause unconditionally, provided the other party complied with that same clause, reserving only their right to self-defence under Article 51 of the Charter.

141. The Secretary-General further noted that all concerned having agreed that the target for the present effort should be general and full compliance with the Armistice Agreements in their entirety, and with, further, the acceptance of the cease-fire clauses as establishing independent obligations within the framework of the various Agreements, a basis was laid for the study of a balanced return to the full implementation of other clauses, and—through that process and thereafter—how best to protect compliance.

142. In his general observations, the Secretary-General also touched upon two other questions of

general significance. First, as regards the status of the Truce Supervision Organization and its functions, a tendency had emerged to regard the United Nations observers merely as impartial investigators of the facts in cases of complaints made to the Mixed Armistice Commissions, thus subordinating the Truce Supervision Organization exclusively to those Commissions and limiting or eliminating their function, established by the Security Council resolution of 11 August 1949 (S/1367), of protecting, together with the authorities concerned, compliance with the cease-fire clauses by the prevention of incidents. Following a study with all the Governments concerned, they had stated that, on the basis of the Armistice Agreements and the Council's resolution of 11 August 1949, it was their intention to consider favourably proposals by the Chief of Staff concerning the activities of the observers aiming at facilitating compliance with the General Armistice Agreements. That should render possible such freedom of action and movement for the observers as lay, in his view, within the terms of the Armistice Agreements and the Security Council's decisions. That freedom should prove sufficient for the proper functioning of the Truce Supervision Organization. In specific cases and for specific regions, arrangements for freedom of action and movement for the observers had been agreed upon with the Governments concerned; an account of such arrangements was included in the report. Secondly, as regards "local arrangements" and "withdrawal of troops" mentioned in the resolution of 4 April 1956, it had been agreed with the Governments concerned that they would favourably consider proposals by the Chief of Staff of the Truce Supervision Organization for local arrangements—including separation of forces—where and when he considered such arrangements to be called for. The Governments concerned had also declared that they had no objection in principle to the following other possible local arrangements: (a) erection of physical obstacles; (b) marking of demarcation lines and international frontiers; (c) Local Commanders' Agreements; and (d) joint patrols.

143. In the section of his report entitled "The cease-fire", the Secretary-General explained his understanding of the unconditional nature of the cease-fire assurances given by the Governments concerned. Such assurances, he stated, gave a basis for strict orders by Egypt and Israel—notified to him on 18 April 1956—which served to relieve the situation along the Gaza Armistice Demarcation Line. Written unconditional assurances in regard to the observance of a cease-fire had been received from Jordan on 26 April, from Lebanon on 1 May and from Syria on 2 May 1956. By letters dated 26 April and 3 May 1956, the Secretary-General had received the required assurances from Israel relating to its Armistice Agreements respectively with Jordan, Lebanon and Syria.

144. Pointing out that the assurances he had received were all given within the general framework of the Charter, and that their unconditional nature was restricted only by the reserve for self-defence, the Secretary-General stated that a party which had given such an assurance was covered by its reserve for self-defence in cases of non-compliance by the other party with its obligations under the Charter, or under the Armistice Agreement, only if and when such non-compliance was found to be a reason for the exertion of the right of self-defence as recognized in Article 51 of the Charter. The Security Council alone could decide



whether that was the case or not. The reserve for self-defence and the significance it might give to compliance with the Charter, with other clauses in the Armistice Agreement or with relevant Security Council decisions, was thus under the sole jurisdiction of the Council, in accordance with the rules established. The meaning of the reserves for self-defence in a concrete situation could be determined only by the Council. Furthermore, the reserve for self-defence should be so understood as not to bring it in conflict with the substance of the cease-fire assurances themselves, and accordingly the reserves did not permit acts of retaliation which repeatedly had been condemned by the Council.

145. Notwithstanding the re-established legal obligations, the cease-fire arrangements depended also on the general situation. With fears of attack widely spread among the peoples, anything which caused a party to feel that it was exposed to increased risks might represent a threat to the cease-fire, and any single incident, whatever its background, might, in a situation which was still far from stable, have the same effect. The Governments concerned should, therefore, do their best to keep the situation under such control as to minimize or eliminate the risk of further incidents. It was also for the Governments, for the public, and for the world opinion to avoid giving such interpretation to incidents as, without justification, would weaken faith in the cease-fire or discredit the goodwill of the other party.

146. On the question of general compliance, the Secretary-General reported that he had received assurances from all the Governments concerned of their will fully to comply with all clauses of the Armistice Agreements, on the basis of reciprocity, but recognizing the independent position of the cease-fire clause. On two points of high importance within the framework of the Armistice Agreement between Egypt and Israel, the two Governments had given specific assurances to the Secretary-General. The first point covered all cases of crossings of the demarcation line and acts of violence in connexion therewith, and on that point the Secretary-General had asked for and received assurances that active measures would be taken by the parties to prevent such occurrences, which must be regarded as in contravention of the spirit of the cease-fire assurance. The Government of Jordan had given similar assurances of its intention to enforce active measures to prevent all crossings of the demarcation line and actions of violence connected therewith. The second point referred to the state of standing non-compliance from both sides which was to be found in the so-called El Auja area and the defensive areas, the status of which was established by articles VII and VIII of the Egypt-Israel Armistice Agreement.

147. The time sequence between various steps in the direction of full compliance with the Armistice Agreements had been studied and questions arising discussed with Governments. The problem could not be solved by any explicit agreements with any two parties because it was essentially a question of co-ordinated unilateral moves inspired by greater confidence in the possibility of a peaceful development, each of them provoked by and, perhaps, provoking similar unilateral moves on the other side. Once the cease-fire had proved effective, and as the stands of all sides had been clarified, the road should be open for the achievement of full implementation by related unilateral moves.

148. Procedural measures to help achieve full compliance with the Armistice Agreements formed also the subject of consideration by the Secretary-General. There was not in all cases an adequate functioning machinery for resolving disputes concerning the interpretation, or implementation, of the obligations assumed by the parties under the Agreements. A further weakness was that no procedure had been established for the handling of conflicts covered by the general clauses in the Armistice Agreements, such as the right to security and freedom from fear of attack established by the first article of the several Agreements. He felt that, whatever solution might be considered, it was desirable to avoid organizational innovations and to work within the framework of the United Nations.

149. Regarding the state of standing non-compliance with articles VII and VIII of the Armistice Agreement between Egypt and Israel, the Secretary-General reported that in the demilitarized zone centred on El Auja and in the area between the line El Quseima-Abu Aweigila and the demilitarized zone, forces of Israel and Egypt were present or reported to be in occupation, and the position was that both parties were or must be presumed to be, to a greater or lesser extent, violating articles VII and VIII. During his mission, the Secretary-General had received specific assurances from both sides of their willingness to establish full compliance with articles VII and VIII, within the framework of a full return to the state of affairs envisaged in the Armistice Agreement. A plan for the re-establishment of compliance with the two articles, prepared by the Chief of Staff, and to which as such no objection had been made by the parties, was included in the report. High priority should be given to the implementation of the two articles because a return to the state of affairs envisaged thereby would be a major contribution in allaying fears of attack now to be found on both sides.

150. In the next section of his report dealing with local arrangements needed to observe and assist compliance with the substantive provisions of the Armistice Agreements, the Secretary-General outlined a number of proposals made by the Chief of Staff. The proposals had, in considerable measure, been accepted by the Governments concerned. The Secretary-General endorsed the views of the Chief of Staff that they would be adequate if fully implemented. The proposals were immediately important mainly in three areas, namely, along the demarcation line in the Gaza area, in the El Auja demilitarized zone and the Defensive Areas of the western front, and on Lake Tiberias.

151. In the Gaza area, arrangements for the establishment of six fixed United Nations observer posts on each side of the line were to be formally adopted in the Mixed Armistice Commission, but had been accepted by Egypt and Israel; the activities of the observers would be additional to those provided for in the General Armistice Agreements. The United Nations observers were to have free access by a previously designated route to those positions at any time and the Truce Supervision Organization might send patrols along the demarcation line between the observation posts when required. As regards proposals for local arrangements in the Gaza Area, referred to in the resolution of 4 April 1956, for the prevention of incidents and detection of violations, their present status was as follows: (a) the proposal that the parties withdraw their armed forces back from the demarcation

line to eliminate or reduce provocation to open fire had been accepted by Egypt without reservations, while it was understood that Israel would refrain from sending patrols up to that line except to protect agricultural operations of its settlers or to prevent incursions. If the line taken by Israel proved inadequate, the Secretary-General would find it necessary to renew consideration of the matter; (b) Israel was prepared to consider a proposal from the Chief of Staff for the erection by the Truce Supervision Organization of a physical obstacle along the demarcation line, while Egypt had agreed to erection of obstacles along selected portions of that line. At present the Chief of Staff did not propose to submit any specific proposals for the erection of such an obstacle; (c) both parties had agreed to the placing by the Truce Supervision Organization of conspicuous markers along the line; (d) after a sufficient period of tranquillity, the Chief of Staff proposed to suggest resumption of negotiations for an arrangement, including a Local Commanders' Agreement, to maintain security along the line; (e) joint patrols did not now appear opportune, nor did it seem likely that they would be accepted by either party.

152. As for the El Auja demilitarized zone and the Defensive Areas of the western front, proposals for the free movement of United Nations military observers to certify compliance with article VII of the Armistice Agreement had not been objected to by the parties and should go into effect as soon as reciprocal action had been taken by the parties to establish compliance with articles VII and VIII.

153. In the area east and north-east of Lake Tiberias, fixed observation posts had been proposed on the eastern and north-eastern shore, to be manned by United Nations observers with the right to move in a special United Nations boat to those posts and to any point where difficulties requiring their intervention might arise. Syria had accepted the proposals, but not Israel, which considered such a boat on Lake Tiberias and an observation post on Israel territory as both uncalled-for and as derogating from the rights it claimed over the whole Lake and territory to the north and east thereof. The Secretary-General had declared that he found it necessary to maintain those proposals.

154. The Chief of Staff also proposed to invite early resumption of negotiations for a Local Commanders' Agreement between Jordan and Israel covering the whole of the demarcation line between them. Both parties had now signified that they were prepared to agree to a clause specifying that, when desired by either party, a United Nations observer should be present at meetings between local commanders and area commanders of the two parties.

155. Apart from the special arrangements negotiated for the El Auja, Gaza and Lake Tiberias areas, Egypt, Jordan, Syria and Lebanon, in implementation of the recognition of the status and functions of the Chief of Staff and military observers, had also given assurances that the principle of freedom of movement for military observers within the relevant areas would be freely recognized. Israel's position was that it would continue to afford United Nations observers the same degree of freedom of movement inside Israel which all residents or visitors to Israel normally enjoyed, and also such freedom of movement as might be required in respect to specific posts and patrols around the Gaza area.

156. The Secretary-General drew attention in his report to two special questions that had confronted him during his mission. Israel had raised the question of Egyptian interference with Israel shipping through the Suez Canal as treated by the Security Council in a resolution of 1 September 1951 (S/2322), and also of interference in the Straits of Tiran. The attitude of the Secretary-General had been that the Suez question, as adjudicated by the Council, was not a question of compliance with the Armistice Agreement in the sense of his mandate. For that reason he had not discussed the issue with Egypt, nor evaluated the legal reasons presented by Israel that the blockade represented a case of standing non-compliance with article I of the Armistice Agreement. He recognized, however, that in an approach looking beyond the immediate problems which, as he understood the resolution of 4 April 1956, the Council had in mind, the question raised by Israel should come under consideration in the light of the Council's finding in its resolution of 1 September 1951 that the blockade was incompatible with the Armistice régime, as that régime put an end to a state in which Egypt could avail itself of belligerent rights.

157. The other question drawn to the Secretary-General's attention by Jordan, Lebanon and Syria was Israel's scheme for the diversion of the Jordan River. On that question, the Secretary-General had found that his formal stand under the terms of his mandate must be to request the parties to abide by decisions concerning the matter taken by the Security Council or under the Armistice Agreement between Syria and Israel, and to emphasize that in cases where different views were held as to the interpretation of a Council resolution, the Council alone could interpret its resolution. Apart from legal considerations, the Secretary-General found that the strain feared in case of a resumption of the Jordan River diversion work should not be permitted to endanger the cease-fire, but he felt, with equal strength, that it was the duty of the parties to the present effort to avoid any action that might create an added strain.

158. In concluding his report, the Secretary-General stated that he devoted all his attention to the limited task—as called for by his mandate—of re-establishing first of all a cease-fire and, based on the cease-fire, a state of full compliance with the Armistice Agreements. Consequently, he had left aside those fundamental issues that so deeply influenced the situation in the Middle East. It was his own view, confirmed by the discussions he had had in the region, that the re-establishment of full compliance with the Armistice Agreements represented a stage that had to be passed in order to make progress possible on the main issues which he had considered to be outside his mandate.

159. Following on the efforts made during his mission, the initiative now lay in the hands of the Governments parties to the Armistice Agreements. It was the Secretary-General's feeling that there was a general will to peace, and that that will should be fostered and encouraged, not by attempts to impose from outside solutions to problems of vital significance to everyone in the region, but by a co-operation which facilitated for the Governments concerned the taking unilaterally of steps to increase confidence and to demonstrate their wish for peaceful conditions. The value of the efforts and their effect would depend first of all on the goodwill and the actions taken by the Governments directly concerned, and in the second place on the sup-



port given to those Governments by others and by the world community, as represented by the United Nations. Expressing the belief that there now might be a possibility of starting a chain of reactions leading to a continuous improvement of the situation, the Secretary-General concluded that, while the final settlement was probably still far off, even partial solutions to the harassing problems of the region would make a contribution to the welfare of the peoples concerned and to the peace of the world.

### 3. CONSIDERATION OF THE REPORT OF THE SECRETARY-GENERAL BY THE SECURITY COUNCIL

160. At its 723rd meeting (29 May 1956), the Security Council commenced consideration of the report of the Secretary-General (S/3596). The representatives of Egypt, Jordan, Lebanon, Syria and Israel were invited to take part in the discussion. The representative of the United Kingdom, who had on 25 May circulated a draft resolution (S/3600), submitted the following revised draft resolution (S/3600/Rev.1) containing new formulations of paragraphs 1 and 2 of the preamble and of operative paragraph 2:

*"The Security Council,*

*"Recalling its resolutions of 4 April 1956 (S/3575) and 11 August 1949,*

*"Having received the report of the Secretary-General on his recent mission on behalf of the Security Council (S/3596),*

*"Noting those passages of the report (section III and annexes I-IV) which refer to the assurances given to the Secretary-General by all the parties to the Armistice Agreements unconditionally to observe the cease-fire,*

*"Noting also that progress has been made towards the adoption of the specific measures set out in operative paragraph 3 of the Security Council's resolution of 4 April 1956,*

*"Noting, however, that full compliance with the General Armistice Agreements and with the Council's resolutions of 30 March 1955, 8 September 1955 and 19 January 1956, is not yet effected, and that the measures called for in operative paragraph 3 of its resolution of 4 April 1956 have been neither completely agreed upon nor put fully into effect,*

*"Conscious of the need to create conditions in which a peaceful settlement on a mutually acceptable basis of the dispute between the parties can be made,*

*"Believing that it will help to create such conditions if further progress is now made in consolidating the gains resulting from the Secretary-General's mission and towards full implementation by the parties of the Armistice Agreements,*

*"1. Commends the Secretary-General and the parties on the progress already achieved;*

*"2. Declares that the parties to the Armistice Agreements should speedily carry out the measures already agreed upon with the Secretary-General, and should co-operate with the Secretary-General and the Chief of Staff of the United Nations Truce Supervision Organization to put into effect their further practical proposals, pursuant to the resolution of 4 April 1956, with a view to full implementation of that resolution and full compliance with the Armistice Agreements;*

*"3. Declares that full freedom of movement of United Nations observers must be respected in all*

areas along the Armistice Demarcation Lines, in the Demilitarized Zones and in the Defensive Areas as defined in the Armistice Agreements, to enable them to fulfil their functions;

*"4. Endorses the Secretary-General's view that the re-establishment of full compliance with the Armistice Agreements represents a stage which has to be passed in order to make progress possible on the main issues between the parties;*

*"5. Requests the Chief of Staff to continue to carry out his observation of the cease-fire pursuant to the Council's resolution of 11 August 1949 and to report to the Council whenever any action undertaken by one party to an Armistice Agreement constitutes a serious violation of that Agreement or of the cease-fire, which in his opinion requires immediate consideration by the Security Council;*

*"6. Calls upon the parties to the Armistice Agreements to take the steps necessary to carry out this resolution, thereby increasing confidence and demonstrating their wish for peaceful conditions;*

*"7. Requests the Secretary-General to continue his good offices with the parties, and to report to the Security Council as appropriate."*

161. In an introductory statement, the Secretary-General paid tribute to the co-operation shown by the parties concerned during the course of his mission. On the basis of his experience in the Middle East, he had stated in the conclusions to his report that the present situation in that area was such that the previous chain of events might be broken. He trusted that all parties would try to find what contributions they might now make unilaterally in order to re-establish quiet and order.

162. The representative of the United Kingdom recalled that the primary object of the Secretary-General's mission had been to reduce tension along the Armistice Demarcation Lines, and it was gratifying to note that the Secretary-General and the parties had been able to make progress in agreeing on practical measures towards that objective and in putting some of them into effect. Moreover, the Secretary-General had been able to secure a firm reaffirmation by the parties of the cease-fire and, with minor exceptions, the parties had fully lived up to their assurances. The progress achieved had produced a *détente*, a better atmosphere. The United Kingdom delegation had no doubt that the personality of the Secretary-General and the prestige of his high office, as well as the valuable relationship he had been able to establish with the leaders in the Middle East, had contributed very greatly to that improvement. The Council was duty bound to play a continuing and constructive part toward further general improvement. First, the parties should agree on further practical measures, in concert with the Secretary-General and the Chief of Staff of the Truce Supervision Organization, to improve the situation along the Armistice Demarcation Line. But more than that was needed: the Council should now aim at obtaining full compliance by each party with the Armistice Agreements. His delegation was in agreement with the Secretary-General's view that full compliance with the Armistice Agreements represented a stage which had to be passed in order to make progress possible on the main issues between the parties. Nevertheless, the Council ought not to lose sight of the need for a mutually acceptable settlement of the differences between Israel and its Arab neighbours.

The United Kingdom delegation therefore believed that the Council should first take advantage of the successful contacts between the Secretary-General and the parties in order to consolidate the gains that had already been made and to keep up the momentum towards truly peaceful conditions. The Council should, however, confine itself to fostering that process and should not force it upon the parties concerned. The Council should also work towards putting into effect practical measures already agreed upon, and getting still more of such measures agreed and put into effect.

163. In view of the above, the United Kingdom delegation thought that the most helpful step for the Council to take would be first to ask the Secretary-General to make himself available to the parties with those objects in view. His delegation's draft resolution did not propose a new mission or a new mandate, nor that the Secretary-General should immediately return to the Middle East or take any specific action. All that was being proposed was that the Council should request the Secretary-General to continue his good offices with the parties in order to help them make progress towards full implementation of the Council's resolution of 4 April and full compliance with the Armistice Agreements.

164. The representative of France said that the present improvement in the Palestine situation was due to the goodwill of the parties and to the inexhaustible patience and faith of the Secretary-General. The Secretary-General's great achievement was that he had understood the extreme dangers of the process of disintegration which had set in in the ten-year old structure erected by the United Nations to safeguard peace in the Middle East. He had made the parties concerned understand the justified fears which he had felt, and had secured their agreement in an attempt to bring that situation to an end. Moreover, in accordance with the terms of the Council's resolution of 4 April, the Secretary-General had obtained agreements in principle on most measures recommended by the Council and on the others he appeared to have every chance of achieving success. The French delegation had found the progress satisfactory and would support the United Kingdom draft resolution. It was constructive in scope and indicated that the steps taken towards the establishment of a lasting peace must be followed by further steps; the results achieved by the Secretary-General should not be jeopardized.

165. The representative of the United States said that his delegation would support the United Kingdom draft resolution as it was the logical outgrowth of the Council resolution of 4 April and of the mission undertaken by the Secretary-General, in which he had achieved significant success. The report of the Secretary-General showed that progress could be made towards the full functioning of the Armistice Agreements. The United States' interest, as indicated in the previous debates of the Council, was in ensuring that the United Nations efforts should be concentrated on full compliance with the Armistice Agreements by the parties and on the carrying out in detail of the Security Council's resolution of 30 March and 8 September 1955 and 19 January 1956. The basic aim of the United Kingdom draft resolution was to emphasize the Council's wish that the agreements already concluded should be speedily put into effect and that remaining measures called for in the Council's resolutions should be adopted without delay. Thus, the task of the Council was to consolidate the gains made by the Secretary-

General and to prevent the recurrence of a situation such as prevailed earlier in the year. Therefore, it seemed fitting and wise to call upon the Secretary-General to make further efforts with the parties to that end.

166. The representative of Belgium said that the report of the Secretary-General had brought out the important point that non-compliance with the Armistice Agreements was not due to the unwillingness of the parties concerned but in the main to the vagueness of the obligations laid down in those Agreements. The negotiators had therefore endeavoured to remedy that vagueness, in particular by stating precisely the bearing in the circumstances of the principle *exceptio non adimpleti contractus*. The Secretary-General had recommended certain practical measures which should prevent the recurrence of incidents on the demarcation lines, and the parties concerned had stated that they would have no objections of principle to any of those measures. The future, he said, lay with those Governments. The United Kingdom draft resolution wisely provided for the continuation of the Secretary-General's good offices with the parties concerned, and his delegation believed that the parties would want to make the best possible use of the Secretary-General's help.

167. The representative of Australia stated that his delegation attached particular importance to the assurances which the Secretary-General had obtained from the parties for the unconditional support of the cease-fire. As a result of the efforts of the Secretary-General and the goodwill of the parties, an opportunity had been presented to reduce very greatly the danger of war in Palestine and to prepare the way for a gradual approach to the examination of the deep-seated differences between Israel and its neighbours. His delegation welcomed the United Kingdom draft resolution and would support the general ideas contained therein. The representative of Australia stressed the need for economic development in the area, which had been hindered by the continuation of the Palestine dispute. The co-operation of the parties was sought, he said, not only in measures to reduce the risk of war, but also in creating the conditions to enable their people to share in the benefits of economic advancement.

168. The representative of Iran stated that, as a result of the efforts of the Secretary-General and the goodwill shown by the parties, tension had been appreciably reduced on the demarcation lines and assurances had been given regarding the cease-fire. Those assurances had been honoured and effective measures had been taken to ensure the integral application of the Armistice Agreements. However, the positive results that the Secretary-General had achieved would have to be supplemented by other measures envisaged in his report. In that connexion, he stressed the importance of ensuring complete freedom of movement for United Nations observers and of carrying out the proposals of the Chief of Staff. The representative of Iran also believed that full compliance with the Armistice Agreements must be regarded as a preliminary condition of any equitable settlement of the Palestine question and that any hasty attempt to impose solutions of the principal questions at issue between the parties might prove premature and prejudicial to the final settlement of the question.

169. In the light of those considerations, the representative of Iran declared that his delegation would support any draft resolution which expressed the Council's appreciation of the progress achieved by the

Secretary-General and the parties, requested the parties concerned to carry out the measures already agreed upon and to give effect to other practical proposals designed to secure full compliance with the Armistice Agreements, and requested the Secretary-General to continue his efforts to secure the full implementation of the Armistice Agreements. Regarding the United Kingdom draft resolution, he was in agreement with the points which coincided with those he had mentioned, but he might have certain suggestions to make at a later stage in the discussion.

170. The representative of Cuba agreed with the Secretary-General that, for the re-establishment of the Armistice Agreements, it was essential for the parties fully to comply with their provisions and to bring about an improvement in the general political relations between the parties concerned. He hoped that the Secretary-General's mission to the Middle East had begun a new stage in which more lasting results might be achieved. He added that the Cuban delegation supported in principle the United Kingdom draft resolution.

171. The representative of Peru said that, on the last occasion when the Council had considered the critical situation in the Palestine area, it had had before it two alternatives: either to reaffirm its jurisdiction and take all the measures to which it was entitled under the Charter; or to seek to bring the parties together by sending the Secretary-General to the area as its representative. As a result of the initiative of the United States delegation, the Council had chosen the second course. The impartial report and the relevant documents submitted by the Secretary-General had fully justified the trust placed in him by the Council, besides showing the co-operation extended by the parties concerned. The representative of Peru added that his delegation accepted in principle the United Kingdom draft resolution, reserving, however, its position in regard to points of detail.

172. At the 724th meeting (31 May 1956), the representative of China said that, as a result of the Secretary-General's mission to the Middle East, the four Armistice Agreements had been reinforced. That was an important achievement considering the significance of those Agreements for the future of peace in the Middle East and also the fact that the situation there had greatly deteriorated in March and at the beginning of April. The co-operation of the parties concerned had also contributed to that success.

173. The representative of China noted that the Secretary-General, in his report, had emphasized the point that the cease-fire clauses in the Armistice Agreements stood by themselves and were not to be compromised or conditioned by violations of other clauses in the Armistice Agreements. The Secretary-General had also pointed out that observance of the cease-fire was a Charter obligation, irrespective of the interpretations that might be put by the parties on the Armistice Agreements. He had not tried to attain the impossible and thereby jeopardize what was possible.

174. In the circumstances, his delegation had felt that no new resolution was necessary, as the mandate conferred on the Secretary-General had not expired. However, in so far as the United Kingdom draft resolution aimed at the consolidation of the results of the Secretary-General's mission, the Chinese delegation would support it.

175. The President, speaking as the representative of Yugoslavia, said that the Secretary-General's report embodied the same new approach to the Palestine question that had characterized the consideration and adoption of the Council's resolution of 4 April. The Secretary-General, in his report, had given a valuable analysis of the armistice system within the broader setting of the whole Palestine question and had re-defined the active role of the United Nations with regard to the situation in the area. He had also emphasized the active role and the responsibility of the parties themselves, both with regard to the implementation of the cease-fire and of the Armistice Agreements and with regard to the general improvement of conditions in the area. One of the major factors in the success of the Secretary-General's mission was the co-operation extended by the parties concerned.

176. Another important characteristic of the Secretary-General's report and of his activities in the Middle East, said the representative of Yugoslavia, was their profound realism. The Secretary-General had not tried to do all things at once but had moved gradually and prudently, and had, therefore, recommended advancing through a series of "related unilateral actions" by the Governments of the area. Thus, foundations had been laid to achieve a satisfactory working of the armistice system. The Council should endorse what had already been achieved and urge the parties to take further steps, especially those recommended by the Secretary-General and the Chief of Staff. The Secretary-General should also be requested to pursue his efforts in conjunction with the parties and give such assistance as might be necessary. In all this, however, the Council must strive to maintain unanimity, that is, consensus within the Council and concordance of the parties. That unanimity had been largely responsible for the progress made so far.

177. The representative of Syria commenting first upon the Secretary-General's report, said that the Secretary-General had found it imperative to re-establish the Armistice as a starting point. At the time of his mission, the situation in the Palestine area had been highly explosive. He had, therefore, first concentrated his efforts on obtaining pledges for strict observance of the cease-fire and, fortunately, his efforts in that direction had met with success and had brought about a marked relaxation of tension along the demarcation lines. The Syrian Government attached great importance to the cease-fire declarations. However, in his letter of 2 May 1956 to the Secretary-General, the Prime Minister of Syria had made it clear that the declaration of cease-fire had been given within the framework of the United Nations Charter and the resolutions of the Council, with particular reference to Article 25 of the Charter and the Council's resolution of 27 October 1953 dealing with the question of the River Jordan. The relation that existed between the cease-fire and the diversion of the River Jordan called for that citation. The main issue was the inviolability of the demilitarized zone, and to divert the River Jordan was to liquidate the demilitarized zone.

178. The representative of Syria then said that the Secretary-General had refused to subordinate the Truce Supervision Organization exclusively to the Mixed Armistice Commissions. The freedom of movement of observers along the demarcation lines and in the demilitarized zones was not a matter of choice or acceptance. It was a power aimed at the prevention

and prompt detection of violations. The Secretary-General's report in that respect was very clear. The Secretary-General had informed the Council that, while Syria had accepted the measures proposed with regard to the eastern shore of Lake Tiberias in implementation of the Council's resolution of 19 January 1956, the other side had not agreed to the movement of a United Nations patrol boat on Lake Tiberias, nor to the establishment of a military observer post, considering the measures as a derogation from its sovereignty. In that connexion, he recalled that the whole question of sovereignty had definitely been suppressed in the Armistice Agreements. The representative of Syria drew special attention to the statement in the report that the demarcation lines had in many cases no basis in history or in the distribution of population or private property. That was significant, as it touched the fundamental issues involved in the Palestine question.

179. At the 725th meeting (31 May), the representative of Syria, commenting on the United Kingdom draft resolution, said that as it stood it tended to destroy the constructive work done by the Secretary-General, and undermined his report. For example, paragraph 3 of the preamble noted only a portion of the report dealing with the assurances given by the parties to observe the cease-fire, whereas it should have taken note of the whole report and not just one minor part. The Secretary-General had dealt at length with the question of cease-fire assurances, including such matters as the self-defence reserve, the general framework outlined by the Arab Governments and the climate in which the cease-fire was working, but all those matters were ignored in the draft resolution. The reference in paragraph 6 of the preamble to a "settlement on a mutually acceptable basis" appeared even more dangerous. The United Nations had decided on repatriation of the refugees, on full internationalization of Jerusalem, and on a territorial plan for Palestine. Israel had opposed all those decisions. To advocate the idea of a "mutually acceptable" solution must inevitably lead to a reversal of all the resolutions previously adopted by the General Assembly and the Security Council. A new start would have to be made and everything since 29 November 1947 would have to be written off.

180. As regards the operative part of the draft resolution, the representative of Syria said that operative paragraph 4 restricted the endorsement by the Council to one single view of the Secretary-General regarding the re-establishment of full compliance with the Armistice Agreements. To select just one view and ignore the others destroyed the general balance of the Secretary-General's report. The Council should concentrate on the measures, not on the views, that were necessary to re-establish the Armistice Agreements. The item before the Council, he pointed out, was of a restricted character. The request to the Secretary-General to continue his good offices, contained in paragraph 7, was vague and obscure. The United Kingdom representative had stated that the good offices mentioned in that paragraph did not constitute a new mandate or a mission. In the light of that explanation, the representative of Syria failed to understand what, under that paragraph, the Secretary-General would be expected to carry out. Under the Council's resolution of 4 April, the Secretary-General had a definite mandate and it would be understandable if he were to continue under the same mandate. The item under discussion had been initially inscribed on the agenda of

the Council at the request of the United States delegation. It was envisaged that the Secretary-General's mission would protect the Armistice and nothing more. It would be proper if the Council were to adopt a resolution that took note of the Secretary-General's report, thanked him for his efforts, and called upon the parties to implement the measures proposed by the Chief of Staff, with a further request to the Secretary-General to continue his efforts to implement the provisions of the Council's resolution of 4 April 1956. Such a resolution would foster and not force the situation that had been gained by the Secretary-General.

181. The representative of Israel said that his Government had brought all the elements of tension between Israel and its neighbours under careful scrutiny in discussions with the Secretary-General during his mission. Although those discussions were not free from divergence of judgement on specific issues, and the Secretary-General's report contained points on which Israel had its reservations, nevertheless, the attitude of his Government had been one of understanding and co-operation. The most important result of the Secretary-General's mission had been that all the parties concerned had given assurances unconditionally to observe the cease-fire. The Government of Israel attached great importance to the unconditional character of the cease-fire assurances. The representative of Israel, therefore, could not accept the contention of the representative of Syria that the obligation of Syria regarding the cease-fire would be affected by any action taken concerning the utilization of the waters of the River Jordan. The Secretary-General had rejected any qualification of the cease-fire obligations, other than that specified in Article 51 of the Charter.

182. The representative of Israel said that a cease-fire agreement, indispensable as it was, could not be regarded as an adequate substitute for peace. His delegation therefore agreed that further progress should be made in consolidating the gains resulting from the Secretary-General's mission with a view to the full implementation of the Armistice Agreements. Agreement of the parties and full reciprocity were, however, essential conditions for the success of such measures. The establishment of agreed local arrangements had no doubt its due place in the above process, but local arrangements were subordinate to the political decision of the signatory parties themselves to maintain the Armistice and to prevent unauthorized crossings of the demarcation lines. He added that the relationship of the demarcation lines to demographic or property questions had no bearing whatever upon the duty of the parties to respect their immunity and to avoid any transgression of them. Their status was absolute until changed by mutual consent. Full compliance with the Armistice Agreements, the objective of the Security Council's current efforts, meant that each party was entitled to its security and freedom from fear of attack by the armed forces of the other. Full implementation of the Agreements required the abolition of belligerent practices, on land or by sea, which had been ruled by the Security Council to be inconsistent with the Armistice, and was incompatible with the invocation of a state of war, either in theory or in practice. Moreover, respect for the Armistice Agreements involved an understanding of their character as steps towards permanent peace and, accordingly, of the obligation of the signatories to extend their scope by negotiation of a final settlement.

183. The situation in the Middle East, the representative of Israel continued, was still very grave. The destruction of a Member State was still held up in the public discussion of several Arab States as an avowed purpose of national policy. None of the main issues involved in the establishment of normal relations was under constructive treatment. In those circumstances, the delegation of Israel felt that it was vitally important that the Council should express its consciousness of the need to create conditions in which a peaceful settlement on a mutually acceptable basis could be made. To achieve that end, Israel was prepared to negotiate at the highest level of its responsibility with any or all of its neighbours on any or all outstanding problems.

184. The representative of Egypt said that his Government, in accordance with its policy of co-operation with efforts towards lessening and eliminating tension on the demarcation lines, within the framework of the Armistice Agreements, had given full assistance to the Secretary-General in the task entrusted to him by the Council. It agreed with the functions of the observers as defined by the Secretary-General. It had also agreed to the proposals of the Chief of Staff and of the Secretary-General and was even prepared to examine further any other proposals with a view to eliminating tension along the demarcation lines and in the demilitarized zones. In connexion with the cease-fire assurance of his Government, the representative of Egypt pointed out that his Government considered that diversion of the Jordan River waters would dangerously increase tensions and might have serious repercussions on the situation in the Middle East.

185. As regards the United Kingdom draft resolution, the representative of Egypt said that his delegation, in order to avoid controversial issues, would have preferred that it did not go beyond the Secretary-General's report and the Council's resolution of 4 April 1956. For example, paragraph 6 of the preamble went far beyond the report of the Secretary-General and could be interpreted in very different ways. The fact that the text of that paragraph was taken from the Anglo-Soviet declaration of 27 April 1956 was not enough justification for its inclusion in the draft resolution.

186. The representative of Egypt then pointed out that paragraph 7 of the operative part also required clarification. In view of the explanation given by the sponsor of the draft resolution, the representative of Egypt wondered why that paragraph could not be amended accordingly in order to limit the good offices of the Secretary-General to helping the parties progress towards full implementation of the Council's resolution of 4 April and full compliance with the Armistice Agreements.

187. The representative of Jordan stressed that his Government, while giving its assurance regarding observance of the cease-fire, had made a strong reservation by drawing the Secretary-General's attention to the grave consequences that might ensue if the Jordan River diversion works were to be resumed by Israel. After referring to the letter of his Prime Minister to the Secretary-General, the representative of Jordan reiterated the position of his Government to the effect that any unilateral action by Israel in that respect would mean not only violation of the Council's resolution of 27 October 1953 but also defiance of the principle indicated by the Secretary-General that the Council alone could interpret its resolution.

188. The representative of Jordan then said that the Secretary-General had not gone beyond the defined scope of the Council's resolution of 4 April and it was because of that clear understanding of the specific nature of his mission that he had achieved considerable success and had avoided complications and suspicions that might otherwise have arisen. In the light of that success, the normal course for the Council, in considering a resolution on the Secretary-General's report, would have been to keep within the limits of its resolution of 4 April and not to create issues which might influence the situation obtained by the re-establishment of the cease-fire. In the opinion of his delegation, the United Kingdom draft resolution brought about such new issues. Operative paragraph 4 referred to one of a number of conclusions reached by the Secretary-General, and there was no reason to single it out for inclusion. Similarly, operative paragraph 7 lacked clarity. In the opinion of the delegation of Jordan, it would be better to request the Secretary-General to continue his efforts with the parties for the implementation of the Council's resolution of 4 April 1956. As presently worded, paragraph 7 might be interpreted as an approach towards a new concept of a peaceful settlement between the parties. That same approach appeared clearly in paragraph 6 of the preamble of the draft resolution. The new theory of bringing about a settlement on a mutually acceptable basis was very unrealistic. The only way to a real solution of the Palestine question would be to implement the United Nations resolutions. The delegation of Jordan requested deletion of that paragraph.

189. The representative of Lebanon stated that it was his Government's wish to help the Secretary-General consolidate his brilliant work and to assure him of continued co-operation in the implementation of other practical measures designed to eliminate tension along the demarcation lines. The chief cause of tension along the demarcation lines continued to be Israel's intention of resuming the River Jordan diversion scheme despite the Council's express prohibition. That cause of tension and the most serious threat to the peace had not been eliminated. The Secretary-General's representations in that connexion had been without effect. In those circumstances, the Arab States were left with no alternative but to make reservations on that question, while giving their assurances about the cease-fire. The diversion of the waters of the River Jordan was not just an economic scheme; its aim, in fact, was to destroy the equilibrium of the opposing forces and to secure for Israel a strategic and political advantage prohibited by the General Armistice Agreement. Diversion of the waters would in fact be at the expense of the refugees. Israel was thus seeking a *fait accompli*—a situation which had always worked to its advantage.

190. Thus, continued the representative of Lebanon, while the original mission of the Secretary-General was left uncompleted because one of the main causes of tension remained, the United Kingdom draft resolution sought to extend his mission to new fields. The absence of any indication of the purpose of the good offices referred to in operative paragraph 7 seemed to imply that the Secretary-General was required to deal with every problem calling for settlement, whether political, economic or legal. The risk that lay in extending the Secretary-General's mission beyond the scope of the Armistice Agreements had been recognized by the Council when it adopted its resolution of 4 April. Paragraph 6 of the preamble would also reopen prob-



lems for which the General Assembly had already provided solutions in certain resolutions. Moreover, according to that paragraph, Israel and the Arab States by themselves were left free to decide jointly on questions which involved the rights of others, like the future of the Palestine refugees, whose rights and legal status had already been determined by the Assembly's resolution of 11 December 1948, and the future of Jerusalem, whose international status had already been established by the Assembly's resolution of 9 December 1949. The retention of that paragraph in the draft would, therefore, serve no useful purpose. Inasmuch as it would encourage Israel to continue to defy United Nations resolutions and to cling to the *fait accompli*, it would constitute a threat to peace.

191. The representative of the Union of Soviet Socialist Republics said that it was a matter of importance that the Secretary-General had obtained from the parties agreement on the cease-fire, and that they had given him assurances of their desire to comply with the Armistice Agreements. It could be affirmed with full confidence that there was every possibility of avoiding an armed conflict in the Middle East, if the parties observed the undertaking they had assumed and did not permit themselves to be provoked into involvement in military operations. In the interests of strengthening international peace and security, it was necessary to continue the Council's efforts until a lasting peaceful settlement of the whole Palestine problem had been achieved. It was obvious that the success of the United Nations measures to lessen tension in the Palestine area primarily depended upon the co-operation of the parties and it would, therefore, be proper for the Council to call upon the parties to refrain from any actions that would constitute violations of the Armistice Agreements and the relevant United Nations resolutions. The effectiveness of United Nations measures in the area would depend on the extent to which all Members of the United Nations, and particularly the members of the Security Council, did everything possible to assist the United Nations in achieving a peaceful settlement. For its part, the Government of the USSR was ready to give the United Nations the necessary support in that direction, provided all measures were taken with due regard for the wishes of the States of the Middle East and without interference in their domestic affairs. It was, therefore, unfortunate that, prior to the introduction of the draft resolution before the Council, there had been no consultations about its contents with the parties concerned and with a number of members of the Council. Consequently, some provisions of the draft resolution required clarification and, secondly, as presently drafted, it was unacceptable to the parties concerned.

192. The draft resolution, continued the representative of the USSR, contained a number of important provisions with which his delegation was in agreement. There were, however, some provisions in the draft resolution which gave rise to doubt. The meaning of operative paragraph 7 had become clearer after the statement of the representative of the United Kingdom that the Secretary-General's terms of reference, in rendering his "good offices", would not exceed those conferred on him by the Council's resolution of 4 April. If that was the case, the delegation of the USSR wondered why it should not be specifically stated in the draft resolution itself. The USSR representative noted with satisfaction that the United Kingdom delegation had already revised its draft resolution to in-

corporate certain suggestions that had been made, and he hoped that it would further take into account the expressed wish that the resolution should be so drafted as to make it acceptable to the parties concerned and capable of being unanimously approved.

193. At the 726th meeting (1 June 1956), the representative of the United Kingdom further clarified the draft resolution submitted by his delegation. He assured members of the Council that there was no catch in operative paragraph 7 of the draft. By the use of the words "to continue his good offices with the parties", his delegation had indicated that the Secretary-General was being asked to continue the efforts he had begun in making progress towards full implementation of the Council's resolution of 4 April and full compliance with the Armistice Agreements. As regards paragraph 6 of the preamble, the representative of the United Kingdom pointed out that it was only a preambular paragraph, the object of which was to point out the fact that any eventual settlement between the parties should be one arrived at through agreement and should not be imposed. There was nothing in that paragraph which affected the nature of any future settlement. As regards operative paragraph 3, the United Kingdom representative drew attention to the precision of wording in the revised text and added that the words "in all areas" were not intended to extend the scope of that paragraph beyond the areas defined in the Armistice Agreements.

194. The representative of the United Kingdom then said that while his delegation was not prepared to amend or omit paragraph 6 of the preamble, it would, however, accept the suggestions made concerning operative paragraphs 3 and 7 and would revise them as follows:

"3. *Declares* that full freedom of movement by the United Nations observers must be respected along the Armistice Demarcation Lines, in the Demilitarized Zones and in the Defensive Areas as defined in the Armistice Agreements, to enable them to fulfil their functions;"

"7. *Requests* the Secretary-General to continue his good offices with the parties with a view to full implementation of the Council's resolution of 4 April and full compliance with the Armistice Agreements, and to report to the Security Council as appropriate."

195. The representative of Iran expressed his delegation's appreciation of the amendments which the United Kingdom delegation had incorporated in its draft resolution. He added that his delegation had found the apprehensions expressed by the representatives of the Arab States well founded, and the Council, while taking a decision, must take their views into account. It should also refrain from including in its resolution controversial ideas which, instead of helping the present favourable climate, might increase the tension. It was, therefore, necessary that the present draft resolution be so amended that it could be adopted by the members of the Council and accepted by the parties. For that reason, the delegation of Iran would move the deletion of paragraph 6 of the preamble, which exceeded the scope of the resolution which the Council ought to adopt and might compromise former United Nations resolutions on Palestine.

196. The representative of Peru noted with satisfaction the desire expressed by all the parties concerned fully to comply with the Armistice Agreements, and observed that the reserves for self-defence in no way

vitiated the validity of the cease-fire assurances. In his view, paragraph 6 of the preamble could not be regarded as prejudicial to the resolutions of the Assembly, which could be modified only by the Assembly itself.

197. The representative of the United States said that the position of his delegation had remained unchanged since 4 April 1956. He regretted that some concern had arisen over what might have been a misconception of the purpose of some of the language contained in the United Kingdom draft resolution. He felt sure that his delegation's view that the present draft resolution was fully in accord with and consistent with the Council's resolution of 4 April 1956, was also the view of the representative of the United Kingdom.

198. The discussion on the draft resolution continued at the 727th meeting (1 June 1956). The amendment submitted by the representative of Iran was supported by the representatives of the Union of Soviet Socialist Republics, China and Yugoslavia. They pointed out that paragraph 6 of the preamble went beyond the scope of the resolution of 4 April 1956 and that it would be contradictory to attempt to promote a peaceful settlement on a mutually acceptable basis by means of a resolution which was not mutually acceptable. The representatives of Cuba, France, Peru and the United States, however, maintained that paragraph 6 of the preamble did not mean that the Council, by adopting it, would be derogating from the authority and validity of resolutions of the General Assembly. There was no difference between the spirit of the United Kingdom draft resolution and the Council's resolution of 4 April. The representative of Peru added that a statement contained in the preamble to a resolution of the Council could not affect the resolutions of another organ of the United Nations. He, however, referred to the representative of the United Kingdom the appeal of the Iranian representative that the paragraph in question might be deleted on grounds of expediency.

199. The representatives of Egypt, Jordan, Lebanon and Syria reiterated strongly their objections to the inclusion of paragraph 6 in the preamble of the draft resolution.

200. At the 728th meeting (4 July 1956), the representative of the United Kingdom stated that, in the interests of unanimity and in response to the plea of the representative of Iran, he accepted the Iranian amendment to delete the sixth paragraph of the preamble. He further revised the draft resolution to make a consequential change in paragraph 7 of the preamble, which then read as follows:

*"Believing that further progress should now be made in consolidating the gains resulting from the Secretary-General's mission and towards full implementation by the parties of the Armistice Agreements."*

201. Prior to the vote on the United Kingdom draft resolution, as revised and amended, the representatives of Iran, the United States, France, Belgium, Cuba, the Union of Soviet Socialist Republics and Peru stated that they would vote in favour of the draft. The representative of Iran paid a tribute to the representative of the United Kingdom for the conciliatory spirit he had shown in accepting the Iranian amendment concerning paragraph 6 of the preamble. The representative of the United States expressed regret that it had been necessary to delete paragraph 6 of the preamble,

and hoped that unanimous action in the Council would bring about further co-operative action in the area towards a peaceful solution of the Palestine problem. The representative of France regretted the deletion of paragraph 6 of the preamble, and emphasized that its suppression could not mean the rejection of a solution based on the principle it conveyed. The representative of Belgium stated that his delegation was quite certain that paragraph 6 of the preamble did not have the scope attributed to it by those who opposed its retention. The representative of Cuba wanted it to be on record that his delegation would not have supported the Iranian amendment had it been put to the vote. The representative of the Union of Soviet Socialist Republics welcomed the conciliatory step of the United Kingdom delegation in accepting the Iranian amendment to delete paragraph 6 of the preamble. The representative of Peru stated that, while his delegation had not at any time felt that paragraph 6 of the preamble was likely to compromise the resolution approved by the Council and the Assembly, he welcomed the solution by which the United Kingdom representative had agreed to delete the paragraph in the interests of securing a unanimous decision in the Council.

**Decision:** *At the 728th meeting on 4 June 1956, the United Kingdom draft resolution, as amended, was adopted unanimously. (S/3605)*

202. The representative of the United Kingdom said that, in the view of his Government, the omission of paragraph 6 of the preamble could not in any way be taken to mean that the Council considered that the settlement should be on some other basis than a mutually acceptable one. The Council's decision merely meant that it was not taking any stand on that point. The paragraph concerned was not an essential part of the draft resolution; it was a desirable and apposite addition to the preamble part of the text. The United Kingdom delegation had accepted the amendment because he felt that the object of the resolution being to ask the Secretary-General, who represented the totality of the United Nations, to continue his labours on the Palestine question, dissent or lack of support from the members of the Council would have hampered him, a risk which the representative of the United Kingdom felt he should not take. He believed the resolution as adopted was a further long step forward toward the aim of the Council.

203. The representative of Israel regretted that paragraph 6 of the preamble had had to be deleted from the draft resolution. The debate, which had taken place in connexion with the draft resolution, had led to a more disquieting estimate of the situation in the Middle East than had been prevalent a week before. The people of Israel would be wise to draw from the debate the conclusion that their national security was gravely threatened. The Israel delegation had, however, no doubt that, despite the speeches of the representatives of the Arab States, world conscience did demand an agreed settlement between Israel and its Arab neighbours in order to liquidate the fears and sterile rancours which disfigured the Middle East.

204. The Government and people of Israel stood for peace. Ruling out resort to force, any settlement must be based on the consent of the parties and this would conform with the jurisprudence of the General Assembly, of the Security Council and of the Armistice Agreements themselves.

205. In the opinion of his Government, added the representative of Israel, the acceptance of the Iranian amendment had reduced the prospects of success by the Secretary-General in the continuation of his mission. The more the Council was restricted to the static concept of remaining fixed within the armistice framework without progress towards a more durable settlement, the harder it was for good offices and conciliation to take the position in the Middle East beyond its present context of danger and tension.

206. The Government of Israel did not see any fault in the resolution in respect of what it contained. It did, however, regret that which it omitted.

207. The representatives of Syria, Lebanon, Jordan and Egypt rejected the charge of the Israel representative that the Arab States were not interested in a peaceful settlement of the Palestine question. The representative of Syria pointed out that it was Israel that had been condemned by the Council four times in three years for violation of Armistice Agreements. He said that Israel had already taken very definite positions on the three fundamental issues of the Palestine question: (1) the question of the refugees; (2) the question of Jerusalem; and (3) the territorial question. On all those questions Israel had defied the injunctions of United Nations organs and declared that there would be no repatriation of refugees, no implementation of the General Assembly resolution on internationalization of Jerusalem and no recession from the territorial demarcation lines. These did not represent a policy of peace.

208. The representative of Lebanon stated that whereas Arab Governments had given the Secretary-General every assistance in his mission, the Secretary-General had been unable to obtain from Israel an assur-

ance that it would respect the Council's decision prohibiting the resumption of work on the River Jordan diversion scheme, and that was the essential element in his peace mission. The representative of Lebanon further stated that Israel had repudiated the Protocol of Lausanne, which was signed by Israel and the Arab countries and which provided for the implementation of the United Nations resolutions designed to solve the Palestine problem. Agreement on a mutually acceptable basis with such a party was difficult to reach.

209. The representative of Jordan said that his Government would continue to facilitate the mission of the Secretary-General as stated in the Council's resolution of 4 April, and stated that the peace which the Arab States sought was one based on justice and on recognition of the legitimate rights of the original inhabitants of Palestine.

210. The representative of Egypt, after pointing out that Israel had gone back on the Lausanne Protocol, stressed that Arab States stood for peace.

211. The Secretary-General said that the Council's decision had given him the privilege to continue his work in the spirit in which it had been begun. The Council's debate had highlighted the points on which differences of view existed. He hoped that those differences would not harm the efforts on which the United Nations, in co-operation with the parties, had embarked.

212. The President said that the resolution adopted by the Council was limited in its objectives. Its primary concern was to secure the full performance by the parties of the undertakings already given by them when they had accepted the Armistice Agreements. The Council would look to all the parties to give their full support to the Council, to the Secretary-General and to the Chief of Staff in the execution of that resolution.



## PART II

### Other matters considered by the Council

#### Chapter 2

#### ADMISSION OF NEW MEMBERS

##### **A. Consideration of General Assembly resolutions 817 (IX) and 918 (X) and of the application of Spain, and the recommendation of sixteen applicant States to membership**

213. At its 701st meeting (10 December 1955), the Security Council adopted an agenda consisting of letters from the Secretary-General transmitting the texts of General Assembly resolutions 817 (IX) of 23 November 1954 (S/3324) and 918 (X) of 8 December 1955 (S/3467), and the application of Spain for admission to membership in the United Nations (S/3441/Rev.1). At that meeting, the Council had before it thirteen draft resolutions (S/3468-S/3480) submitted by China, providing respectively that the Council, having received and considered the applications of each of the following States, should recommend the admission of Italy, Japan, Spain, the Republic of Korea, the Republic of Viet-Nam, Cambodia, Laos, Portugal, Ceylon, Jordan, Libya, Austria and Ireland. All those draft resolutions were, except for the name of the State, identical with the following resolution concerning the application of Italy (S/3468):

*"The Security Council,*

*"Having received and considered the application of Italy,*

*"Recommends to the General Assembly that Italy be admitted to membership in the United Nations."*

214. The President (New Zealand) noted that the Council had been summoned in accordance with the formally expressed desire of the General Assembly to consider, in the light of the general opinion in favour of the widest possible membership of the United Nations, the pending applications for membership of all those eighteen countries about which no problem of unification arose. He stressed that the Council should recognize that the measure of agreement reached in the General Assembly in the adoption of resolution 918 (X) had been so broadly based as to offer an unprecedented opportunity to break a deadlock of long standing and of increasingly serious consequences. There was no need to emphasize the heavy responsibility resting on each member of the Council.

215. The representative of Peru said that it was vital to the Organization that the General Assembly and the Security Council should act in complete harmony. The Assembly resolution was the result of many years' work and represented a policy of compromise with no sacrifice of principle entailed. Indeed, that resolution was based on a political formula which came as close as it was possible to come to the attainment of complete universality. The formula implied a

vote for the admission of Viet-Nam and Korea and any other country which might achieve unification and apply for membership in the United Nations. Moreover, the General Assembly resolution was strictly consistent with the provisions of Article 4 of the Charter. The judgement called for by that Article must be objective and based on high moral principles rather than on particular interests. That was the real significance of the advisory opinion of the International Court of Justice of 28 May 1948.<sup>2</sup> Such an interpretation he pointed out, was fully consistent with universality. The purpose of the United Nations was universality, and Article 4 must be interpreted in that sense. In the atomic age, it could not be assumed that any peoples in the world were not peace-loving, especially the peoples of small countries.

216. A favourable vote coinciding with that of the General Assembly would be a move towards completing the Organization and lessening international tension. On the other hand, failure would mean a profound crisis in the Organization and a loss of its prestige.

217. The representative of the United Kingdom of Great Britain and Northern Ireland said that the Security Council was bound to pay the most serious attention to so strong an expression of General Assembly's views as that contained in resolution 918 (X). The Council, which under the Charter must deal with applications first and make recommendations on them to the Assembly, bore a heavy responsibility. Their first duty, as he saw it, was to find a procedure, soundly based in law, by which the Council could consider the applications of the eighteen countries referred to in the Assembly resolution. In addition, each delegation must take into account the sentiment of the great majority of other Members in favour of the widest possible membership of the United Nations.

218. His Government had never thought of the United Nations as an association of like-minded States from which should be excluded countries of whose political and social systems it might not approve. There was nothing in Article 4 to prevent each Member from assaying the qualifications of a candidate with benevolence, and his delegation's attitude would be one of the utmost limit of benevolence. Members of the Council should further bear in mind the opinion of the International Court of Justice that a Member of the United Nations was not entitled to make its consent to the admission of one State dependent on that of another. At the same time, the objective was to break

<sup>2</sup> *Admission of a State to the United Nations (Charter, Article 4). Advisory Opinion: I.C.J. Reports. 1948, p. 57.*

the membership deadlock, and it was clearly incumbent upon the members of the Council to find a way to allow the admission of all eighteen countries. He was authorized to vote in favour of all the eighteen.

219. While he had no specific procedure to suggest, he felt that it would be quite wrong, when the Council reached the voting stage, to begin by voting on the Chinese draft resolutions, since they recommended the admission of only eleven of the eighteen States and proposed an arbitrary order of voting on them.

220. The representative of the Union of Soviet Socialist Republics said that there was now real hope, in contrast to earlier years, that the deadlock on the admission of new Members could at last be broken. That situation was directly connected with the recent relaxation of international tension and the general improvement in international relations. The proceedings in the *Ad Hoc* Political Committee and in the General Assembly had shown that an overwhelming majority of the Members of the United Nations clearly supported the admission of eighteen States, and their views could not be ignored by the Security Council. The Soviet Union, which had unreservedly supported adoption of the membership resolution in the Assembly, again took a firm stand in favour of admission of all eighteen States, without any exception. It was the duty of the Council and its members to respond to the Assembly's appeal by taking a positive decision on the admission of the eighteen States.

221. It was essential to reach agreement on a procedure and order of voting which would guarantee the admission of all the eighteen States and which would exclude the possibility of any accidents or surprises, either in the voting in the Council or in the subsequent vote in the Assembly. The need for such guarantees was imposed by past experience, in which so-called abstentions had rendered it impossible to solve the problem as a whole, and by the position adopted by certain members of the Council in the debates on the question in the Assembly. The Council and the Assembly should take agreed action on the matter, in accordance with a pre-determined plan.

222. He accordingly submitted the following draft resolution (S/3482):

*"The Security Council,*

*"Bearing in mind General Assembly resolution 918 (X) of 8 December 1955 on the admission of new Members to the United Nations,*

*"1. Resolves to examine the applications for admission to the United Nations of the eighteen States referred to in the said General Assembly resolution in the chronological order in which these applications had been received, bearing in mind that the Council will take a separate decision on each application and will begin to consider each application after the General Assembly has completed its consideration of the Security Council's recommendation on the preceding application;*

*"2. Authorizes the President of the Security Council to reach agreement with the President of the General Assembly on the above-mentioned procedure for the examination of applications."*

223. The USSR representative then submitted eighteen draft resolutions (S/3484-S/3501) providing respectively that the Council, having examined the applications of each of the following States for membership in the United Nations, should recommend the

admission of Albania, the Mongolian People's Republic, Jordan, Ireland, Portugal, Hungary, Italy, Austria, Romania, Bulgaria, Finland, Ceylon, Nepal, Libya, Cambodia, Japan, Laos and Spain. Each of these draft resolutions was similar in wording to the following draft resolution concerning Albania (S/3484):

*"The Security Council,*

*"Having examined the application of Albania for admission to membership in the United Nations,*

*"Recommends to the General Assembly to admit Albania to membership in the United Nations."*

224. The representative of China emphasized that the Security Council was one of the principal and autonomous organs of the United Nations, with its own functions and rights and its own rules of procedure. While he agreed that the members of the Council should pay due consideration to the sentiments of the General Assembly, the Council should function in strict accordance with the provisions and principles of the Charter. Although his delegation had not voted for the Assembly resolution, he would do his utmost for its implementation, within the terms of Article 4 of the Charter.

225. Turning to the thirteen draft resolutions submitted by his delegation, he explained that there was no intention that the Council should limit itself to them and that no particular meaning was attached to the order in which they had been submitted. The Council's practice was to vote on draft resolutions, and not on applications as such. The relevant rule as far as order of voting was concerned was rule 32, according to which proposals should be voted on in the order of their submission.

226. The representative of the United States of America said that his delegation would continue to be guided by three basic principles on the question of admission. They were: (1) to bring into membership all qualified States which applied; (2) to follow the provisions of the Charter in judging the qualifications of applicants; and (3) to avoid thwarting the will of a qualified majority by use of the veto in the Security Council.

227. Clearly qualified and supported by the United States were six European applicants—Austria, Finland, Ireland, Italy, Portugal and Spain—and seven Asian-African applicants whose membership had been recommended by the Bandung Conference for present admission, namely, Cambodia, Ceylon, Japan, Jordan, Laos, Libya and Nepal. They would already be Members had not the USSR veto, or threat of veto, barred them. There were other qualified applicants. The United States did not believe that the Republic of Korea should be barred from membership merely because part of its territory was wrongfully and forcibly detached from the authority of what the General Assembly had held to be the only lawfully elected Government in Korea. The Republic of Viet-Nam was another qualified applicant barred only by the Soviet veto. The United States would not support the applications made for Albania, Bulgaria, Hungary, Outer Mongolia and Romania, since it regarded the Governments of those States as not now independent, and since the subject status of those Governments constituted or derived from the violation of treaties and other international engagements. However, it recognized that the issues could be the subject of an honest difference of opinion and would not use the veto in the Council to thwart the will of a qualified majority.

228. The President, speaking as the representative of New Zealand, said that his delegation favoured the immediate admission of the eighteen States referred to in the General Assembly's resolution of 8 December 1955. It did not believe that the solution suggested in that resolution violated Article 4 of the Charter. The criteria set out in that Article were not capable of objective demonstration and must therefore be a matter for subjective judgement, which should be characterized by the tolerance enjoined by the Charter. Despite its considerable reservations about the qualifications of certain applicants, therefore, his Government had decided to vote in favour of all eighteen.

229. The Council must face the fact that the Assembly expected the members of the Council to reach an understanding permitting the immediate admission of all eighteen applicants and that, in the absence of such understanding, no candidate was likely to be admitted. He consequently believed that, while there must be a separate vote on each applicant, there would also have to be a vote on the group. That procedure should achieve everything sought by the USSR in its proposal, and would be more generally acceptable.

230. Accordingly, New Zealand had co-sponsored with the delegation of Brazil the following joint draft resolution (S/3502):

*"The Security Council,*

*"Noting resolution 918 (X) adopted by the General Assembly on 8 December 1955, in which the Security Council was requested 'to consider, in the light of the general opinion in favour of the widest possible membership of the United Nations, the pending applications for membership of all those eighteen countries about which no problem of unfication arises',*

*"Having considered separately the applications for membership of Albania, the Mongolian People's Republic, Jordan, Ireland, Portugal, Hungary, Italy, Austria, Romania, Bulgaria, Finland, Ceylon, Nepal, Libya, Cambodia, Japan, Laos and Spain,*

*"Recommends to the General Assembly the admission of the above-named countries."*

231. In reply to the representative of the United States, the President, speaking as the representative of New Zealand, confirmed that the draft resolution would be voted on paragraph by paragraph and that separate votes would be taken on each of the countries listed, prior to the vote on the relevant paragraph as a whole and on the draft resolution as a whole.

232. The representative of France, recalling his delegation's support for the principle of universality and for the admission of most of the applicant States, said that it did not consider that the rules of the Charter should be sacrificed. His delegation would support the joint draft resolution inasmuch as it respected those fundamental rules. Reviewing the qualifications of various applicants, he expressed support for admission of Italy, Ireland, Portugal, Austria, Spain, Cambodia, Laos, Finland, Japan, Ceylon, Nepal, Jordan and Libya, and hoped that, in the near future, circumstances would also permit the admission of Viet-Nam.

233. At the 702nd meeting (10 December), the President, in reply to a question by the representative of the USSR, said that if the Council recommended the admission of the eighteen States, he could not conceive that the Assembly would do other than promptly

endorse that recommendation by an overwhelming majority.

234. The representative of Brazil stressed the gravity of the decision to be taken by the Council. The procedure contemplated in connexion with the draft resolution (S/3502) jointly submitted by Brazil and New Zealand would enable the Council to respect the provisions of the Charter and the advisory opinion of the International Court of Justice. The resolution adopted by the General Assembly did not constitute a violation of the Charter, and the Council was not required to go beyond Article 4 in examining one by one the applications before it.

235. The representative of Iran considered that the best procedure would be to vote separately on the admission of each of the eighteen applicants and then vote on the whole of a draft resolution recommending the admission of all those States. He supported the joint draft resolution and requested that it should be given priority. His delegation would vote separately in favour of the admission of each of the eighteen States listed in that proposal.

236. The representative of Peru also supported the joint draft resolution and would vote in favour of giving it priority.

237. The representative of Belgium said that his delegation continued to maintain the view, upheld by the 1948 advisory opinion of the International Court of Justice, that each application should be considered and voted upon separately. Since the procedures suggested in the various proposals before the Council involved such a separate vote, he would support the proposal which was given priority by the Council.

238. After further discussion of the question of priority, the representative of the Union of Soviet Socialist Republics, at the 703rd meeting (13 December), stated his understanding that the joint draft resolution of Brazil and New Zealand constituted a single entity, a single recommendation, which was to be considered by the General Assembly in that sense. If the Assembly amended the recommendation in any way, it would lose its meaning as an entity and would have to be referred back to the Council. He would consequently not insist that priority should be given to the procedure proposed by the USSR.

239. The representative of the United Kingdom said that his Government's attitude had been influenced by the great weight of opinion in favour of breaking the deadlock. It had long supported twelve of the applicants. Six of those countries were in Asia, which did not have its full representation in the Organization, and among them was Ceylon, a fellow member of the Commonwealth. There were six old applications and one new one from European countries. The United Kingdom supported all those candidates.

240. The fact that the United Kingdom was now prepared to vote in favour of each of the five Soviet candidates must not be taken as in any way implying approval of their past actions and attitudes. Its readiness to support them was in some sense an act of faith in their disposition to comply in the future with the obligations which they would be assuming under the Charter when they were admitted to the United Nations. His Government had particular reservations concerning the sovereignty of Outer Mongolia and the peace-loving character of Albania. The United Kingdom would, nevertheless, as an act of faith, vote in favour of the admission of those two States.

241. The representative of China welcomed the fact that a separate vote on each of the eighteen applicants listed in the second paragraph of the joint draft resolution would keep that part of the proposal within the letter of the Charter. However, the list did not include the applications of Korea and Viet-Nam and the order of voting implicit in the listing in order of application amounted to surrender to the point of view of the USSR. The USSR position was one of admitting eighteen applicants or none, and that was also the position adopted in the joint draft resolution. The last paragraph appeared to be a legalization of the "package deal", which was recognized as being contrary to the Charter and to the advisory opinion of the International Court of Justice. That would be so especially if the Council should accept the interpretation placed on that paragraph by the USSR representative. The proposal would be much improved if the paragraph were deleted. For those reasons he could not support priority for the joint draft resolution.

242. Turning to the general issues, the representative of China stated that, while the United Nations must tolerate a variety of systems and policies among its Members, it must also have a minimum of like-mindedness in certain basic aspects if it was to survive. The Charter required all Members to be peace-loving. It also provided for the sovereign equality of nations, a phrase meaning that there must not be any domination of one country over another. A third element of like-mindedness laid down by the Charter was that of observance of, and respect for, human rights and fundamental freedoms. Without those minimum elements of like-mindedness, the Organization would perish.

243. Unfortunately, since 1945, the one-world concept on which the Charter was based had lost ground. On the one hand, there had been a line of development in the direction of the Charter, with new nations becoming independent, while on the other hand there had been a line of development running counter to the Charter, with nations such as Latvia, Estonia, Lithuania, Poland, Czechoslovakia, Albania, Bulgaria, Hungary, Romania and Mongolia losing whatever sovereign independence they had had. The conflict between those two tendencies was the central issue before the world and, in comparison, all other questions became insignificant.

244. The eighteen States proposed for admission included four European satellite States that had recently been condemned by the United Nations for their aggression against Greece. As for Outer Mongolia, he recalled that, in 1947, Mongolian troops had invaded China to a depth of 100 kilometres. Outer Mongolia had participated with the Chinese and Korean Communists in the war in Korea against the United Nations.

245. Although there had indeed been overwhelming delegation support in the Assembly for the "package deal", he questioned whether the peoples of the world likewise supported such a bargain. He believed that they expected the United Nations to stand by its principles. If the Organization sacrificed its principles, it would be committing moral suicide.

246. He submitted an amendment (S/3506) to add the names of the Republics of Korea and Viet-Nam to the joint draft resolution.

**Decision:** *The Iranian proposal to give priority in the voting to the joint draft resolution of Brazil and New Zealand was adopted by 8 votes to 1 (China),*

*with 2 abstentions (Belgium, the United States of America).*

247. At the 704th meeting (13 December), the President, speaking as the representative of New Zealand, said that if the Council accepted the Chinese amendment it would be doing something different from what the General Assembly had asked, and its chances of success would be diminished. Therefore, although his delegation favoured the applications of the Republics of Korea and of Viet-Nam, he would abstain on the Chinese amendment instead of voting for it.

248. The representative of the United States, after stating that there was no definite obligation on the part of the Council to give effect to whatever the General Assembly might have voted, said that his understanding of the primary purpose of the joint draft resolution was that it provided an orderly method of voting and an orderly procedure. In view of the Council's past support of the applications of the Republics of Korea and Viet-Nam, the representative of China was well within his rights in moving the amendment. The United States continued to feel that countries divided only because of the aggressive action of others should not be barred from membership by virtue of that illegal division. The Republic of Korea must always have a special place in the United Nations as a symbol of the first case in human history when aggression had been repelled by collective military action under the auspices of an international organization.

249. The representative of the United Kingdom pointed out that there was still before the Council General Assembly resolution 817 (IX) of 23 November 1954 requesting further consideration of the pending applications for membership, among which were those of the Republics of Korea and Viet-Nam. His Government had not taken the initiative in trying to secure the admission of those countries, because it had judged such a course not to be practical politics. He would vote in favour of both. In voting for the Republic of Viet-Nam, he considered that he would in no way be prejudicing the successful outcome of the arrangements agreed upon at Geneva in 1954.

250. The representative of France agreed that the Council was entitled to vote on the Chinese amendment and said that he would vote in favour of both the Republics of Viet-Nam and of Korea.

251. The representative of the Union of Soviet Socialist Republics said that the amendment to add two applicants to the list of eighteen was not an amendment in the ordinary sense, but a completely new proposal which was obviously intended to obstruct a decision by the Security Council. He saw no need to reply to the slanderous fabrications regarding the Mongolian People's Republic by the person illegally occupying China's place at the Council table.

252. The representative of Turkey said that he would vote for the admission of the Republics of Korea and Viet-Nam as well as for the joint draft resolution in its entirety.

253. The President stated his intention, under rule 36 of the Council's provisional rules of procedure, of putting the Chinese amendment to the vote after the words "Having considered separately the applications for membership of", with a separate vote on each of the two countries mentioned in the amendment, followed by a separate vote on the eighteen countries listed in the draft resolution.

254. The representative of the Union of Soviet Socialist Republics regarded the procedure contemplated by the President as incorrect, holding that the applicants listed in the amendment should be voted on in the position they occupied in the chronological order of receipt of all the applications. He proposed that the Council vote on the amendment in accordance with that order.

**Decisions:** *The USSR proposal was rejected by 8 votes to 1 (USSR), with 2 abstentions (Iran, Turkey).*

*The Council then proceeded to vote on the joint draft resolution of Brazil and New Zealand (S/3502) and the Chinese amendment thereto (S/3506), with the following results:*

*The first paragraph of the preamble was adopted by 8 votes in favour, with 3 abstentions (Belgium, China, United States of America).*

*The opening words of the second paragraph of the preamble were adopted by 9 votes in favour, with 2 abstentions (China, United States of America).*

*The inclusion of the two countries named in the Chinese amendment (the Republic of Korea and the Republic of Viet-Nam) was voted on separately, with identical votes of 9 in favour, 1 against (USSR), with 1 abstention (New Zealand). The two countries were not included, the negative votes having been cast by a permanent member of the Council.*

*Albania was included by 7 votes in favour, with 4 abstentions (Belgium, China, France, United States of America).*

*The inclusion of the Mongolian People's Republic received 8 votes in favour, 1 against (China) with 2 abstentions (Belgium, United States of America). The Mongolian People's Republic was not included, the negative vote being that of a permanent member of the Council.*

*The inclusion of Jordan, Ireland and Portugal, received, in each case, 10 votes in favour and 1 against (USSR). Jordan, Ireland and Portugal were not included, the negative votes being those of a permanent member of the Council.*

*Hungary was included by 9 votes in favour, with 2 abstentions (China, United States of America).*

*The inclusion of Italy and Austria received, in each case, 10 votes in favour and 1 against (USSR). Italy and Austria were not included, the negative votes being those of a permanent member of the Council.*

*Romania and Bulgaria were each included by 9 votes in favour, with 2 abstentions (China, United States of America).*

*The inclusion of Finland, Ceylon, Nepal, Libya, Cambodia, Japan and Laos received, in each case, 10 votes in favour and 1 against (USSR). Finland, Ceylon, Nepal, Libya, Cambodia, Japan and Laos were not included, the negative votes being those of a permanent member of the Council.*

*The inclusion of Spain received 9 votes in favour and 1 against (USSR), with 1 abstention (Belgium). Spain was not included, the negative vote being that of a permanent member of the Council.*

*The second paragraph of the preamble as a whole, as amended, was not adopted. It received 1 vote in favour (USSR), 4 against (Brazil, China, Peru, Turkey) with 6 abstentions (Belgium, France, Iran, New Zealand, United Kingdom, United States of America).*

255. The President stated that he would not put the last paragraph to the vote since there was nothing to recommend to the General Assembly.

256. At the 705th meeting (14 December), convened at his request, the representative of the Union of Soviet Socialist Republics said that a new approach must be sought to the question of admission of new Members. The USSR therefore wished to withdraw its negative vote with respect to a number of States and would vote for their admission on the understanding and in the expectation that the question of the admission of Japan and the Mongolian People's Republic, for which no positive solution had been provided at the previous meeting, would be referred to the next session of the General Assembly. It based its proposal on the understanding that measures would be taken by concerted effort between the sessions to ensure the admission of both those countries at the next session of the Assembly. Such a proposal in no way altered the positive attitude of the USSR to the admission of Japan to the United Nations, but merely meant that the question of the admission of Japan was being postponed until the next session, for reasons clear to everyone. He then submitted the following draft resolution (S/3509):

*"The Security Council,*

*"Bearing in mind General Assembly resolution 918 (X) of 8 December 1955 on the admission of new Members to the United Nations,*

*"Having considered separately the applications for membership of Albania, Jordan, Ireland, Portugal, Hungary, Italy, Austria, Romania, Bulgaria, Finland, Ceylon, Nepal, Libya, Cambodia, Laos and Spain,*

*"Recommends to the General Assembly the admission of the above-named countries to the United Nations."*

257. The representative of the United States moved that the name of Japan be added to the second paragraph of the USSR draft resolution.

258. The representative of the Union of Soviet Socialist Republics said that his delegation regarded its draft resolution as a single whole and opposed the United States amendment.

259. The representatives of the United Kingdom, Brazil, Turkey, Peru, France and China supported the United States amendment.

260. The representative of the Union of Soviet Socialist Republics said that his vote against the amendment would not mean that his delegation's attitude to the admission of Japan had altered. As before, it supported the admission of Japan, and the action to be taken by the Council would merely mean postponement of admission of that country to the next session of the General Assembly.

261. The President stated that he proposed to put the USSR draft resolution (S/3509) and the United States amendment thereto to the vote, following the procedure adopted at the previous meeting.

**Decisions:** *The first paragraph of the preamble of the USSR draft resolution (S/3509) was adopted by 8 votes in favour, with 3 abstentions (Belgium, China, United States of America).*

*The opening words of the second paragraph of the preamble were adopted by 9 votes in favour, with 2 abstentions (China, United States of America).*

*The United States amendment to add Japan received 10 votes in favour and 1 against (Union of Soviet Socialist Republics). The amendment was not adopted, the negative vote being that of a permanent member of the Council.*

*The candidature of Albania was approved by 8 votes in favour, with 3 abstentions (Belgium, China, United States of America).*

*The candidatures of Jordan, Ireland, and Portugal were each approved unanimously.*

*The candidature of Hungary was approved by 9 votes in favour, with 2 abstentions (China, United States of America).*

*The candidatures of Italy and Austria were each approved unanimously.*

*The candidatures of Romania and Bulgaria were each approved by 9 votes in favour, with 2 abstentions (China, United States of America).*

*The candidatures of Finland, Ceylon, Nepal, Libya, Cambodia and Laos were each approved unanimously.*

*The candidature of Spain was approved by 10 votes in favour, with 1 abstention (Belgium).*

*The second paragraph of the preamble as a whole was adopted by 8 votes in favour, with 3 abstentions (Belgium, China, United States of America).*

*The last paragraph of the draft resolution was adopted by 8 votes in favour, with 3 abstentions (Belgium, China, United States of America).*

*The draft resolution as a whole was adopted by 8 votes in favour, with 3 abstentions (Belgium, China, United States of America).*

## **B. Consideration of proposals concerning Japan and the Mongolian People's Republic**

262. The representative of the United States, noting the statement of the USSR representative that Japan should be admitted at the eleventh session of the General Assembly, submitted the following draft resolution (S/3510).

### *"The Security Council*

*"Recommends to the General Assembly that it admit Japan to the United Nations at its eleventh regular session."*

263. At the 706th meeting (15 December), the representative of the Union of Soviet Socialist Republics said that the General Assembly, in its resolution of 8 December, had pronounced itself decisively in favour of the admission of eighteen countries, including the Mongolian People's Republic and Japan. Those last two countries were the only ones on which a decision still had to be taken. They had secured in the Security Council the required number of votes for a favourable decision. Only the exercise of the veto in regard to the Mongolian People's Republic by an individual illegally occupying the Council seat belonging to the People's Republic of China had prevented a favourable decision on the question of the admission of both of them. There was therefore no ground for re-examining only the question of admission of Japan. As he had pointed out in an earlier statement, the question of the admission of Japan and the Mongolian People's Republic, and not of Japan alone, had been referred to the next session of the General Assembly by virtue of the failure of the Council to recommend them for admission at the current session. If the United

States wished the Council to prejudice the question of admission of Japan at the eleventh session, there was no reason why the same should not be done in the case of the Mongolian People's Republic. He therefore submitted the following draft resolution (S/3512):

### *"The Security Council*

*"Recommends to the General Assembly that it admit the Mongolian People's Republic and Japan to the United Nations at its eleventh session."*

264. The representative of the United States found it difficult to understand the argument that the United States draft resolution was not aimed at solving the problem of admission of new Members. Since Japan was the one great country that was not divided and that was not a Member, the contrary seemed to be true. The Security Council was not bound by the resolution adopted by the General Assembly, which indeed merely asked the Council to consider its resolution. He could not admit placing Japan and Outer Mongolia in the same bracket. Apart from their relative importance in the world, anyone acquainted with the Japanese contribution to civilization must be shocked at such an equation.

265. He referred to the USSR representative's statement at the 705th meeting that the USSR proposal meant that the question of admission of Japan was being postponed until the next session of the Assembly. The United States draft resolution was based on that statement, and he had hoped, in introducing the draft resolution, that it would at once be accepted by the USSR representative, and that there could be a demonstration of international harmony and good feeling.

266. The representative of the Union of Soviet Socialist Republics emphasized that the statement quoted by the United States representative made it clear, if all the relevant parts were read, that the question of the admission of both Japan and the Mongolian People's Republic was to be postponed to the next session of the Assembly.

267. The representative of Turkey appealed to the USSR representative not to press his draft resolution on Outer Mongolia to a vote at that time. Japan, the only country whose application had been rejected as a result of the voting at the previous meeting, was one of the great nations of the world and its admission would make an outstanding contribution in the matter of peace and friendly co-operation. To add Outer Mongolia to the United States proposal would entirely change its meaning and scope and make it one of the most curious "package deals" ever proposed. The United Nations could not afford to lose sight of the role that Japan played in international relations, or to ignore the valuable contribution that it would bring to the Organization.

268. The President, speaking as representative of New Zealand, said that his delegation would abstain on both draft resolutions before the Council. Its proposed abstention on the United States resolution did not affect its view that Japan was an extremely well-qualified candidate which should be admitted at once. He considered that the Council was not permitted by the Charter to attach conditions of any kind to its recommendations; for this reason the resolution was unconstitutional. There were also practical objections to "delayed action" recommendations of this kind. The same considerations applied to the Soviet proposal. New Zealand had voted for the admission of the Mongolian People's Republic in the past, although with-



out enthusiasm. Its abstention on the Soviet resolution was based not on New Zealand's attitude to this candidature, but on the doubtful legality of the proposal and the bad precedent which it would create.

269. The representative of China said that the fact that Japan was fully qualified for membership was universally admitted. Even the USSR had never objected to its qualifications. On the other hand, Outer Mongolia was not an independent, sovereign nation. It was a Soviet colony and had been used by the USSR for aggression against his country in 1947 and against Korea and the United Nations in the war in Korea. Although members of the Assembly had been very tolerant in interpreting and applying Article 4, only six delegations had tried to prove that Outer Mongolia had the qualifications required under that Article. To make the admission of Japan conditional on the admission of any other country was a violation of the Charter which the Council should make a serious attempt to prevent.

270. The representative of Brazil regretted that Japan had not been recommended. The entire world recognized that Japan could make a noteworthy contribution to the United Nations. However, he did not regard the form of the two draft resolutions before the Council as suitable. If another draft resolution were presented, he would be prepared to vote for the admission of Japan and Outer Mongolia.

271. The representative of the United Kingdom would vote in favour of the United States draft resolution and abstain on that part of the USSR draft resolution which concerned Outer Mongolia. In that connexion, he pointed out that the present situation was quite different from that faced by the Council at the 704th meeting. His delegation's enthusiasm for the candidature of Outer Mongolia had never been very great, and he had never agreed that the admission of both countries must be linked. He was not prepared to say at that stage that Outer Mongolia should be admitted at the next session. On the other hand, the misfortune which had befallen the application of Japan should be redressed as soon as possible.

272. The representative of Peru declared that there had been an equilibrium between the agreement to admit five countries on the basis of a more or less broad interpretation of Article 4, an interpretation that was legitimate and indeed in the circumstances mandatory, and the agreement to admit thirteen countries clearly fulfilling the requirements of Article 4. That equilibrium had been destroyed for reasons quite unrelated to the purposes underlying the General Assembly resolution. He deeply regretted that the new Soviet position should entail the quite disproportionate exclusion of a Power so essential to the maintenance of peace and to international collaboration as Japan. Although he supported the admission of Outer Mongolia, he could not agree to make the admission of Japan dependent upon it.

273. As for the constitutionality of the United States draft resolution, the representative of Peru pointed out that the Security Council, unlike the General Assembly, functioned continuously. Thus the Council was in a position to express an opinion which would be valid, unless retracted, until the eleventh session of the Assembly. He therefore supported the United States proposal and would favour a similar proposal concerning Outer Mongolia were it not for the fact that it would unfortunately have no chance of success.

274. The representative of Belgium suggested that the constitutional difficulty that had been raised with regard to the United States draft resolution might be resolved by saying that Japan should be admitted not later than at the eleventh session of the General Assembly. The USSR draft resolution was obviously intended to keep Japan as a hostage to ensure the admission of Outer Mongolia in the following year. That was in flagrant contradiction of Article 4 of the Charter and would be sufficient to prevent his delegation from voting for the USSR proposal.

275. The representative of the United States said that the United States draft resolution was simply an effort to take the USSR representative at what he understood to be his word, namely, that Japan should be admitted at the eleventh session because it had not been admitted at the present session. There was no question of any condition and there certainly was nothing in the slightest degree unconstitutional about it.

276. The representative of France reiterated his delegation's support for the immediate admission of Japan. The United States draft resolution, which he regarded as a last resort, would not in any way be contrary to the constitutional rules. At the same time, the admission of Japan could not be held to depend in any way on the admission of other candidates, especially the candidate proposed by the USSR. If a separate vote were taken on each of the countries named in the USSR draft resolution, he would vote in favour of Japan and abstain on Outer Mongolia.

277. The representative of the Union of Soviet Socialist Republics observed that the Council had examined the question of the simultaneous admission first of eighteen States and then of sixteen States. There was no reason why it should not continue in the same manner, and help to achieve a solution of the problem at the next session of the Assembly, by adopting a decision recommending the simultaneous admission of the Mongolian People's Republic and Japan. He opposed voting on the USSR draft resolution by division.

278. The representative of Peru pointed out that the Council's previous votes had not been conditional and that, although there had been simultaneous consideration of applications, the votes had been taken separately. There had been no simultaneous vote clearly designed to make the admission of one country dependent on that of another.

279. The representative of Iran would vote for the United States draft resolution and for the USSR draft resolution if the USSR accepted a vote by division or was willing to submit another draft resolution on Outer Mongolia. In that respect he agreed with the Peruvian representative's interpretation of conditional voting.

280. In reply to a question put by the President, the representative of the United States said that he did not think that the modification of the United States proposal suggested by the representative of Belgium was necessary. He had no objection to voting on the United States draft resolution in parts.

281. The representative of the Union of Soviet Socialist Republics said that his delegation's vote against the United States proposal should not be regarded as a vote against the admission of Japan at the eleventh session of the Assembly. His delegation's position on that question was clearly stated in its draft resolution.



**Decisions:** *The first part of the United States draft resolution (S/3510), excluding the words "at the eleventh session of the General Assembly", received 10 votes in favour and one against (USSR). It was not adopted, the negative vote being that of a permanent member of the Council. The remainder of the draft resolution, in view of the failure of the first part, was not put to the vote.*

*The USSR draft resolution (S/3512) was voted upon as a whole and was not adopted. It received one vote in favour (USSR), none against, with 10 abstentions.*

282. The representative of the United Kingdom said that his delegation was deeply distressed by the result of the vote which had just been taken. In the hope that an alternative course might be found on which all could agree, he submitted the following draft resolution (S/3513):

*"The Security Council*

*"Takes note that Japan is fully qualified for membership of the United Nations and expresses the hope that Japan will soon be admitted to the United Nations."*

283. The representative of the United States regretted the abuse by the Soviet representative of the veto power in preventing Japan from being recommended. He welcomed the United Kingdom draft resolution as a step in the right direction.

284. The representative of the Union of Soviet Socialist Republics, referring to the statement of the United States representative, said that although it had been seen that the most complicated questions could be settled by negotiation, the methods chosen by the United States delegation could be described only as deliberate provocation of a negative vote in circumstances which neither justified nor required such an approach.

285. At the 708th meeting (21 December) the representative of the Union of Soviet Socialist Republics submitted an amendment (S/3517) to name the Mongolian People's Republic as well as Japan in the United Kingdom draft resolution (S/3513).

286. The representative of the United Kingdom said that the Soviet amendment would completely alter the character and vitiate the purpose of the United Kingdom draft resolution, which did no more than record the general desire of all eleven members of the Council, to judge by the statements of the Soviet representative, to see Japan admitted. It was therefore difficult to see how the USSR representative could object to that proposal unless it was his intention to try to make the admission of Japan contingent upon that of Outer Mongolia. To strike such a bargain would surely be the height of cynicism and would do grave injustice to the Japanese nation. It would be an attempt to balance the potential contribution of one of the largest States in Asia against that of a little-known country which played no perceptible part in world affairs and about whose independence and sovereignty there were considerable doubts. The USSR representative had attempted to argue, at an earlier meeting, that the admission of the two countries should be linked, on the ground that both the Council and the Assembly had voted for their simultaneous admission. That had never been the case. The Council had voted separately on each of the applicants. It was now being asked to conclude a "package deal" involving two applicants. He did not believe that any members of the Council other than the Soviet representative would be prepared

to lend themselves to such a manoeuvre, which was quite unconstitutional and quite immoral.

287. The representative of France agreed that the USSR amendment represented an unacceptable "package deal". There was no comparison between the two countries. His delegation wished to see the admission of Japan because of Japan's cultural and economic standing and its political importance in Asia, and because the present form of its institutions clearly showed that it was fully qualified for membership. He would support the United Kingdom draft resolution without the USSR addition.

288. The representative of the United States believed that the ideal solution of the question would have been the adoption of the United States draft resolution, which had, however, been vetoed by the USSR. The USSR had been adversely criticized all over the world for its veto and he believed that it could not remain indifferent to the overwhelming sentiment of mankind. He would vote for the United Kingdom draft resolution but would oppose the Soviet amendment as being a crude attempt to link a great nation like Japan with a geographical abstraction like Outer Mongolia.

289. The representative of Belgium, reiterating his delegation's support for the admission of Japan, said that he would vote for the United Kingdom draft resolution, which represented the least the Council could do in the circumstances. His delegation could not of course agree that, in the expression of hope contained in the draft resolution, Japan's name should be linked with that of another country, and he would therefore be unable to vote for the USSR amendment.

290. The representative of Brazil also reiterated his delegation's support for admission of Japan, being convinced that Japan would make an extremely useful contribution to the Organization's work. Brazil had always been prepared to vote for Outer Mongolia, but it was determined not to accept a "package deal" every time an application was submitted.

291. The representative of China shared the view of the Brazilian representative that the days of the "package deal" had passed, since it had been condemned by world public opinion. China had always been particularly interested in the admission of Japan and would continue to work to that end. To delay Japan's admission would be sheer injustice, which should be remedied as soon as possible.

292. The representative of Peru, referring to the close ties between Japan and his country, said that his delegation had consistently voted for the admission of Japan. The United Kingdom draft resolution was simply a tribute to Japan to which nobody could object, least of all the USSR, which had recognized in its previous proposals and by its attitude that Japan was qualified for admission. He would vote for the United Kingdom proposal but could not vote for the USSR amendment.

293. The representative of Turkey welcomed the United Kingdom draft resolution, which would place on record ideas and sentiments accepted by all, and would therefore vote in favour of it. He could not support the USSR amendment, which would place Japan on the same level as Outer Mongolia.

294. The representative of Iran would support the United Kingdom draft resolution, which, although not entirely satisfactory, might in the circumstances justly be considered a step towards the admission of Japan.

He was disappointed by the attitude of the USSR delegation and would abstain in the vote on the USSR amendment, since the latter would destroy the very purpose of the United Kingdom draft resolution.

295. The President, speaking as the representative of New Zealand, said that Japan, one of the leading countries of Asia and the Pacific, should have been admitted long before. There had been no disagreement in the Council or the Assembly as to the qualifications of Japan. His delegation's readiness to vote individually for the eighteen candidates could in no way be construed as implying agreement with the view that a permanent member of the Council might legally make its favourable vote on one applicant dependent on the simultaneous admission of another. It was quite a different matter to assert that a solution of the new Members problem depended primarily on an understanding among the Great Powers. His delegation had reserved its position on the individual applications in the absence of a great Power understanding. At any future session of the Assembly when the question arose, his delegation would take a fresh look at the application of the Mongolian People's Republic. Its readiness to vote for that applicant had not meant that it was entirely without doubt as to its qualifications. It consequently regarded the "little package deal" presented by the USSR as inappropriate and misconceived.

296. The representative of the Union of Soviet Socialist Republics failed to see why the wish that the United Kingdom draft resolution would express regarding Japan could not be extended to the Mongolian People's Republic. Arguments to the effect that Japan was a large country and that the Mongolian People's Republic was a small one did not withstand criticism, for the United Nations was an organization of both great and small States. The majority of the members of the Council, in dealing on 13 December with the proposal for the admission of eighteen States, had regarded it as a single whole. The representatives of the United States and the United Kingdom were trying to prevent the responsibility for failure to admit Japan at that session from being laid at their door. But that failure was due to the fact that one person in the Security Council, who represented nobody but himself, and who had the support of the United States, had been opposing the will of the General Assembly and of the majority of the members of the Council. Public opinion had long ago realized who it was that placed obstacles in the way of the admission of Japan.

297. The representative of the United States said that his delegation was not prepared to vote for Outer Mongolia, which it had not supported in the first place. Responsibility for the non-admission of Japan rested clearly on the Soviet Union, which had vetoed its admission.

298. The representative of China said that the whole world knew that it was untrue that the United States had inspired or instigated his delegation's vote on Outer Mongolia.

299. The representative of the United Kingdom said that the mere fact that a number of applicants were included in the same resolution did not constitute a "package deal", as it was still possible for each member of the Council to consider and vote separately on each applicant. That was what had happened on the occasion to which the USSR representative referred. He also pointed out that the United Kingdom and other delegations had voted for Bulgaria and the other Com-

munist applicants after the Soviet vetoes had started to fall, an attitude scarcely consistent with a "package deal."

**Decision:** *The USSR amendment to the United Kingdom draft resolution was not adopted. It received one vote in favour (USSR), with 10 abstentions.*

300. The representative of the United Kingdom then stated that he did not believe that the cause endorsed by the great majority of members of the Council and of the Organization would be promoted by pursuing the matter further. The debate had clearly revealed that the USSR, despite its claim to be maintaining a positive attitude towards the admission of Japan, appeared to be intent on preventing adoption of the United Kingdom draft resolution by including in it the name of another applicant whose qualifications and the urgency of whose claim could not be put on a par with those of Japan. He therefore proposed that the Council should postpone consideration of the United Kingdom draft resolution.

301. The representative of the Union of Soviet Socialist Republics wished to record that his delegation abstained from voting on the proposal to defer the vote on the United Kingdom draft resolution.

**Decision:** *The President said that, in the absence of any objection, the United Kingdom proposal to postpone consideration of its draft resolution was adopted, with one abstention (USSR).*

### C. Application of the Sudan

302. By a letter (S/3543) dated 21 January 1956, the Minister of External Affairs of the Sudan submitted his country's application for admission to membership in the United Nations together with a declaration accepting the obligations contained in the Charter.

303. At the 716th meeting (6 February 1956), the Security Council adopted an agenda consisting of a letter (S/3544) from the representative of the United States to the President of the Council requesting consideration of the application of the Sudan. The Council had before it the following draft resolution submitted by France, the United Kingdom and the United States of America (S/3545):

*"The Security Council,*

*"Having examined the application of the Sudan,*

*"Recommends to the General Assembly that the Sudan be admitted to membership in the United Nations."*

304. The President, speaking as the representative of the Union of Soviet Socialist Republics, said that his delegation fully supported and associated itself with the joint draft resolution (S/3545).

305. The representative of the United Kingdom said that it was an important event for the Council to consider the application for membership of a newly independent country from Africa. Since his Government was one of the two former co-dominions, the completion of the Sudan's constitutional journey to complete independence caused a special pleasure in his country. He hoped that all members of the Council would readily agree that Sudan was fully qualified for membership and that there would be unanimous agreement in favour of the draft resolution he had put forward with the representatives of France and the United States. He thought that it would be unnecessary in

the circumstances to refer the application to the Council's Committee on the Admission of New Members. Finally, he quoted a message from the Minister of State for Foreign Affairs, stating that it would give the United Kingdom profound pleasure to see the Sudan seated in the United Nations and that the United Kingdom looked forward to many years of fruitful co-operation between the two countries in that Organization.

306. The representative of the United States said that his Government had watched the progress of the people of the Sudan with keen interest. It saw many traits in common between the two countries. He hoped that the joint draft resolution would be adopted at that meeting and that the Sudan would take its place in the General Assembly as a full-fledged Member of the United Nations.

307. The representative of France said that his Government was happy to co-sponsor the joint draft resolution. It was convinced that the Government of the Sudan fulfilled the conditions of Article 4 and did not doubt that the General Assembly would approve the Council's recommendation at its next session. France had always maintained friendly relations with the Sudanese people. It had followed with interest that people's progress towards independence and had been one of the first nations to recognize the new State.

308. The representative of Iran said that the Republic of the Sudan completely satisfied the requirements of the Charter; it could make a useful contribution to the Organization and could derive substantial advantages from membership. His delegation's desire to see the Sudan admitted was the greater because it was an African country, and Africa had not in the past been sufficiently represented in the Organization. He noted that the Sudan had obtained independence by democratic and peaceful means within the framework of Article 73 of the Charter, and hoped that the example would soon be followed by other African countries.

309. The representative of Belgium said that his Government, which had been one of the first to recognize the Sudan as a State, believed that that country satisfied the conditions for membership set forth in the Charter. The manner in which it had achieved its independence justified the conclusion that it was peace-loving. Admission of the Sudan would not be a favour but an act of justice required by the proper application of the Charter.

310. The representative of Cuba said that the Sudan had been a sovereign independent State since 1 January 1956; it was a peace-loving country, as evidenced by the manner in which it had achieved independence and by its provisional constitution; it had accepted the obligations contained in the Charter, and its ability and willingness to carry out those obligations were amply demonstrated by its political institutions and its avowed faith in the rule of law. He would therefore vote in favour of the joint draft resolution.

311. The representative of Yugoslavia stated that the admission of the Sudan to the United Nations would further that country's efforts to develop its newly-achieved independence and would be an important step in extending the universality of the United Nations. The unanimity evidenced in the Council augured well for the future and for a more objective approach to the question of admission of new Members. He would support the joint draft resolution.

312. The representative of Australia was glad to support the application of the Sudan, towards which his country felt warm goodwill in view of the long history of British association with the Sudan, culminating in the latter's proud achievement of independence on 1 January 1956. While he agreed that the application should not be referred to the Council's Committee on the Admission of New Members, since there was no doubt in the minds of members of the Council regarding the qualifications of the Sudan, he pointed out that in the Australian view this procedure was not a precedent and that reference to the Committee would not in itself cast any reflection upon any country whose application might in future be dealt with in that way.

313. The representative of China said that the achievement of national independence by the Sudan was a matter of credit to the people of that country as well as to Egypt and the United Kingdom. In view of the close relations between China and the Arab peoples, he took particular pleasure in supporting the application of the Sudan, which was fully qualified for membership.

314. The representative of Peru supported the joint draft resolution recommending the admission of the Sudan, the Government of which Peru had recognized. He expressed his delegation's keen satisfaction at the manner in which the Sudan had achieved independence and in which Egypt and the United Kingdom had exercised their responsibilities under the 1899 Protocol.

315. The President, speaking as the representative of the Union of Soviet Socialist Republics, said that the proclamation of the Sudan as an independent republic on 1 January 1956 had been a great victory for the Sudanese people and all colonial peoples in their struggle for freedom and national independence. The proclamation meant that the Sudanese people had won its fight for national liberation and had founded its own sovereign State. The young State still had not a few obstacles to overcome before it could free itself of the burden inherited from colonial domination, but it would no doubt overcome those difficulties too, and the United Nations must give it substantial help to that end. In his Government's view, the Sudan was fully qualified for membership and should take its place in the family of the United Nations. The Soviet Union would therefore vote in favour of the admission of the Sudan.

316. Speaking as President, he stated that since there was no objection, the Security Council resolved not to refer the application of the Sudan to the Committee on the Admission of New Members.

*It was so decided.*

317. The representative of the United Kingdom was surprised that the representative of the USSR seemed to hail the membership of the Sudan in the United Nations as an escape from so-called colonial domination. No doubt the other former *co-dominus* would also find such an attitude incongruous. While his country had a proud record over more than a century in bringing dependent peoples to nationhood, the reverse process had been characteristic of the policies of the USSR.

**Decision:** *The joint draft resolution (S/3545) was adopted unanimously.*

318. In a discussion following the decision, the representative of the United States, the United Kingdom, Australia, France and Iran expressed regret that Japan had not been similarly recommended for ad-

mission. The President, speaking as representative of the Union of Soviet Socialist Republics, said that his delegation was ready to discuss the question of the admission of both Japan and the Mongolian People's Republic if the members of the Council considered that the difficulties which had prevented the admission of both those countries had been removed.

#### D. Application of Morocco

319. By a letter (S/3617) dated 4 July 1956, addressed to the Secretary-General, the Minister for Foreign Affairs of Morocco submitted his country's application for admission to membership in the United Nations.

### Chapter 3

## PROPOSAL TO CALL A GENERAL CONFERENCE OF THE MEMBERS OF THE UNITED NATIONS FOR THE PURPOSE OF REVIEWING THE CHARTER

320. The General Assembly, on 21 November 1955, adopted resolution 992 (X) by which, among other things, the Assembly, mindful of the provisions of paragraph 3 of Article 109 of the Charter, believing in the desirability of reviewing the Charter in the light of experience gained in its operation, and recognizing that such a review should be conducted under auspicious international circumstances, (1) decided that a General Conference to review the Charter should be held at an appropriate time; (2) further decided that a Committee consisting of all the Members of the United Nations should consider, in consultation with the Secretary-General, the question of fixing a time and a place for the Conference, its organization and procedure; (3) requested the Committee to report with its recommendations to the General Assembly at its twelfth session; and (4) decided that the resolution should be transmitted to the Security Council.

321. The Secretary-General duly transmitted to the Security Council the text of the resolution (S/3503). At its 707th meeting (16 December 1955), the Council discussed the matter.

322. The representatives of Brazil, Iran, the United Kingdom of Great Britain and Northern Ireland, and the United States of America submitted the following joint draft resolution (S/3504):

*"The Security Council,*

*"Mindful that Article 109, paragraph 3, of the Charter of the United Nations provides that if a General Conference of the Members of the United Nations for the purpose of reviewing the Charter has not been held before the tenth annual session of the General Assembly, such a conference shall be held if so decided by a majority vote of the Members of the General Assembly and by a vote of any seven members of the Security Council,*

*"Having considered resolution 992 (X) adopted by the General Assembly on 21 November 1955 in which the Assembly decided that a conference to review the Charter of the United Nations shall be held at an appropriate time,*

*"Expresses its concurrence in the Assembly's decision, as set forth in resolution 992 (X) of the General Assembly."*

323. The representative of the United Kingdom, in introducing the draft resolution, stated that the Gen-

eral Assembly had set up a Committee which would consider the question of fixing a time and a place for the conference. That Committee would be free to report in 1957 whatever it deemed desirable. There was no danger of the United Nations being rushed into holding a conference before it would be wise to hold one.

324. The representative of the Union of Soviet Socialist Republics stated that his delegation was opposed to the holding of a review conference and that he would therefore vote against the joint draft resolution. In his view, the Charter was an entirely satisfactory document which met the demands made on it and needed no alteration of any kind. He held that the main purposes and fundamental principles of the United Nations, the main obligations assumed by the Member States and the principle of unanimity of the five permanent members of the Security Council formed a sound foundation for fruitful international co-operation. If the joint draft resolution was adopted, he added, his country would not take part in the work of the Committee.

325. The representative of the United States pointed out that the General Assembly, by a very substantial majority, had decided that a conference to review the Charter should be held at an appropriate time. He regretted the position taken by the representative of the USSR. He pointed out that the decision adopted by the Assembly and the draft resolution proposed to the Security Council did not constitute a decision to revise the Charter in any respect. Nor was it a decision that the Charter needed revision, either generally or specifically. All that the draft resolution proposed was that all Member States, including the new Members, should consider all the aspects of the matter and then make recommendations to the twelfth session of the Assembly as to the time and place at which such a review conference might fruitfully be held.

326. The representative of Belgium stated that his delegation would vote for the draft resolution without prejudice to Article 109 of the Charter, according to which a further decision of the Council might very well be needed when the question arose of actually convening the conference following recommendations to be made by the Committee appointed by the Assembly.

**Decision:** *The four-Power joint draft resolution was adopted by 9 votes to 1 (USSR), with 1 abstention (France).*

## **PART III**

### **The Military Staff Committee**

#### ***Chapter 4***

#### **WORK OF THE MILITARY STAFF COMMITTEE**

##### **A. Status of the Committee's work**

327. The Military Staff Committee has been functioning continuously under the draft rules of procedure during the period under review and has held a total of twenty-six meetings without making further progress on matters of substance.

## PART IV

### Matter submitted to the Security Council which was not admitted to its agenda

#### Chapter 5

#### LETTER DATED 13 JUNE 1956 FROM THE REPRESENTATIVES OF AFGHANISTAN, EGYPT, INDONESIA, IRAN, IRAQ, JORDAN, LEBANON, LIBYA, PAKISTAN, SAUDI ARABIA, SYRIA, THAILAND AND YEMEN ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING ALGERIA

##### 1. COMMUNICATION FROM THIRTEEN MEMBER STATES

328. In a letter dated 13 June 1956 (S/3609), the representatives of Afghanistan, Egypt, Indonesia, Iran, Iraq, Jordan, Lebanon, Libya, Pakistan, Saudi Arabia, Syria, Thailand and Yemen requested an early meeting of the Security Council to consider the grave situation in Algeria under Article 35, paragraph 1, of the United Nations Charter. They recalled that the situation in Algeria had already been brought to the attention of the Council in April 1956. In the explanatory memorandum submitted at that time by the representatives of seventeen Member States (S/3589 and Add.1), it had been stated that the situation had deteriorated to such an extent that the United Nations could not remain indifferent to the threat to peace and security and the infringement of the basic right of self-determination, and to the flagrant violation of other fundamental human rights. The representatives of the thirteen Member States added that since the submission of that memorandum, the situation in Algeria had further worsened due to the nature and scope of recent French military actions, which had resulted in grievous loss of life.

##### 2. POINT OF ORDER BY THE REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS

329. The letter from the thirteen Member States concerning Algeria was included in the provisional agenda of the 729th meeting of the Council (26 June 1956).

330. At the outset of that meeting, the representative of the Union of Soviet Socialist Republics, prior to the consideration of the adoption of the agenda, submitted a formal proposal, under rule 33 of the provisional rules of procedure, to postpone discussion of the question indefinitely. He considered that the question which had been placed before the Council was an important one and that the Council required more time to discuss the situation and collect the necessary information.

331. The representative of France, opposing the USSR proposal for adjournment, said that the thirteen Member States, in their letter dated 13 June, had requested consideration of the Algerian question without delay. Therefore, the Council must decide without delay upon its agenda or the request by the thirteen States should be withdrawn. So far no request for its withdrawal had been made. Moreover, there could be no question of adjourning a meeting for which the agenda had not even been adopted.

332. The representative of Iran said that although his delegation would like the Council to discuss the

Algerian question as a matter of urgency, it would, in a spirit of co-operation, be prepared to accept the USSR proposal for the adjournment of the item. He added that the thirteen Member States had no intention of withdrawing their request to the Council.

333. The representative of Belgium maintained that what was at issue at the moment was not the consideration of the Algerian question, but its inclusion in the Council's agenda. Adjournment could not properly be contemplated until the question had been placed on the agenda.

334. The representative of the Union of Soviet Socialist Republics said that objections of a procedural nature had been made to his delegation's proposal. He would, however, point out that, in full conformity with rule 33, he was asking the Council to adjourn the meeting which had a provisional agenda of two items even before the Council came to considering the first item, which was the adoption of the agenda.

335. The representative of the United Kingdom of Great Britain and Northern Ireland stated that the first question before the Council was the adoption of the proposed agenda. The Council could not possibly postpone discussion of something before it had decided to discuss it.

**Decision:** *The USSR proposal was rejected by 7 votes to 1 (USSR), with 3 abstentions (China, Iran and Yugoslavia).*

##### 3. QUESTION OF THE ADOPTION OF THE AGENDA

336. The representative of France stated that his delegation would ask the Security Council not to include in its agenda the complaint submitted by thirteen Member States in their letter of 13 June. The French Government considered Algerian affairs to be essentially within the domestic jurisdiction of France.

337. The representative of Iran said that after careful consideration his delegation, together with twelve other Asian and African Member States, had asked the Council to examine urgently the grave situation in Algeria because they felt that it was of a nature to give rise to a dispute between nations and that its continuance was likely to endanger the maintenance of international peace and security. They also believed that a Council debate on the Algerian question would help the French Government as well as the Algerian people to find a just and equitable solution.

338. The representative of Iran expressed his Government's satisfaction at France's liberal attitude towards Morocco and Tunisia and added that, in the

same spirit, France could not indefinitely remain unmoved by the struggle of the Algerian people for the right of self-determination. Pointing out that the Bandung Conference had supported the right of the Algerian people to self-determination, the representative of Iran said that the Asian-African States had agreed to a postponement of the discussion of the Algerian question at the last session of the General Assembly, and again had not asked for a meeting in April 1956 when they had drawn the attention of the Security Council to that question, in the hope that France would ultimately realize the gravity of the situation and would bring itself to settle the question with the Algerian people. Unfortunately, the policy followed by France in Algeria had belied those hopes and had created bitterness and apprehension.

339. The refusal of the French Government to pay any attention to the apprehensions of the Asian-African States, the intense character of the military operations and the increasingly repressive measures being carried out in Algeria had finally compelled the thirteen Member States to submit the question to the Council. Because of the number and importance of the countries which had submitted the Algerian question, and because of the cultural and religious ties which united them with the Algerian people, it was essential that the Council should give them an opportunity to express their views by inscribing the item on its agenda under Article 35 of the Charter. He reminded the Council that, under Article 24 of the Charter, it must act on behalf of all Member States.

340. Referring to the statement of the representative of France that the Algerian question fell within the domestic jurisdiction of France, the representative of Iran pointed out that Algeria had been an independent country before 1830. As an independent State, it had maintained diplomatic relations and had concluded treaties with many countries. Even after its conquest by France, the sovereignty vested in the Algerian people, which was inalienable, had not disappeared; it had merely remained dormant and could be reawakened by a national movement. The Algerian question was thus purely a colonial one. The Algerian people in fact did not enjoy equal rights with French citizens. Even the French Prime Minister had admitted that it was not possible to assimilate Algeria as a French province and that Algeria had a personality of its own which must be recognized.

341. Refusal to allow the Algerian people the right of self-determination would constitute a violation of the Charter, particularly of Article 1, paragraph 2. Moreover, from the standpoint of the international status of Algeria, whether Algeria was an integral part of France or a French colony, the question remained the same as far as the application of the Declaration of Human Rights and United Nations competence were concerned. In that respect, the representative of Iran recalled that the United Nations had declared itself competent on the question of the treatment of persons of Indian origin in the Union of South Africa, the Indonesian question and the Chilean request concerning events in Czechoslovakia in 1948. That practice corresponded with the principles of the Charter. In addition, the word "essentially" in the text of Article 2, paragraph 7, allowed a wider interpretation of that Article. Thus the prohibition in that paragraph could not be applied to all matters within the domestic jurisdiction of a Member State but only to those "essentially" within that jurisdiction. A question bearing

on violations of human rights and of a nature that affected relations between Member States was not essentially within that domestic jurisdiction. Furthermore, the inclusion of the Algerian question on the agenda of the Council would not by any means constitute "intervention" in the affairs of France within the meaning of Article 2, paragraph 7. It would also not prejudice the question of competence which could be discussed later, once the question had been inscribed on the agenda of the Council.

342. The representative of France stated that there had been no change in the position of his Government regarding the competence of the United Nations to discuss matters falling within the domestic jurisdiction of Member States.

343. There could be no doubt that Algerian affairs were a matter essentially within the domestic jurisdiction of France. French sovereignty in Algeria had been exercised for over 120 years and that fact had been implicitly or explicitly recognized by the international community. France alone legally exercised sovereignty in Algeria and the exercise of that sovereignty was essentially a matter of French domestic jurisdiction.

344. France was doing no more in Algeria than exercising one of the most normal attributes of domestic sovereignty, namely, to maintain public order which had been disturbed by rebellious citizens. It would be a dangerous precedent to recognize the right of the United Nations to intervene between the Government of a State and those of its citizens who were disturbing the peace. It would also be a violation of the Charter, not only of Article 2, paragraph 7, which specifically embodied the principle of non-intervention, but of Article 34 as well, since under the latter the competence of the Security Council was limited to a dispute or situation the continuance of which was likely to endanger international peace and security. The representative of France wondered whether the situation in Algeria was such as to endanger international peace and security. Even the thirteen Member States had mentioned in their letter a "threat to peace and security" and had not inserted the qualifying adjective "international" which appeared in Chapters VI and VII of the Charter. Maintenance of order in any of the Member States could not in itself affect international peace and security, and was, therefore, outside the purview of the Council. Similarly, neither the violation of fundamental human rights nor the denial of the right of self-determination was a matter within the competence of the Security Council.

345. The representative of France denied that France was following a colonial policy in Algeria. Colonialism did not aim to multiply the number of schools, to promote social and economic reforms and to raise under-privileged people to a level at which they would be able to be masters of their own destiny. Quoting from a statement of the French Prime Minister, the representative of France said that his Government intended, after the restoration of order in Algeria, to hold fair elections and to study with freely designated representatives of the whole Algerian people the future structure of the indissoluble Franco-Moslem community.

346. For those reasons, the French delegation would ask the Council to refuse to include in its agenda the complaint submitted by the thirteen Arab-Asian States.

347. At the 730th meeting (26 June), the representative of Iran said that the Council from its inception



had followed a liberal policy with regard to the inclusion of items in its agenda. That policy had been supported in the past by States at present opposed to the inclusion of the Algerian question in the Council's agenda. For example, during the discussion on the Chilean letter concerning events in Czechoslovakia in 1948, the then representatives of France, the United States and Belgium had argued that an item had first to be included in the agenda in order to determine whether it came within the meaning of Article 2, paragraph 7. There were numerous instances in which the Council had included questions in the agenda, while stressing the fact that, in so doing, it was in no way prejudging its competence or the substance of the question.

348. The representative of China said that his delegation viewed the question of the inclusion of the item in the agenda from one viewpoint only: whether it would help in the re-establishment of peace and harmony in Algeria. Any action by the Council under Articles 34 and 35, in the present circumstances, would have to have the co-operation of France to be fruitful. It was clear that France would not afford the Council any measure of co-operation in that respect. On the other hand, France had announced a programme of liberal reforms in Algeria to come into effect as soon as was possible. Thus, while his delegation was generally in favour of the Council adopting a liberal attitude in inscribing on its agenda issues concerning which the question of competence was raised, it nevertheless believed that for the present the inscription of the Algerian question might not serve any useful purpose.

349. The representative of Cuba considered that Algeria was an overseas province of France and that it would be dangerous for the Council to intervene in questions within the domestic jurisdiction of another State.

350. The representative of Peru said that his delegation shared the hope expressed by M. Guy Mollet and Mr. Bulganin in the joint Franco-Soviet declaration of 19 May 1956 that the French Government would be able to find an appropriate solution of the Algerian question in accordance with the spirit of the times and the interests of the peoples involved. The delegation of Peru firmly believed that France would honour its promise and for that reason it felt that a debate on the Algerian question would not achieve any practical result.

351. The representative of the United Kingdom maintained that the Council, under Article 2, paragraph 7, of the Charter, was precluded from considering the Algerian question as Algeria was constitutionally an integral part of France. It was one of the cardinal principles of the United Nations that it should not intervene in the domestic affairs of its members and a number of founder nations, without whose co-operation the United Nations could hardly have been brought into being, would not have lent their efforts to this great enterprise unless they had known that this principle was enshrined in the Charter. It was unfortunately probable that all over the world, in countries old and new, there would from time to time be open and violent defiance by elements of the population against lawfully constituted governments. The United Nations must not allow itself to be used by Member States to encourage insurrection and the use of violence within other countries. The legal arguments against inscription were conclusive; but it was not

solely for such reasons that Her Majesty's Government were opposed to consideration of the item. Debate in the Council would not help to promote a peaceful solution but would inflame passions still further. His Government considered that the future of Algeria was a problem which could only be worked out by the Government of France in consultation with representatives of the inhabitants of Algeria. They had entire confidence that this problem could be left to the courage and sagacity of France.

352. The representative of Belgium stated that Belgium's position had been that the United Nations, under Article 2, paragraph 7, of the Charter, had no jurisdiction to deal with the matter. The Charter was categorical on that point. He further pointed out that as regards the question of United Nations competence in the Algerian matter, it had already been the subject of lengthy discussion at the tenth session of the General Assembly. He saw no reason for holding a new debate on the subject.

353. The representative of Yugoslavia said that there was no doubt that the situation in Algeria was very serious and it was only natural that it should have become a matter of growing international concern calling for a solution which would pay heed to the rightful interests of both parties. There were a number of avenues towards such a solution. None had been fully explored. It was essential that both sides should spare no efforts to reach a settlement and for that reason his delegation felt that at the present moment a debate in the Council would not be in the best interests of an early and satisfactory settlement in Algeria.

354. The representative of the Union of Soviet Socialist Republics said that the Council should not disregard a request from thirteen Member States to consider the situation in Algeria, particularly when those States had claimed that a threat to peace and security existed there. In order to determine whether or not any such threat to peace existed, the parties must be heard and the matter must be objectively examined with the aim of finding a way of solving the problem. Accordingly, the Soviet delegation would vote for the inclusion of the request of the thirteen Member States in the agenda of the Security Council.

355. The representative of the United States noted that the problem of Algeria was complex and that its solution was not likely to be easy. As Members of an Organization having a strongly humanitarian impulse, they must care deeply about every single individual in Algeria. All looked forward to the day, which he hoped was not too far distant, when a liberal and just solution would be found which would enable all the people in Algeria to live and work together in peace and harmony. His delegation's concern was that a truly constructive solution for Algeria should be found as soon as possible. It had considered carefully all of the factors involved, and had concluded that consideration by the Council of the situation at that time would not contribute to a solution.

**Decision:** *The adoption of the provisional agenda (S/Agenda/730) was rejected by 7 votes to 2 (Iran, the USSR), with 2 abstentions (China, Yugoslavia).*

356. The President said it would be clear, from the statements heard, that the Council's decision did not reflect any indifference towards the human sufferings which arose from the situation in Algeria. The decision was founded on the Council's assessment of its responsi-

bilities under the Charter and various members had expressed their doubts whether inscription of the item would have helped to solve the problem and also whether the Council was legally competent to consider

the question. No doubt every member hoped that, in accordance with the expressed determination of the French Government, a just and peaceful solution would be found as soon as possible.

## **PART V**

### **Matters brought to the attention of the Council but not discussed**

#### ***Chapter 6***

##### **REPORTS ON THE TRUST TERRITORY OF THE PACIFIC ISLANDS**

357. The report of the Trusteeship Council to the Security Council on the Trust Territory of the Pacific Islands, covering the period from 17 July 1954 to 22 July 1955 (S/3416) was transmitted to the Council on 2 August 1955. It described the manner in which the Trusteeship Council had carried out on behalf of the Security Council those functions of the United Nations under the International Trusteeship System relating to the political, economic, social and educational advancement of the inhabitants of that strategic Trust Territory.

358. On 23 January and 24 March 1956, the Secretary-General informed the members of the Security Council of the receipt of petitions from, or relating to, the Pacific Islands Trust Territory (S/3540 and S/3563).

359. On 30 April 1956, the Secretary-General transmitted to the members of the Security Council the report (S/3593) received from the representative of the United States of America on the administration of the Trust Territory for the period 1 July 1954 to 30 June 1955.

#### ***Chapter 7***

##### **COMMUNICATIONS FROM THE ORGANIZATION OF AMERICAN STATES**

360. On 8 September 1955, the Chairman of the Council of the Organization of American States transmitted to the Secretary-General for the information of the Security Council a report (S/3438) submitted to the Council of the Organization of American States by the Special Committee which it had established under resolution III of 24 February 1955 for the purpose of offering its co-operation to the representatives of the Governments of Costa Rica and Nicaragua. Also transmitted was a resolution approved on 8 September 1955 by the Council of the Organization of American States acting provisionally as an organ of consultation, which cancelled a call for a meeting of consultation of Ministers for Foreign Affairs that had been made on 11 January 1955, and retained the Special Committee in existence while the negotiations for the signing of a bilateral agreement were in progress, so that the Special Committee could continue to co-operate with the representatives of Costa Rica and Nicaragua.

361. On 23 April 1956, the Chairman of the Inter-American Peace Committee transmitted to the Secretary-General, for the information of the Security Council in accordance with Article 54 of the Charter, a copy of the minutes of a meeting held on 20 April by the Inter-American Peace Committee concerning a case submitted to it by the Government of Cuba on 27 February (S/3591). The Committee had received a complaint by Cuba of certain difficulties that had arisen in its relations with the Dominican Republic, had transmitted that complaint to the Dominican Republic, and had kept each party informed of the comments on the matter made by the other party. The Committee had also established personal contact with the representatives of the parties in order to contribute to a clarification of the issues susceptible of promoting an understanding between them. The Committee, taking into account all the aspects of the matter, expressed the hope that the two Governments would be able to settle their difficulties within a short time through regular diplomatic channels.

#### ***Chapter 8***

##### **COMMUNICATION RELATING TO THE KOREAN QUESTION**

362. On 28 September 1955, the representative of the United States of America informed the Secretary-General that the effective date of the change of command of the military force which Members of the

United Nations had made available to the Unified Command in Korea had been 5 June 1955, when General Lyman L. Lemnitzer had replaced General Maxwell B. Taylor (S/3402/Add.1).

## **Chapter 9**

### **COMMUNICATION RELATING TO THE SITUATION IN MOROCCO**

363. On 28 July 1955, the representatives of Afghanistan, Burma, Egypt, India, Indonesia, Iran, Iraq, Lebanon, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand and Yemen addressed a letter (S/3414) to the President of the Security Council bringing to the attention of the Council, under Article 35, paragraph 1, of the Charter, the grave situation in Morocco, and particularly in and around the city of Casablanca. That situation was likely to endanger the maintenance of international peace and security. Events had unfortunately justified the apprehension entertained by the fifteen Member States which had requested (S/3085) consideration of the matter on 21 August 1953, when the Council had failed to inscribe the item on its agenda. Moreover, the recommendations of the General Assembly in resolution 612 (VII) had so far been unimplemented. Instead, extremely harsh measures of

repression had been taken against the Moroccan people, who were denied the most elementary liberties and freedom, and the situation had been further aggravated by the organization of French terrorist movements operating in broad daylight and possessing ample supplies of modern equipment. Viewing the explosive situation in Morocco with grave concern and anxiety, the fourteen Governments considered that it was bound to have the most serious repercussions throughout Asia and Africa and to lead to an increase of international tensions endangering the maintenance of international peace and security. They earnestly hoped that the Council would, as a matter of urgency, direct its resources to dealing with the grave situation, and that means would be found for the establishment of normal conditions conducive to the realization of the legitimate aspirations of the Moroccan people.

## **Chapter 10**

### **REPORT OF THE DISARMAMENT COMMISSION**

364. By a letter dated 25 November 1955 (S/3463), the Chairman of the Disarmament Commission forwarded to the Secretary-General, for transmission to the Security Council, the second report of the Sub-

Committee of the Disarmament Commission (DC/71) together with the verbatim records of the relevant meetings of the Commission.

## **Chapter 11**

### **CONVENTION FOR THE PROTECTION OF CULTURAL PROPERTY IN THE EVENT OF ARMED CONFLICT, THE HAGUE, 1954**

365. On 13 March 1956, the Secretary-General circulated a note (S/3557) referring to a communication addressed to him on 16 February 1955 by the Director-General of the United Nations Educational, Scientific and Cultural Organization concerning the Convention for the Protection of Cultural Property in the Event of Armed Conflict, which had been prepared by an

Inter-Governmental Conference at The Hague in 1954. At the request of the Director-General, the Secretary-General included for the information of the members of the Security Council the texts of the resolution of the Inter-Governmental Conference as well as the text of the resolution of the UNESCO General Conference.

## **Chapter 12**

### **COMMUNICATIONS CONCERNING THE SITUATION IN EASTERN ARABIA**

366. In a letter dated 28 October 1955 (S/3450), addressed to the President of the Security Council, the representative of Saudi Arabia drew the Council's attention, under Article 35, paragraph 1, of the Charter, to the situation in the Buraimi oasis and adjacent areas resulting from acts of armed aggression on 26 October by forces acting under the authority of the Government of the United Kingdom, which had forcibly occupied large territories in Eastern Arabia. The letter charged that the aggression had been carried out in defiance of a valid and subsisting agreement to arbitrate the dispute, an agreement entered into by the Saudi Arabian and United Kingdom Governments on 30 July 1954, but not carried out owing to the resignation of the United

Kingdom member of the Tribunal constituted under the agreement. The Government of Saudi Arabia had in fact been awaiting notification of the new United Kingdom member of the Tribunal, in order that the arbitration might be carried on, when the aggression had occurred. The Government of Saudi Arabia considered that the situation was likely to endanger the maintenance of international peace and security, despite its continuing efforts to find a peaceful solution, and reserved its right to request that a meeting of the Security Council be called to consider the matter and to take any necessary measures.

367. In a letter dated 29 October (S/3452), the representative of the United Kingdom, in reply, stated

that, as the Government responsible for the international relations of the State of Abu Dhabi and acting on behalf of the Sultan of Muscat at his request, the Government of the United Kingdom had been attempting for several years through friendly negotiations to reach agreement with the Saudi Arabian Government on the location of the frontiers between that State and the States of Abu Dhabi and Muscat. Part of the oasis of Buraimi lay in Abu Dhabi and the rest in Muscat. In 1952, a village near Buraimi belonging to the Sultan of Muscat had been forcibly occupied by a Saudi Arabian official, and two years later an arbitration agreement had been drawn up which, it had been hoped, would lead to a settlement. However, Saudi Arabian authorities had systematically disregarded the conditions of the agreement to the point that a fair and impartial arbitration had not been possible, and the Government of the United Kingdom had concluded that the Saudi Arabian Government was no more willing to reach an equitable solution by arbitration than it had been previously by negotiation. Its actions had amounted to a repudiation of the arbitration agreement, and the proceedings before the Tribunal therein established had been rendered void by the resignation of the President and two members. In fulfilling its duty to protect the legitimate interests of the Ruler of Abu Dhabi and the Sultan of Muscat, the United Kingdom Government had felt obliged to advise them that the attempt to reach a just settlement by means of arbitration had failed. The forces of those Rulers, supported by the Trucial Oman levies, had accordingly resumed their previous control of the Buraimi oasis and the areas to the west of it, using the minimum of force necessary to disarm the Saudi police group, which had then been repatriated.

The frontier line which had eventually been declared as the frontier by the United Kingdom Government, with the agreement of the two Rulers, was one which involved substantial concessions to the Saudi Arabians. The United Kingdom Government regretted that the above steps had been necessary, but had had no other means, since negotiations and arbitration had both failed, of honouring its obligations to the two Arab Rulers concerned.

368. On 30 November the representative of Saudi Arabia informed the President of the Council (S/3465) of a series of violations by United Kingdom military aircraft of Saudi Arabian air-space. The incidents had made much more difficult his Government's continuing efforts to work out with the United Kingdom a peaceful solution of the dispute between them in Eastern Arabia.

369. In a letter dated 6 December (S/3481), the representative of the United Kingdom expressed regret for the infringements of Saudi Arabian air-space which investigation had shown to have taken place.

370. In a letter dated 10 February 1956 (S/3548), the representative of Saudi Arabia reported a new British violation of Saudi Arabian air-space by United Kingdom aircraft. Such repeated incursions showed a continuing disregard for the rights of Saudi Arabia that could only heighten the serious tension which already existed.

371. In a reply dated 15 February (S/3550), the representative of the United Kingdom stated that the incident referred to by the representative of Saudi Arabia had occurred at a place outside Saudi Arabian territory.

### *Chapter 13*

#### **LETTER DATED 12 JULY 1956 FROM THE REPRESENTATIVE OF THE UNION OF SOVIET SOCIALIST REPUBLICS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

372. By a letter dated 12 July 1956 (S/3616), addressed to the President of the Council, the representative of the Union of Soviet Socialist Republics declared that United States aircraft had recently invaded the air-space of the Soviet Union on a number of occasions, thereby committing a gross violation of its State sovereignty and of the generally accepted standards of international law. In view of those acts, which affected the security of the Soviet Union, and which could only be

interpreted as deliberate and as having been made for reconnaissance purposes, the Soviet Government had addressed a note of protest to the United States Government. The representative of the USSR concluded by stating that, in the event of a repetition of such inadmissible acts, his Government would be compelled to request that the matter be placed before a meeting of the Council.

## APPENDICES

### I. Representatives and deputy, alternate and acting representatives accredited to the Security Council

The following representatives and deputy, alternate and acting representatives were accredited to the Security Council during the period covered by the present report:

#### *Australia*<sup>1</sup>

Dr. E. Ronald Walker  
Mr. William Douglass Forsyth  
Mr. Brian C. Hill

#### *Belgium*

M. Fernand van Langenhove  
M. Joseph Nisot  
M. Georges Cassiers

#### *Brazil*<sup>2</sup>

M. Cyro de Freitas-Valle  
M. Jayme de Barros Gomes

#### *China*

Dr. Tingfu F. Tsiang  
Dr. Shuhsi Hsu  
Mr. Chiping H. C. Kiang

#### *Cuba*<sup>1</sup>

Dr. Emilio Nuñez-Portuondo  
Dr. Carlos Blanco Sánchez  
Sr. José Miguel Ribas  
Dr. Uldarica Mañás

#### *France*

M. Henri Hoppenot  
(until 24 August 1955)  
M. Hervé Alphand  
(from 24 August 1955)

<sup>1</sup> Term of office began on 1 January 1956.

<sup>2</sup> Term of office ended on 31 December 1955.

M. Charles Lucet  
(until 20 October 1955)  
M. Louis de Guiringaud  
(from 20 October 1955)  
M. Pierre Ordonneau

#### *Iran*

Mr. Nasrollah Entezam  
Dr. Djala! Abdoh  
Dr. Mohammed Ali Massoud-Ansari

#### *New Zealand*<sup>2</sup>

Sir Leslie Munro  
Mr. A. R. Perry

#### *Peru*

Sr. Victor A. Belaúnde  
Sr. Carlos Holguín de Lavalle

#### *Turkey*<sup>2</sup>

Mr. Selim Sarper  
Mr. Turgut Menemencioglu

#### *Union of Soviet Socialist Republics*

Mr. Arkady Aleksandrovich Sobolev  
Mr. Georgy Filipovich Saksin

#### *United Kingdom of Great Britain and Northern Ireland*

Sir Pierson Dixon  
Mr. P. M. Crosthwaite

#### *United States of America*

Mr. Henry Cabot Lodge, Jr.  
Mr. James J. Wadsworth  
Mr. James W. Barco

#### *Yugoslavia*<sup>1</sup>

Dr. Joza Brilej  
Dr. Djura Nincic  
Mr. Dimce Belovski

### II. Presidents of the Security Council

The following representatives held the office of President of the Security Council during the period covered by the present report:

#### *Belgium*

M. Fernand van Langenhove (16 to 31 July 1955)

#### *Brazil*

M. Cyro de Freitas-Valle (1 to 31 August 1955)

#### *China*

Dr. Tingfu F. Tsiang (1 to 30 September 1955)

#### *France*

M. Hervé Alphand (1 to 31 October 1955)

#### *Iran*

Mr. Nasrollah Entezam (1 to 30 November 1955)

#### *New Zealand*

Sir Leslie Munro (1 to 31 December 1955)

#### *Peru*

Sr. Victor A. Belaúnde (1 to 31 January 1956)

#### *Union of Soviet Socialist Republics*

Mr. Arkady Aleksandrovich Sobolev (1 to 29 February 1956)

#### *United Kingdom of Great Britain and Northern Ireland*

Sir Pierson Dixon (1 to 31 March 1956)

#### *United States of America*

Mr. Henry Cabot Lodge, Jr. (1 to 30 April 1956)

#### *Yugoslavia*

Dr. Joza Brilej (1 to 31 May 1956)

#### *Australia*

Dr. E. Ronald Walker (1 to 30 June 1956)

#### *Belgium*

Mr. Joseph Nisot (1 to 15 July 1956)

### III. Meetings of the Security Council during the period from 16 July 1955 to 15 July 1956

Meeting	Subject	Date	Meeting	Subject	Date
		August 1955			February 1956
699th (private)	Report of the Security Council to the General Assembly	11	716th	Admission of new Members	6
		September 1955			March 1956
700th	The Palestine question	8	717th	The Palestine question	26
		December 1955	718th	The Palestine question	28
					April 1956
701st	Admission of new Members	10	719th	The Palestine question	3
702nd	Admission of new Members	10	720th	The Palestine question	3
703rd	Admission of new Members	13	721st	The Palestine question	4
704th	Admission of new Members	13	722nd	The Palestine question	4
705th	Admission of new Members	14			May 1956
706th	Admission of new Members	15	723rd	The Palestine question	29
707th	The Palestine question	16	724th	The Palestine question	31
	Proposal to call a general conference of the Members of the United Nations for the purpose of reviewing the Charter		725th	The Palestine question	31
					June 1956
708th	Admission of new Members	21	726th	The Palestine question	1
709th	The Palestine question	22	727th	The Palestine question	1
		January 1956	728th	The Palestine question	4
710th	The Palestine question	12	729th	Adoption of the agenda (relating to letter dated 13 June 1956 (S/3609) concerning Algeria)	26
711th	The Palestine question	12			
712th	The Palestine question	13	730th	Adoption of the agenda (relating to letter dated 13 June 1956 (S/3609) concerning Algeria)	26
713th	The Palestine question	17			
714th	The Palestine question	18			
715th	The Palestine question	19			

### IV. Representatives, Chairmen and Principal Secretaries of the Military Staff Committee

(16 July 1955 to 15 July 1956)

#### A. REPRESENTATIVES OF EACH SERVICE

<i>Delegation of China</i>	<i>Period of Service</i>
Lt. General Ho Shai-lai, Chinese Army	16 July 1955 to present time
Commander Chen Tsai-ho, Chinese Navy	16 July 1955 to present time
<i>Delegation of France</i>	
Général de Brigade M. Pénette, French Army	16 July 1955 to present time
Capitaine de Frégate M. Sanoner, French Navy	16 July 1955 to 25 July 1955
Capitaine de Vaisseau E. Cagne, French Navy	25 July 1955 to present time
<i>Delegation of the Union of Soviet Socialist Republics</i>	
Major-General I. M. Saraiev, Soviet Army	16 July 1955 to present time
Lt. Colonel A. M. Kuchumov, USSR Air Force	5 October 1955 to present time
Captain 2nd Grade B. F. Gladkov, USSR Navy	16 July 1955 to present time
<i>Delegation of the United Kingdom of Great Britain and Northern Ireland</i>	
Vice Admiral G. Barnard, Royal Navy	16 July 1955 to present time
Air Vice Marshal R. L. R. Atcherley, R.A.F.	16 July 1955 to 31 December 1955
Air Vice Marshal A. D. Selway, R.A.F.	1 January 1956 to present time
Major-General G. E. Prior-Palmer, British Army	16 July 1955 to 25 June 1956
Major-General V. Boucher, British Army	26 June 1956 to present time
<i>Delegation of the United States of America</i>	
Vice Admiral A. D. Struble, USN	16 July 1955 to 2 July 1956
Vice Admiral F. W. McMahon, USN	2 July 1956 to present time
Lt. General L. W. Johnson, USAF	16 July 1955 to 31 March 1956
Lt. General C. B. Stone III, USAF	1 April 1956 to present time
Lt. General T. W. Herren, USA	16 July 1955 to present time



B. LIST OF CHAIRMEN  
(16 July 1955 to 15 July 1956)

<i>Meeting</i>	<i>Date</i>	<i>Chairman</i>	<i>Delegation</i>
265th	21 July 1955	Général de Brigade M. Pénette, French Army	France
266th	4 Aug. 1955	Major-General I. M. Saraiev, Soviet Army	USSR
267th	18 Aug. 1955	Major-General I. M. Saraiev, Soviet Army	USSR
268th	1 Sept. 1955	Vice Admiral G. Barnard, Royal Navy	United Kingdom
269th	15 Sept. 1955	Vice Admiral G. Barnard, Royal Navy	United Kingdom
270th	29 Sept. 1955	Air Marshal R. L. R. Atcherley, RAF	United Kingdom
271st	13 Oct. 1955	Vice Admiral A. D. Struble, USN	United States
272nd	27 Oct. 1955	Vice Admiral A. D. Struble, USN	United States
273rd	10 Nov. 1955	Lt. General Ho Shai-lai, Chinese Army	China
274th	23 Nov. 1955	Lt. General Ho Shai-lai, Chinese Army	China
275th	8 Dec. 1955	Général de Brigade M. Pénette, French Army	France
276th	22 Dec. 1955	Capitaine de Vaisseau E. Cagne, French Navy	France
277th	5 Jan. 1956	Major-General I. M. Saraiev, Soviet Army	USSR
278th	19 Jan. 1956	Major-General I. M. Saraiev, Soviet Army	USSR
279th	2 Feb. 1956	Vice Admiral G. Barnard, Royal Navy	United Kingdom
280th	16 Feb. 1956	Major-General G. E. Prior-Palmer, British Army	United Kingdom
281st	1 Mar. 1956	Colonel R. F. C. Vance, USAF	United States
282nd	15 Mar. 1956	Lt. General T. W. Herren, USA	United States
283rd	29 Mar. 1956	Colonel R. F. C. Vance, USAF	United States
284th	12 Apr. 1956	Lt. General Ho Shai-lai, Chinese Army	China
285th	26 Apr. 1956	Lt. General Ho Shai-lai, Chinese Army	China
286th	10 May 1956	Général de Brigade M. Pénette, French Army	France
287th	24 May 1956	Général de Brigade M. Pénette, French Army	France
288th	7 June 1956	Lt. Colonel A. M. Kuchumov, USSR Air Force	USSR
289th	21 June 1956	Lt. Colonel A. M. Kuchumov, USSR Air Force	USSR
290th	5 July 1956	Air Vice Marshal A. D. Selway, Royal Air Force	United Kingdom

C. LIST OF PRINCIPAL SECRETARIES  
(16 July 1955 to 15 July 1956)

<i>Meeting</i>	<i>Date</i>	<i>Principal Secretary</i>	<i>Delegation</i>
265th	21 July 1955	Chef d'Escadron G. Buchet, French Army	France
266th	4 Aug. 1955	Lt. Colonel D. F. Polyakov, Soviet Army	USSR
267th	18 Aug. 1955	Lt. Colonel D. F. Polyakov, Soviet Army	USSR
268th	1 Sept. 1955	Commander W. A. Juniper, Royal Navy	United Kingdom
269th	15 Sept. 1955	Commander W. A. Juniper, Royal Navy	United Kingdom
270th	29 Sept. 1955	Commander W. A. Juniper, Royal Navy	United Kingdom
271st	13 Oct. 1955	Commander B. J. Lauff, USN	United States
272nd	27 Oct. 1955	Commander B. J. Lauff, USN	United States
273rd	10 Nov. 1955	Lt. Colonel Lu Ngo-ming, Chinese Army	China
274th	23 Nov. 1955	Lt. Colonel Lu Ngo-ming, Chinese Army	China
275th	8 Dec. 1955	Lt. Colonel G. Buchet, French Army	France
276th	22 Dec. 1955	Lt. Colonel G. Buchet, French Army	France
277th	5 Jan. 1956	Lt. Colonel D. F. Polyakov, Soviet Army	USSR
278th	19 Jan. 1956	Lt. Colonel D. F. Polyakov, Soviet Army	USSR
279th	2 Feb. 1956	Commander W. A. Juniper, Royal Navy	United Kingdom
280th	16 Feb. 1956	Lt. Colonel K. R. Farquhar, British Army	United Kingdom
281st	1 Mar. 1956	Colonel J. J. Gormley, USMC	United States
282nd	15 Mar. 1956	Lt. Colonel E. C. Acuff, USA	United States
283rd	29 Mar. 1956	Lt. Colonel E. C. Acuff, USA	United States
284th	12 Apr. 1956	Lt. Colonel Lu Ngo-ming, Chinese Army	China
285th	26 Apr. 1956	Lt. Colonel Lu Ngo-ming, Chinese Army	China
286th	10 May 1956	Lt. Colonel G. Buchet, French Army	France
287th	24 May 1956	Lt. Colonel G. Buchet, French Army	France
288th	7 June 1956	Lt. Colonel D. F. Polyakov, Soviet Army	USSR
289th	21 June 1956	Lt. Colonel D. F. Polyakov, Soviet Army	USSR
290th	5 July 1956	Lt. Colonel K. R. Farquhar, British Army	United Kingdom