

CONTENTS
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Agenda item 66:

Question considered by the first emergency special session
of the General Assembly from 1 to 10 November 1956
(continued)

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President: Prince WAN WAIHAYAKON
(Thailand).

AGENDA ITEM 66

Question considered by the first emergency special session of the General Assembly from 1 to 10 November 1956 (continued)

1. U PE KIN (Burma): My Government is a co-sponsor of the draft resolution [A/3501/Rev. 1] before us. It is therefore unnecessary for me to make any lengthy comment. My task has also been considerably lightened by the fact that I share the views of many representatives who have spoken before me, particularly the moderate and moderating sentiments expressed by Mr. Lodge, of the United States delegation [639th meeting].

2. To my mind, there are three aspects of this problem which should be briefly noted. First, this Assembly has called on the Government of Israel to withdraw its forces behind the armistice line. It is proper for, and in the interest of, the Government of Israel to comply with the decisions of the United Nations. Secondly, the Secretary-General in his report [A/3500 and Add.1] dated 15 January 1957, has called our attention to the serious developments which have taken place, and this General Assembly in its deliberations has noted that the areas of the Sinai Peninsula and the Gaza Strip have been, and are, areas in which friction and tension repeatedly arise. Obviously, if peace is to be restored to this area, this Assembly must take cognizance of the conditions which will create peace.

3. Finally, my Government believes that the best way to achieve this goal is to rely on the United Nations itself. Surely this Assembly, so persistently concerned with the Middle East crisis, must, in the words of the Secretary-General: "turn to the constructive tasks"—I emphasize this phrase—"constructive tasks"—"to which the establishment and the maintenance of the cease-fire, a full withdrawal of forces behind the armistice lines, a desisting from raids and scrupulous observance of the agreements, should open the way." [A/3500 and Add.1, para. 17.]

4. My delegation notes that this task includes the application of the rules of international law to what the Secretary-General also referred to as "the right of innocent passage through the Straits of Tiran and the Gulf" of Aqaba. But, my delegation does not believe

that negotiations for a peaceful settlement of the grave and important issues confronting the people of the whole of Middle East, and of which many representatives have spoken, could be initiated without first establishing the necessary peaceful atmosphere. In turn, such a peaceful atmosphere could only be established with complete withdrawal of Israel forces from Egyptian territory, in compliance with the Assembly resolutions. In order, therefore, that this body may get on with the constructive tasks that lie ahead, my delegation joins with others in commending this draft resolution to the General Assembly.

5. Mr. SCHURMANN (Netherlands): The Netherlands delegation will cast its vote in favour of the draft resolution introduced by the twenty-five Powers [A/3501/Rev.1] now before us. While considering the position it was going to take, my Government had some grave misgivings about the text of the draft resolution. First of all, that draft resolution recalls some previous resolutions to which the Netherlands Government was unable to subscribe. In the second place, the statement contained in operative paragraph I to the effect that Israel has failed to comply with those resolutions seems to us to be somewhat misleading, as it creates the impression that there has been no compliance whatsoever by Israel whereas, in fact, Israel has withdrawn its troops from the larger part of the area which it had occupied. Finally, the language of the last operative paragraph may be considered to contain some ambiguity as it is not quite clear whether the time limit of five days applies to the completion of the withdrawal or to the report which the Secretary-General is requested to make on the continuation of his efforts. My Government understands the latter interpretation to be the correct one.

6. Allow me to recall that when one of the previous resolutions in this matter was debated [563rd meeting], I stated that we should try to find some means of re-asserting the jurisdiction of the United Nations over matters which plainly fall within its responsibilities and that, if the United Nations Emergency Force were formed and dispatched to the area, the United Nations would take charge of a situation where it was its plain duty to exercise its authority, and the basis would have been laid for a settlement of the questions which have for so long disturbed the peace. It is this consideration which has caused my Government to decide to support this draft resolution.

When the Israel troops move out of the last parts of the area they are still holding, the United Nations Emergency Force will move in, and we trust that, as the representative of the United States said the other day "... the Secretary-General will be in a position promptly to announce further definite plans for the deployment of the United Nations Emergency Force along the Egyptian-Israeli Armistice line and in the area of the Straits of Tiran". [639th meeting, para. 33.] The Netherlands Government is firmly convinced, however, that the responsibility of the United Nations does

not end there. It would be nothing short of disastrous, both for the United Nations and for the peoples of the Middle East, if the United Nations should leave unfinished the task which it has undertaken. That task is not merely to secure a cease-fire and withdrawal of troops, but to ensure a situation of lasting peace and of observance by all parties of their international obligations. ~~The two most urgent problems that have to be solved in this connexion are free passage through the Straits of Tiran and the Gulf of Aqaba and the maintenance of peace in the Gaza Strip. Certain passages in the report of the Secretary-General [A/3500 and Add.1] encourage us to expect that he will work towards these ends.~~

8. That wise man, Sir Leslie Munro, we are fortunate to have in our midst, has enumerated [639th meeting] seven points of what he considered should be United Nations policy in this matter. I am happy to state that my Government is in full accord with the aims which he outlined. I trust that when the Secretary-General makes his next report the General Assembly will be able to take constructive action for the attainment of these aims.

9. We cannot subscribe to the opinion that the solution of all other problems has to be postponed until the question of the refugees has been settled. That question will certainly have to be dealt with, but it would in our view be unjustifiable to maintain deliberately a state of chaos and lawlessness until it has been solved. Free access to the Gulf of Aqaba and maintenance of peace, law and order in all frontier areas, including Gaza, are the primary requirements for the return of a state of calm. These objectives can and should be reached, and their attainment will be the best contribution we can make towards the solution of all the other problems.

10. Mr. CANAS (Costa Rica (*translated from Spanish*)): The General Assembly has been studying and discussing this question for over two months, and it would seem logical to expect that by this time we would have given due consideration to the deep roots of the problem. If this matter is viewed as a whole from its beginnings, we must conclude that what has held the Assembly's attention for so long in plenary session is merely an episode in a conflict that has existed for many years. And my delegation believes that we are following the course of attaching more importance to an episode than to the conflict, to an incident than to the war. There is a saying to the effect that in some situations one cannot see the wood for the trees, and I fear that here we are seeing too many trees and very little of the wood.

11. The draft resolution [A/3501/Rev.1] we have before us is, in the view of the Costa Rican delegation, a case in which we are stopping to look at a tree. The long-standing and dangerous situation in the Middle East is disappearing from our field of vision. The silent conflict, the declared war, the hostile attitudes do not occupy our attention. There is only one thing that brings us together and preoccupies us: resolution 997 (ES-I) of 2 November 1956. Never in the history of the United Nations has compliance or non-compliance with a resolution been the object of greater concern, on as many occasions, or with as many reiterations.

12. The reason is not that this resolution has not been complied with or has met with open defiance, but rather that compliance with its provisions has not been as rapid as we would have wished and that we find that obedience to our resolution has been tardy. And that tardiness seems to concern us more than the open de-

fiance with which the decisions of this Assembly or of the Security Council have been received on other occasions. The tardiness in this case seems to exasperate us and produce more commotion than the defiance and disobedience in other cases.

13. The Secretary-General reports to us periodically on the progress that is being achieved in the fulfilment of the objectives of resolution 997 (ES-I). At no time has he told us that compliance has been stopped or suspended or that any defiance has occurred that would invalidate the progress achieved heretofore; yet we have already adopted resolutions that speak of non-compliance which does not seem to be documented anywhere.

14. Today we have before us another draft resolution which again speaks of non-compliance. It is true that resolution 997 (ES-I) has not been fully implemented as yet, but we cannot speak in half-truths. Compliance is under way, but the fact that it is not complete should not cause us to say that it does not exist. The withdrawal ordered by resolution 997 (ES-I) has progressed. The Secretary-General's report [A/3500 and Add.1] states this clearly. There is no need for interpretation. The report speaks of the withdrawals that occurred on 3 December 1956, of the areas evacuated on 7 and 8 January, and the withdrawal carried out on 15 January; that is to say, four days ago. In other words, it mentions withdrawals of which some took place before, and some after, the General Assembly stated that resolution 997 (ES-I) was not being complied with.

15. Consequently, when a plenary meeting was called to deal again with this matter the implementation of our resolution was under way; but such things are not automatic. For example, the withdrawal of Anglo-French troops from the Suez Canal Zone was also carried out gradually. The participating Governments raised certain questions; mode and manner were negotiated piecemeal and the evacuation was completed.

16. In this case it would seem that we are even refusing to consider the mode and manner of withdrawal. The chairman of the Israel delegation has told us here [638th meeting] that her country feels that it needs certain guarantees or protection: guarantees that in the long run the area which is the subject of our concern will not again become a powder keg, and guarantees, perhaps, that the dangerous situation which culminated in the attack on Egypt will not be repeated. But this Assembly apparently prefers not to discuss these details. It is becoming inflexible. My delegation fears that all that interests the Assembly at this time is to restore the *status quo ante*, as though that *status quo ante* were something desirable or exemplary, whereas in fact it was only a difficult, threatening situation in which armistices were poorly observed, in which there were commando raids, frontier terrorism, proclamations of extermination, and mutual reprisals, whose dreadful outburst—which took place at the end of October—we had all been expecting for some time.

17. There are questions that spring from the very root and source of the problem confronting us. Questions of free navigation, for example; or of the part the United Nations Emergency Force could play in the maintenance, or rather, the restoration of peace. These are fundamental issues if we want the General Assembly to attack the causes of the incidents and not the incidents themselves, and if we want to eradicate the disease and not content ourselves with seeking palliatives for the symptoms.

18. During the course of this debate my delegation endeavoured, in conjunction with other delegations, to draft and submit a series of amendments which, in a constructive spirit, would finally deal with the roots of the problem. But we were to find that the atmosphere did not seem favourable to such a point of view and that our proposal would not succeed in obtaining the number of votes required in plenary session.

19. My delegation fails to understand why people are so aroused at present, why the aspects of the situation that result from slowness in compliance—rather than refusal to comply—with resolution 997 (ES-I), are constantly mentioned from this rostrum; but this cannot be put to vote with the hope of a successful outcome. In the view of my delegation, the draft submitted for our consideration is merely a product of the circumstances of the day as evaluated by the highly esteemed judgement of the sponsors, but it does not take into account the real root of the problem.

20. My delegation, in full awareness of its responsibility, has voted for all, absolutely all, the resolutions that have been adopted here on this item because it felt bound to condemn the unilateral use of force and to go to the defence of an invaded country. And the votes that we have cast here, in friendship and sympathy for Egypt in its difficulties, were well cast and continue to be in effect, but we do not believe that the General Assembly should persist in an incomplete or biased consideration of the problem.

21. While the withdrawal called for on 2 November 1956 is being carried out, we should go ahead and seek the true and workable bases for a definitive solution, and explore the areas of agreement between the antagonists, adversaries, belligerents or whatever we wish to call them; we should not continue to be obsessed by the idea that the withdrawal is progressing slowly, as though it were only a problem of the evacuation of troops and not a situation which, tacitly or explicitly, has been on our agenda for nine years.

22. Of course, we must request and demand complete withdrawal, but that has already been done and we should not wait with our arms folded until it is completed before proceeding with the real task. Perhaps it is premature to talk about these matters, but they have to be mentioned. Let us condemn, as we have already done, the incident or invasion of October. Let us call it aggression—if it is so desired—since we must not be afraid of words. But let us not behave as though this episode, this battle in a war, was the only event that has taken place in the Middle East during the past nine years. My delegation will abstain in the vote on the draft resolution under consideration, not because we are against its motives—they are, after all, the same as those which caused us to vote for the earlier resolutions on the subject—but because we feel that since its objectives are so limited, it is not very satisfactory, and in any event it is simply a reiteration and perhaps unnecessary.

23. Mr. GEORGES-PICOT (France) (*translated from French*): The French delegation has carefully studied the Secretary-General's note [A/3500 and Add.1] of 15 January 1957 on compliance with General Assembly resolutions calling for withdrawal of troops and other measures. This document shows that considerable progress has recently been achieved with regard to compliance with certain provisions of the resolutions of November 1956.

24. The French delegation believes that at the stage we have now reached it is unwise, in so complex a

question, when one of the parties straightway claims what it considers to be its full right, to concern ourselves with that party alone, to the exclusion of any other. That is not a new idea, peculiar to the French delegation. It has already been set forth on a similar occasion by the Soviet Union representative in the Security Council. I quote his own words, where he refers to

“ . . . the impossibility of settling international problems by the method which it seems to me is, so to speak, being fostered here and is being unnecessarily given a serious significance—the method of imposing upon one of the parties a decision which, moreover, has been stated by that party to be absolutely unacceptable from the outset.

“Such methods are not admitted in international law; and indeed there is no authority in international law suggesting that international problems can really be settled by any method other than that of agreement between the interested parties.

“Permit me to remind you of our Charter. In Chapter VI—and I should like to draw your special attention to Article 36 of that Chapter—the Charter stresses the need to take special measures for the settlement of disputes between the interested parties. What are these measures? If you read the Article carefully, you will see that among the methods recommended in Chapter VI there is no such method as that of imposing on one party a decision which is contrary to and completely disregards the will, wishes and interests of the other party.”¹

25. It would be unwise, by a return to the *status quo ante*, to re-establish the very situation which caused the recent events. Nor would it be fair to call for compliance with particular paragraphs of a resolution when we know that the other paragraphs are a dead letter and do not call for them to be put into effect.

26. The basic resolution of 2 November 1956 [997 (ES-I)], to which all the General Assembly's subsequent resolutions refer, contains four main paragraphs in its operative part. Operative paragraph 1 urges that all parties agree to a cease-fire and halt the movement of military forces and arms into the area. Operative paragraph 2 urges all the parties to the armistice agreements not only promptly to withdraw all their forces behind the armistice lines but also to desist from raids across the armistice lines into neighbouring territory, and to observe scrupulously the provisions of the armistice agreements. (Let us note in passing that these provisions apply to all the signatories of all the armistice agreements between Israel and its neighbours.) Operative paragraph 3 “*Recommends* that all Member States refrain from introducing military goods in the area of hostilities and in general refrain from any acts which would delay or prevent the implementation of the present resolution”. Lastly, operative paragraph 4 “*Urges* that, upon the cease-fire being effective, steps be taken to reopen the Suez Canal and restore secure freedom of navigation”.

27. The general nature of the resolution of 2 November 1956 is readily apparent from the terms of these four paragraphs. This resolution is intended not merely to bring about a cease-fire and a withdrawal of troops; it is essentially designed to re-establish lasting peace in the Middle East. Such a resolution constitutes a whole. While it is true that none of its provisions is, from a legal point of view, dependent

¹ Official Records of the Security Council, Ninth Year, 664th meeting, paras. 46-48.

on the others, we would be destroying the harmony and effectiveness of the whole if we were to urge that some of them should be granted a priority which the Assembly did not give them, and if we were to neglect some at the expense of others. It is the duty of the General Assembly to ensure full compliance with the recommendations it has made.

28. What happened after the adoption of the resolution of 2 November? The cease-fire recommended in operative paragraph 1 was accepted by France and the United Kingdom on 6 November at 4 p.m. The cease-fire on the part of our troops became effective on the night of 6 to 7 November, and on 7 November Egypt made it known that it, too, was observing it. The withdrawal of Anglo-French forces, which began on 28 November, was completed on 22 December, in accordance with a plan agreed upon between the Chief of the Command of the United Nations Emergency Force and the Chief of the Anglo-French Command.

29. The Secretary-General points out in his note that through that withdrawal, full compliance was achieved with one aspect of the requirement defined in the resolutions of the General Assembly relating to withdrawal of forces. No other requirement has been made of France and the United Kingdom; those countries have therefore complied fully with the recommendations that the Assembly directed to them. Having noted this, it is interesting to observe how the same recommendations have been respected by Israel and the other States concerned.

30. As I pointed out at the beginning of my speech, in operative paragraph 2 of the resolution of 2 November, the Assembly urged the parties not only to withdraw their forces behind the armistice lines but also to desist from raids across the armistice lines, and to observe scrupulously the provisions of the armistice agreements. The Secretary-General deals with this part of the resolution of 2 November in paragraph 10 of his note. He does not tell us whether these provisions have been respected or violated, and it would be interesting to receive specific information from him on this point. The delegation of Israel has informed us on several occasions—on 4, 21 and 31 December—that numerous *fedayeen* raids had occurred, organized from bases established on the territory of neighbouring countries.

31. I shall not repeat the list of these attacks. It is given in United Nations documents. I shall merely quote a passage from a news bulletin broadcast by Cairo radio on 2 December 1956 at 6.20 a.m.:

“*Fedayeen* headquarters have decided to undertake large-scale action during the coming winter season.” Such statements are contrary to the spirit, as well as to the letter, of the resolution of 2 November.

32. We have also, I fear, been greatly disappointed by the way in which the recommendation contained in operative paragraph 4 of this resolution has been carried out. This paragraph concerned the measures for reopening the Suez Canal and restoring secure freedom of navigation. It was neither France nor the United Kingdom which disregarded the 1888 Constantinople Convention and blocked the Canal by sinking a large number of vessels in it. However, Egypt refused to permit the work of clearing the Canal to start before the Anglo-French troops had withdrawn and by this refusal went against the Assembly's resolution, which had recommended that steps be taken to reopen the Canal upon the cease-fire being effective. Furthermore, more than two weeks of negotiation were re-

quired after the withdrawal of the Anglo-French troops before the Egyptian Government would permit United Nations units to begin work outside the Port Said area. Meanwhile, the Anglo-French units assembled at Port Said had almost completely cleared the harbour and that part of the Canal. They were ready to continue their work farther south. The Egyptian Government, however, was to remain inexorably opposed to the employment of these units, and this obliged the United Nations to have other units sent from Europe at great expense and at the cost of a considerable delay in beginning work. I do not have to emphasize the disadvantages of this situation. They are known to all. The Canal, as a result, will be reopened much later than would have been the case if this delay had not occurred and if conditions had not been attached to the resumption of work which were inconsistent with the resolution of 2 November.

33. Can we be certain that the second part of the recommendation in operative paragraph 4 of the resolution of 2 November will be carried out when the Canal is reopened? Will secure freedom of navigation be respected? Will the decision taken by the Security Council in 1951 [S/2322] finally be implemented? Disturbing statements on this subject have reached us from Cairo. We should be glad if the Secretary-General would give us the necessary information on this point too, in an official document.

34. Our apprehensions on this score have been increased still further by other events, all of which have occurred after the cease-fire and some of them quite recently, at a time when they were no longer justified by any military considerations. However, I shall not dwell on this aspect of the problem now, since it has already been touched on by previous speakers and since it does not come directly within the scope of this debate.

35. It seems to me that these are the reasons why the Assembly, in considering the over-all problem before it, should not let itself be led astray by the oversimplified arguments which have been advanced by various delegations.

36. Israel has accepted the Assembly's recommendations. By 22 January 1957 it will have evacuated practically the whole of Sinai. It has now expressed a desire to work out with the Secretary-General the procedure to be followed in withdrawing its armed forces from Sharm el Sheikh and the Gaza Strip. Do not these facts themselves constitute an important achievement for the cause of peace? At the very moment when the Secretary-General, by his patient and persevering action, is obtaining these results, why seek, at the risk of future complications, to rush through a withdrawal for which everyone is agreed in principle?

37. At this point we should remember that the Assembly is not a judge, that it does not constitute a tribunal. Some of the speakers who preceded me have stated that the prime necessity was to re-establish the *status quo ante* “so that Israel should not benefit from its aggression”. In none of its resolutions did the Assembly speak of aggression. And even if it had done so, it would not today be obliged to draw any legal conclusion whatsoever from that term. I repeat, the Assembly is not a tribunal. It is a political body whose primary responsibility is to preserve peace. To be sure, this is easily forgotten when one listens to the violent and aggressive diatribes which are sometimes delivered from this rostrum; such diatribes call to mind an indictment in which a public prosecutor demands the

death penalty for the accused rather than the calm discussions of a body responsible for restoring or preserving peace. The only problem before us today is to determine the most effective means of preserving peace in this matter.

38. The French delegation thinks that one fact is obvious, namely, that peace would be seriously endangered by returning to the situation which had gradually arisen between Israel and its neighbours since the 1948 armistices. Should Israel have remained inactive in the face of the threats to its existence and should it have submitted to the economic blockade imposed on it by the closure of the Suez Canal and the Gulf of Aqaba? Should it now permit its neighbours to continue to plan its destruction?

39. We are well aware of the complexity of the serious problems which exist in that region: the question of frontiers and the unhappy plight of the refugees, which France has been among the first in endeavouring to relieve. We are also well aware of the other facts which have been brought to the attention of this Assembly. We realize the anxiety which grips the various parties to the dispute. It is essential that these problems should be settled. Since it has proved impossible to settle them for years on the basis of the existing situation, it is necessary to introduce new elements. By refusing to do so, we would go down to history bearing the responsibility for not ever having tried to settle them.

40. If the Assembly wishes to do useful work, therefore, it must be given certain assurances. These assurances are necessary. I have indicated our reasons for not believing that Egypt has implicitly agreed to all the resolutions adopted last November. And we do not think that it would be fair to require Israel to carry out those resolutions fully without some assurance that the other parties are willing to respect them too.

41. Besides, it ought not to be difficult to obtain what we are asking for. If the policy of the Egyptian Government is to comply with the recommendation contained in operative paragraph 4 of the resolution of 2 November 1956, to respect freedom of navigation through the Canal and to carry out the Security Council's resolution of 1 September 1951, and if its policy is not to obstruct navigation in the international waterway formed by the Gulf of Aqaba, will be a simple matter for it to give such an assurance.

42. The fact that these assurances have not been given—and unfortunately we have even heard assurances to the contrary from certain speakers—justifies the Assembly in exercising the greatest caution. At this stage, therefore, the French delegation does not think that it can vote in favour of the draft resolution [A/3501/Rev.1] which has been submitted by the Arab-Asian delegations, since we fear that this draft resolution, which is aimed solely at securing the withdrawal of the Israel troops and does not take into account the other factors which I have just mentioned, will not ensure the restoration of a lasting peace in the Middle East.

43. We also do not think that it is fair to say that Israel has not respected the Assembly's resolutions, because we see from the Secretary-General's report that the evacuation of the Israel forces is still in progress and, according to the assurance given by the representative of Israel, and referred to in the report, these forces will have completely evacuated the Sinai Desert by 22 January 1957, except for Sharm el Sheikh.

On that date, therefore, they will be stationed on the international frontier between Egypt and Palestine.

44. Lastly, we feel that the five days' deadline which is given to the Secretary-General is not based on a realistic view of the situation. On the contrary, the French delegation would be in favour of the Secretary-General's holding the necessary conversations with the parties for the purpose of securing full compliance with the resolution of 2 November 1956. The latter has at least one effective means at his disposal for ensuring that the resolution of 2 November 1956 is respected, namely the United Nations Emergency Force. That Force should be used for as long as the situation may require, and wherever full compliance with the resolution of 2 November 1956 makes its presence useful to the preservation of peace. That is evident from the terms of that resolution itself, as well as from those of operative paragraph 2 of the resolution adopted on 7 November [1001 (ES-I)]. There is no doubt that the stationing of a few units of the United Nations Force at suitable points would contribute greatly to making the parties respect their obligations. Many delegations have already made this suggestion. The French delegation, in its turn, urges the Secretary-General to undertake this new task. It knows that the United Nations can count on his experience and devotion.

45. Mr. MALIK (Lebanon): The draft resolution before the General Assembly [A/3501/Rev.1], which the delegation of Lebanon has the honour of co-sponsoring, is at once fair, clear and concise. It is fair because, despite the passage of seventy-eight days since the General Assembly called upon "the parties to the armistice agreements promptly to withdraw all forces behind the armistice lines", the sponsors of the present draft resolution are asking for no more than that the General Assembly take note of Israel's failure to comply so far with the Assembly's request for withdrawal, that the Assembly express its regret and concern over this failure, and that the Assembly request the Secretary-General to continue his efforts for securing complete withdrawal by Israel in accordance with past resolutions.

46. Instead of asking for sterner measures, which we believe would have been quite justifiable, we have preferred to give Israel one more chance to comply with the will of the General Assembly in regard to the aggression it has inflicted upon Egypt. Such a procedure, we hope, will contribute to a quieting of passions—and, in the Near East, as we all know, passions have been inflamed to the danger point as a result of recent events. Fair as it is, the draft resolution is also concise and, like the four others which preceded it, it is very clear. This clarity, it seems to us, precluded the introduction into our debate of what some consider to be extenuating circumstances for Israel's action. The Assembly meant Israel's withdrawal to be immediate, unconditional and complete.

47. I am sure that there can be no peace in the Near East so long as Israel or any other nation defies the United Nations with impunity. The Charter of the United Nations and the general principles of international law must be enforced in the Near East if we are ever going to pass into an era of concord and peace. The moral law and the law of nations apply—or should apply—to Israel no less than to others. It therefore seems unbelievable that two mighty Powers, France and the United Kingdom, should yield to the will of the international community while Israel should alone

stand defiant. Aggression must not be allowed to pay, and the overwhelming desire to see the United Nations strengthened as an instrument of peace destined to uphold the rule of law in the world must in this crucial instance be made good.

48. The problem of the maintenance of law and order in the world was clearly defined by the then Acting Secretary of State of the United States, Mr. Herbert Hoover, Jr., when he said, in his speech before this Assembly on 16 November 1956:

"In the past few weeks the United Nations has acted promptly to preserve peace with justice. But its efforts cannot be judged merely by its resolutions. The test is compliance with its resolutions." [581st meeting, para. 72.]

The resolutions referred to by Mr. Hoover were precisely the resolutions which were adopted by the General Assembly early in November and with which Israel has failed to comply—or, at least, to comply with fully—and with which it is called upon today, for the fifth time, to comply. As I have said before, Israel must withdraw its forces immediately, unconditionally, completely behind the armistice lines.

49. That this withdrawal should be immediate is evident from the terms of past resolutions, which include such phrases as "promptly to withdraw" and "to comply forthwith" with previously adopted resolutions on withdrawal. I submit that, with the greatest stretch of the imagination, "promptly" and "forthwith" do not mean after seventy-eight days. Similarly, that the withdrawal should be complete is obvious from the limits behind which the Israel withdrawal must take place, namely, the armistice lines.

50. Finally, the wording of the resolutions which we are now simply endeavouring to reaffirm does not in any shape or manner, explicitly or by implication, reveal any intention on the part of the General Assembly to make the withdrawal of the invading forces conditional upon the happening of this or that event. This fact was brought out clearly by the Secretary-General in his report [A/3500 and Add.1] submitted to the General Assembly on 15 January 1957. In paragraph 6 of that report, we read as follows:

"Thus, in the same operative paragraph in which the request was made for a withdrawal of forces behind the armistice lines, the parties were urged to desist from raids across the armistice lines into neighbouring territory and to observe scrupulously the provisions of the armistice agreements. The three points in this operative paragraph, while existing simultaneously within the terms of the paragraph, were not linked together conditionally."

It is therefore quite obvious that neither in the General Assembly's mind nor in that of the Secretary-General, was there the slightest intention of making the withdrawal of Israel forces contingent upon other questions mentioned in the resolutions calling for withdrawal.

51. Some Members have attempted to enlarge the base of this debate. It has seemed to them desirable to open up the entire question of Palestine. Surely, the enlargement of the terms of the debate from a simple reaffirmation of a specific injunction of the Assembly to take in the total Palestine problem is not a matter that can be gone into lightly. Nobody does that as a pure exercise in forensic oratory. It must therefore be the case that those Members who have seen fit to widen the horizon of the present debate have expected thereby to create an opportunity for

some new, albeit perhaps modest, advance toward some easing up of tensions, some improvement in the general situation, perhaps even some settlement of this incredibly intractable problem.

52. If that is their intention, then they must have access to sources of information unavailable to the rest of us. For we know, firstly, that this is not the moment to open up the whole plenum of issues which constitute the question of Palestine; secondly, that no source of information accessible to us is encouraging in this regard; and thirdly, that the sources of information which might have led others to think differently are themselves quite unreliable.

53. It appears to us to be quite clear that the present moment contains within itself much humbler opportunities, and that what is really called information now is a reaffirmation of the moral and political authority of the United Nations in respect precisely of the two-fold principle that peace cannot be forced or imposed, or achieved at the point of a gun, and that aggression, or the use of force, should not be rewarded—certainly not by the United Nations. The United Nations has lately risen to enviable heights of respect and authority in the Near East. These are not yet absolute heights, but they are something. Let us, therefore, neither exaggerate nor underestimate them. Let us, at any rate, not undermine them by impatience or precipitation. Let us build upon them slowly, patiently, wisely.

54. The United Nations Emergency Force constitutes a significant development which could possibly have far-reaching consequences. France and the United Kingdom have respected the will of the United Nations. Let Israel now do likewise and let the United Nations Emergency Force perform its duties fairly and vigorously. And who can tell what might yet come out of these modest beginnings? One naturally can promise nothing, but one can say that without certain things nothing is possible. And it is quite clear that if we waste the little patrimony of respect and authority which the United Nations has lately so perilously and so painfully built up for itself, then the prospects for peace in the Near East are very dismal indeed. Let us all, then, support the United Nations and let us work faithfully within it, and the cynics and the nihilists may still be confounded as to what this humble Organization, strengthened by our loyalty and sustained by our goodwill, may still be able to do in promoting peace and concord among the troubled and sorely tried peoples of the Near East.

55. Mr. VAN LANGENHOVE (Belgium) (*translated from French*): In the opinion of the Belgian delegation, the draft resolution before us [A/3501/Rev.1] is not entirely beyond criticism. Some of its provisions are ambiguous or of questionable accuracy. But although it does not completely satisfy us, we nevertheless intend to vote for it. We shall do so in the light of the following considerations which I shall state briefly.

56. I should first like to refer to paragraph 1 of the Secretary-General's note [A/3500 and Add.1]. After recalling that only limited withdrawals had taken place at the time when he made his report of 21 November 1956, he added:

"On 22 December 1956, however, the withdrawal of the Anglo-French forces was completed, thus achieving full compliance with one aspect of the requirement defined in the four resolutions of the General Assembly relating to withdrawal of forces."

This passage in the Secretary-General's note is in striking contrast to his reports on the Hungarian question, in each of which he was compelled to note that the Assembly's resolutions were not being complied with, that he had no knowledge of any withdrawal of troops, and that, in the absence of the co-operation of the States concerned, he was unable to carry out the task which had been assigned to him. Incidentally, that has not prevented the representative of the Soviet Union from posing in this Assembly as the champion of the independence of small States. His Government has shown very clearly how it understood that term in Hungary.

57. The draft resolution before us "*Notes with regret and concern* the failure of Israel to comply" with the Assembly's resolutions on the Egyptian question. This provision of the draft is couched in very general terms. As has been noted by several of the speakers who have preceded me this morning, if we had to interpret this as meaning that Israel had failed to comply with any of the Assembly's resolutions, that would obviously be contrary to the facts as stated by the Secretary-General in his latest note. Here is what that note states with respect to withdrawal behind the armistice lines:

"In consequence of the intended withdrawal announced in the latest communication to the Secretary-General from the Government of Israel on 14 January 1957, the United Nations Emergency Force on 22 January will reach the armistice demarcation line wherever it follows the north-eastern boundary of the 'Sinai Desert'." [A/3500 and Add.1, para. 8.]

58. According to the Secretary-General's note, the only difficulties which still stand in the way of a complete withdrawal involve two particularly controversial strips of land: the coast of the Gulf of Aqaba and the Gaza Strip. With respect to the former, the Secretary-General informs us in his note that the Government of Israel has anticipated its evacuation and that it has suggested further conversations with him on that subject. The question at issue is that of navigation in the Gulf of Aqaba. In this connexion the Secretary-General expresses the opinion that: "The international significance of the Gulf of Aqaba may be considered to justify the right of innocent passage through the Straits of Tiran and the Gulf in accordance with recognized rules of international law". [A/3500 and Add.1, para. 14.] Since this opinion is certainly well founded, steps ought to be taken to assure the right of passage in question. The second difficulty relates to the Gaza Strip, which, although not Egyptian territory, lies within the demarcation line. According to the Secretary-General's note, the Government of Israel has stated that it is prepared to consider the matter with him within a short time. The question is a complicated one and difficult to solve, but past experience has revealed its importance for the peace of that region.

59. Each of the General Assembly resolutions should be considered in its entirety. One cannot concentrate on the performance of some clauses while ignoring others. Besides requesting the withdrawal of armed forces behind the demarcation lines, the resolution of 2 November 1956 [997 (ES-I)] urged all parties "to desist from raids across the armistice lines into neighbouring territory, and to observe scrupulously the provisions of the armistice agreements".

60. The Secretary-General, in recalling these provisions, points out that they will take on new importance in view of the fact that the withdrawing

Israel forces have now reached the line of demarcation. In this connexion he expresses the opinion, which we consider well-advised, that satisfactory liaison should be established between the United Nations Truce Supervision Organization and the United Nations Emergency Force, whose principal function is to ensure the supervision and enforcement of the cease-fire. These questions are no doubt implicitly covered by the reference to earlier resolutions in the preamble of the draft resolution. Still, a more explicit reference would not have been out of place.

61. Generally speaking, it is clear from the Secretary-General's note that fresh efforts are necessary for the purpose of disposing satisfactorily of the difficulties which still stand in the way of a complete implementation of the resolutions of the General Assembly and especially of a complete withdrawal. The Belgian delegation therefore sees no objection to requesting the Secretary-General, as provided in the draft resolution, to continue these efforts and to report within the next few days, although for our part we think that it would be better to leave the date of such a report to his discretion. It is in this understanding, and in the light of these various considerations, that the Belgian delegation will vote for the draft resolution.

62. Mr. RITTER AISLAN (Panama) (*translated from Spanish*): The delegation of Panama notes with concern, astonishment and pain that certain countries refuse to abide by the principles they swore to respect and defend in signing the United Nations Charter. By endeavouring to demonstrate with every possible variation of expression that the sovereign equality of all Members of the United Nations is not a mere phrase devoid of meaning but a decision adopted as an irrevocable commitment, we have expended much energy and have consumed a great deal of time. It would appear that to some minds peace, fraternity, tolerance, justice and understanding are merely words with lyrical resonance and artificial meaning, and not sacred objectives towards which all our efforts should be directed.

63. The representative of Uruguay, whose wise words are always the admirable message of a teacher, said yesterday [641st meeting] that the time has come to speak with complete frankness. We share that viewpoint. We are obliged to state that the United Nations is not a forum for the display of oratorical effects nor is it a show-window for the exhibition of more or less cleverly contrived sophisms and justifications, but rather a vigorous association of minds and wills desirous of settling their controversies by peaceful means. If we wish the United Nations to be respected, we must not skirt the edge of problems, water down attitudes, nor try to invent arguments based on injustice.

64. On the Egyptian problem the United Nations has adopted various resolutions whose common denominator is the cessation of hostilities. The problem still remains, just as the problem of Hungary still remains, despite our repeated urging that it should be settled. The delegation of Panama does not wish to make accusations now nor embark upon a detailed examination which might further exacerbate people, nor does it wish to show only one side of this complex international polyhedron, but it does wish to make it very clear that it is urgent to take some measure to see that the decisions of the United Nations are promptly respected and do not become ineffective dead letters. Here problems are debated fully and freely. No country is re-

stricted in its right to set forth its views, and no country is hampered in any way in making whatever denunciations and requests it sees fit, but the enjoyment of that wonderful right also carries with it a firm duty: to accept the decisions of the majority.

65. The delegation of Panama can state now that it will vote for the draft resolution [A/3501/Rev.1] proposed by twenty-five countries; it hopes the draft resolution will be the last step towards the achievement of a cessation of hostilities. But in voting for that draft resolution, we also wish to state that we condemn with equal force Egypt's provocations and hostile acts against Israel's ships. Panama's desire is that we who believe in the creative power of peace and we who have faith in the United Nations, should be able to say in unison and with pride that we are not pursuing by devious ways the quest for universal harmony.

66. Mr. MURPHY (Ireland): My delegation, while not opposed to the draft resolution submitted in the name of Afghanistan and twenty-four other Member States [A/3501/Rev.1], cannot feel that that draft resolution is altogether satisfactory, either in substance or in wording. In saying that, I do not intend in any way to imply that we condone Israel's attack on Egypt, or that we would uphold any attempt by Israel to annex any part of Egyptian territory. Yesterday, the United Kingdom representative told us that his Government did not condone Israel's attack on Egypt [640th meeting]. Certainly my delegation would not wish to be less censorious of Israel's action than the United Kingdom delegation judges it appropriate to be.

67. But, surely, our main concern now should be, not to rehearse the sorry history of this conflict or to pass judgement on the actions of the four protagonists, but to ensure as best we can that such a conflict will never reoccur. All of us must agree that a complete withdrawal by Israel behind the armistice line is a necessary preliminary to the establishment of any lasting peace. But can any of us feel that withdrawal in itself, simply restoring the *status quo ante*, will prove a secure foundation for peace? We cannot think so. For the previous state of affairs on this frontier was precisely what led to the recent conflict. Nor can we hold Israel alone responsible for this state of affairs, since Egypt, in defiance of a resolution of the Security Council [S/2322] held itself to be at war with Israel and organized raids and a partial blockade against that country.

68. In these circumstances, the present draft resolution is a little too one-sided and a little too limited to be of real service. It is necessary, surely, in the interests of Egypt, of Israel, and of world peace, not only that the Israel forces should move out of the areas in question, but also that the United Nations forces should move in to police these areas and the Israel-Egyptian border zone on both sides. That, rather than a return to the *status quo*, is what we should seek to secure.

69. I think it was Napoleon who said that there was no situation so disastrous that it was not possible in some way to turn it to advantage. It should now be the purpose of this Assembly's actions to derive from the disasters which have occurred in this region a great advantage to mankind, namely, the historic achievement of the policing of a disputed frontier by an international force.

70. The present draft resolution, by its silence about what is envisaged following Israel's withdrawal behind the armistice lines, leaves it open to the interpretation

that nothing more is needed than a return to the state of affairs before the Israel attack. As I have just said, more is needed than that. In the case of disputes with long histories, the part of strict legality does not always achieve the results suggested by justice and common sense, but if legality is to be the aim, it should be precise. The wording of the draft resolution before us, however, seems to my delegation to be open to criticism from this point of view.

71. As other speeches made in the debate have shown, one of its principal provisions is ambiguous in its meaning. The paragraph expressing regret and concern at Israel's failure to comply lacks precision. In justice both to Israel and to the United Nations, it seems only fair to record that Israel has complied with previous resolutions of the General Assembly, at least to some extent, particularly as on the other side of the dispute there are long-standing resolutions of the United Nations which have not been complied with at all. My delegation will vote for the draft resolution as a whole, but, for the reason I have given, we would ask that the vote on the draft resolution be taken paragraph by paragraph. We shall abstain on operative paragraph 1.

72. Mr. WALKER (Australia): When Sir Percy Spender spoke in this debate [638th meeting] the text of the draft resolution [A/3501/Rev.1] had not actually been distributed, and I wish to indicate briefly our position on the draft resolution. Sir Percy Spender said that, having heard the representative of Ceylon, he did not see any special difficulty with the explanation of the draft resolution given by the latter, although he doubted whether it was necessary at this time, and he also doubted whether the time interval of five days was really realistic.

73. Now that we have examined the draft resolution, we find that its terms are rather inadequate, to say the least, to the present situation, and we would have welcomed efforts to improve its drafting to make it more precise, to make its meaning more clear, and to take full account of the situation, as it has already been expounded in this Assembly. However, under the circumstances, we have decided to vote in favour of the draft resolution, while making it clear that we do not regard it as altogether satisfactory.

74. If, as we now understand, a separate vote is to be taken on parts of the draft resolution, we shall, of course, abstain on the first paragraph of the preamble, which recalls resolutions which we were not able to support at an earlier stage of the Assembly's deliberations. We shall not refrain from supporting the rest of the draft resolution. We attach very great importance to that part of the draft resolution in which the Assembly notes the report of the Secretary-General. To our mind, this is perhaps the most significant part of the whole draft resolution. Of course, we attach the greatest importance to that report.

75. As a delegation, we share the regret and concern over the failure of Israel to comply fully with the terms of the previous resolutions asking it to withdraw, but, as we explained in our previous statement, we understand the problem. With regard to the request to the Secretary-General to continue his efforts, we support that and we accept the interpretation given by several sponsors of the draft resolution that operative paragraph 2 requests the Secretary-General to report within five days.

76. Mr. EBAN (Israel): The delegation of Israel has followed this debate with careful attention. We

rise from it firmly convinced of the justice and rectitude of the policies defined on behalf of the Government of Israel at the [638th] plenary meeting on 17 January 1957. There is nothing complicated or eccentric about our case. What is it that we say? We say that any withdrawal of military forces from the western coast of the Gulf of Aqaba and from the Gaza Strip should be accompanied by related measures to prevent a renewal of conflict by land or by sea. It is remarkable that so moderate a doctrine should even require defence, and still more astonishing that it should encounter resistance. We have rejoiced to see this simple logic upheld in this debate by Governments of renowned maturity in international affairs and of irreproachable devotion to the cause of the United Nations. This very morning, the dangers of what has been called a "unilateral and limited approach" have been referred to in varying degrees of emphasis by the representatives of Costa Rica, France, the Netherlands, Belgium and Ireland.

77. Nor does a single day pass without impressive endorsement of this position in the great organs and tribunals of opinion throughout the world. As the days go by, the consensus of opinion grows in favour of a course of action in the Straits of Tiran and in Gaza which would block the path to avoidable tragedy and disaster. Throughout its long history, our people has learned that a nation must not recoil on occasions from upholding a position of truth, even in solitude. Those who are more numerous are not necessarily more right. It is, however, consoling to meet responses which show understanding and common concern. Such responses have been heard throughout this debate. We have not expressed a single idea or attitude in the advocacy of which we have stood alone.

78. There is, therefore, a growing perception of the dangers and opportunities which summon the United Nations to deal wisely and prudently with the two problems before it. Unfortunately, none of this constructive thinking has found its way into the meagre framework of the draft resolution [A/3501/Rev.1]. Operative paragraph 2 of the draft resolution addresses itself to the Secretary-General with a request to continue the efforts on which he has been engaged and to report to the General Assembly within five days. We shall, of course, be willing to see the Secretary-General resume the efforts which were interrupted by Egypt's convocation of this debate.

79. I note, however, that the resolution gives the Secretary-General no clear guidance or mandate apart from what can be deduced in a study of the thoughtful discussion leading to its adoption. Moreover, it is doubtful in issues so complex whether a report in five days can offer final clarification. Thus operative paragraph 2 adds nothing to the situation except perhaps a degree of confinement in time which may prejudice the quality of the proposals, the thoughts or the ideas to be discussed. Operative paragraph 1 notes the present state of compliance "with regret and concern". This despondency is, in the view of my delegation, without justification. Withdrawal has taken place in agreed and co-ordinated phases through an area of over 30,000 square miles, the whole of which will be available to the United Nations Emergency Force by 22 January.

80. Questions reserved for later discussion now arise for urgent treatment. To discuss the fact that these two problems are left to the end would imply criticism not of Israel alone. And the reasons for the reservations

in respect of these two problems are objective and sound. They arise from the inherent nature of the problems themselves and not from any subjective or arbitrary whim. It is my duty to point out that if these two places had already been evacuated without simultaneous and related measures, we should be nearer, perilously nearer, a renewal of conflict. In the one case, we should have created a vacuum at Gaza into which anarchy and violence would have moved. In the other case, we should have added a blockaded Gulf of Aqaba to an already blockaded Suez Canal. Regret and concern would then certainly have been our portion. It is essential in any objective approach to these problems to understand their intrinsic complexity. The matter was put in its most moderate form by the representative of the United States who said that "... the areas in question have been major sources of tension and the sites of many hostile actions in the past". [639th meeting, para. 33.]

81. This is the circumstance which dictates the care and the prudence with which we approach their treatment today. If we had left the entrance to the Gulf of Aqaba without simultaneous adoption of measures to prevent belligerency, the General Assembly would have been in the dangerous position of restoring a blockade. Israel would be preparing to respond to that blockade in order to recover its maritime rights. An ominous atmosphere would hover over those waters. Similarly, if we had created a vacuum of authority at Gaza, chaos and turbulence would prevail; the *fedayeen* bases would be reinstated. The fact that there is now an open peaceful waterway in the Gulf of Aqaba and that an impressive pattern of tranquillity and order is arising at Gaza should not in itself arouse regret and concern.

82. This expression then is so out of touch with reality and justice that my delegation will vote against operative paragraph 1 of the draft resolution and against any draft resolution of which it is a part. In addition to its other imperfections, this paragraph is, to put it moderately, a breach of objective truth. This has already been mentioned by other delegations this morning. Nobody reading operative paragraph 1 without other knowledge would assume that any withdrawals had taken place at all over a single square mile of the territory under discussion. According to the strict sense of its language, this draft resolution would indicate that Israel troops are precisely where they were on 7 November 1956, near the approaches of the Suez Canal and in every part of the Sinai wilderness.

83. We should not be asked to vote so often on formulations which do not convey a precise statement of fact. Indeed, perhaps one of the most disquieting practices arising in the General Assembly in its discussion of Middle Eastern affairs is this. We are faced with a dispute between Israel and Egypt and with the Arab States associated in the Egyptian cause. But the General Assembly too often leaves the initiative of formulating and drafting its policies to one of the parties in this dispute, namely, to Egypt and other States willing in general to associate themselves with it.

84. Much of this debate has been concerned with the problem of compliance with General Assembly recommendations and the duties of Member States in attempting the fulfilment of such recommendations. We have seen repeated on this rostrum a spectacle which, after all these years, I am still unable to watch without astonishment. It is the spectacle of the Arab Governments appearing on this rostrum as the disinterested

champions of General Assembly resolutions. Now there is not one single element in the Middle Eastern tension today which is not a direct result of a rejection by Arab States of General Assembly resolutions and of Charter provisions. The record is known to all those of long memory and of continuous experience. These States defied by armed force the General Assembly's basic resolution of 29 November 1947 [181 (II)]. These States took up arms in defiance of four cease-fire decisions of the Security Council in 1948 [S/714, S/723, S/773, S/801]. These States were certified by that action to have caused a breach of international peace. These States have rejected the constant calls of the General Assembly for the negotiation of a final settlement of outstanding questions. These States refused to respect the resolution admitting Israel to membership of the United Nations [273 (III)], with the corollary duty on their part to recognize Israel's independence and integrity and Israel's character of being endowed with sovereignty equal to theirs. These States for five years have violated the central decision of the Security Council on belligerency, blockade and a state of war [S/2322].

85. Egypt has still failed to carry out any of the provisions of the 2 November 1956 resolution which deal with the interests of Israel and those of the international maritime community as a whole. This then is the record. There are no States in the world which could surpass the Arab States in their record of violation of Security Council decisions and of General Assembly recommendations. This record is the more disappointing when we reflect how much the United Nations has done for the Arab national movement in this era of its triumph and of its emancipation, the manifold sovereignties which have risen to independence under the aegis of international institutions, the strong impulses in favour of national liberation which have gone forth from these halls.

86. I am not here to discuss the circumstances of each one of these violations. But do not these representatives owe us the bare honesty of not appearing here as the virtuous and invariable exponents of the sanctity of United Nations resolutions? The record is not finished, for we fear that we still face a continued prospect of violation. Mr. Jamali, the representative of Iraq, took us back into history. He said [639th meeting]: "I am thankful that I am still alive and can still stand before this august body to speak." This is a satisfaction which in human terms we fully understand, but his object was to recall the experience of 1947, which was the beginning of a declared and avowed policy of regarding as optional and non-compelling any resolution which collided with the national interests of the Arab States. He then went on to declare, if I understand his words rightly that he and those associated with him continue to maintain the doctrine of a state of war and the intention to impose a blockade as soon as the United Nations makes the possibility of a blockade physically available in the Gulf of Aqaba.

87. This question of belligerency remains the crux of our problem. We were all glad to hear the representative of Lebanon speak to us in his customary tones of elevation, but his Government presented to the Security Council in October 1956 a document [S/3683] which states that he regards a fundamental principle of international law to rest in the recognition of a state of war as undeniably existing between Egypt and Israel. In other words, this Government, as other Arab Governments, advocates the recognition of war,

belligerent rights, the seizure of ships and the confiscation of cargoes in international waterways, all of which are advocated in the letter which I have before me.

88. This reference to past history is not academic and irrelevant. Each of the two problems which now remains before the attention of the General Assembly exists as a result of an initial defiance of a United Nations recommendation. If Egypt had never violated the cease-fire resolutions of the Security Council, it would never have invaded Gaza; and later if subsequent resolutions had been honoured, Gaza would never have been transformed into a seething nest of violence and assault. Similarly, if Egypt had not defied the resolutions of the Security Council against belligerency and blockade, the Gulf of Aqaba and the Suez Canal would never have become potential sites of regional and international war.

89. All of these problems arise, without exception, out of the sequence which has its origin in every case in the refusal of an Arab Government to comply with a decision or a recommendation of the organs of the United Nations. This is what I mean when I say that we find it difficult to sustain these censorious words of reproach. The United Nations will never be endangered by honest clashes of opinion and interest, however drastic. It might, however, be endangered by cynicism, and this would reach its peak if Governments not distinguished for their own compliance with United Nations objectives were to be so insistent in demanding such compliance of others.

90. I must say that a similar disquiet overcame our delegation, and apparently others as well, when we listened to the drastic tone in which Israel's policies were attacked by the representative of the Soviet Union [639th meeting]. It is incumbent, he said, on the United Nations to take all measures to secure the immediate compliance by Israel with the resolutions of the General Assembly which called for the withdrawal of all Israel troops from the territory of Egypt. Immediate compliance only by Israel? Withdrawal only of Israel troops? Withdrawal only from the territory of Egypt? I refer here to the question of the double standard which has agitated sincere world opinion on the whole question of the United Nations and the moral compulsion inherent in its resolutions.

91. We stand, then, on the position described in detail in the speech delivered [638th meeting] two days ago by my Minister of Foreign Affairs. Let me briefly, and in conclusion, summarize our position. In the Sinai Desert it has been possible to withdraw without engaging the General Assembly in any further clarification of specific points. This large measure of withdrawal, so unnecessarily concealed in operative paragraph 1 of the draft resolution, is significant in that it proves an attitude of basic good faith and the absence of territorial expansion amongst our calculations and difficulties. It indicates that the problems of the Gaza Strip and of Sharm el Sheikh are objectively distinct from other problems. Even in Sinai, and especially in the eastern part, we believe that the United Nations Emergency Force should so deploy itself as to maintain a broad separation between Egyptian forces and Israel forces.

92. With respect to the two problems which have come under gratifyingly serious scrutiny in this debate I would say this, and perhaps the quintessence of the problem was expressed by the representative of New Zealand when he said [639th meeting] that withdrawals

should take place but "that is not all that must be done". These nine, short, monosyllabic words, "but that is not all that must be done", summarize the essential truth in this situation.

93. Now some of those who have been unwilling to look beyond the problem of withdrawal in its narrowest context have said that the results of force must not be recognized and that a return must first be made to legal situations. But here we have an anomaly. The previous situations were the result of force, the previous situations were illegal. The Gaza occupation was achieved by force in defiance of Security Council decisions and the maintenance of *fedayeen* activities and of bases for guerrilla warfare against Israel was certainly an illegal situation to which general Assembly should not seek a return. Similarly, the *status quo* in the Gulf of Aqaba was not a *status quo* of law, it was a *status quo* of piracy and illegality. To argue here that the *status quo* must be restored is to say that illegal and anti-Charter conditions must be restored as a prelude to the search for legal solutions and for peace-serving solutions.

94. This then is the problem. It is a genuine anomaly. If it thinks only of withdrawal, the General Assembly will be restoring belligerency to Gaza, will be restoring a blockade to the Gulf of Aqaba and the Straits of Tiran, unless in arranging withdrawal it arranges other things also, and arranges them carefully and well. I do not wish to repeat in detail the considerations which have been submitted to the General Assembly on the problem of the Gulf of Aqaba. This is an open waterway—open now—there are no guns to deter free passage through the Straits of Tiran. The right of innocent passage, in conformity with recognized principles of international law, is referred to in the Secretary-General's report [A/3500 and Add.1] and was upheld with gratifying emphasis by many delegations in the course of this debate, especially by those who represent the great seafaring nations of the world. I do not want to go deeply into the juridical problems here involved. Surely the United Nations General Assembly can agree that ships should not be shot at but should be allowed to proceed. The United Nations, with its preference for peace against war and for tranquillity against belligerency, cannot take any other view. This is not an open question.

95. I listened to the interesting remarks by the learned representative of Colombia [638th meeting]. I recalled the historic traditions of the Latin continent in favour of maritime freedom and I am certain that this tradition will continue to inspire that continent in its approach to the great issue of peace upon and between the high seas and that that principle will always find in the representative of Colombia one of its most energetic supporters. This is then an open waterway in which the right of free passage exists, not merely in theory but in fact.

96. Two days ago my delegation explained the crucial national interests which are here involved. For Israel, these are interests of supreme importance. The vision of our country as a bridge across which the traffic of commerce and ideas would march freely between the Eastern and the Western worlds; the prospect of Israel's integration into the commerce and life of the African and Asian continents; for Europe and Asia the release of their economic and therefore also their political independence from exclusive reliance on a single artery which the territorial State now manipulates for illegitimate pressures upon them—these are some of the universal issues which are here involved.

97. When we say that to withdraw without related measures for permanent freedom of navigation would lead to blockade, we are not indulging in conjecture. As the representative of China told us yesterday [641st meeting], this fear is based upon experience. We must therefore assume that if no related measures are taken then, upon Israel's withdrawal, a blockade will be restored. And here we derive support from the words of the representative of Iraq [639th meeting], who upheld blockade, with admirable candour, as something which did in his view lie within the rights of the Arab countries.

98. Let us take the sequence a step further. What if a blockade is renewed in the Gulf of Aqaba? Is this a light matter? Surely if there is a renewal of blockade, there is a prospect of war. Nobody could deny Israel the right to protect its shipping or its peaceful commerce. That is why this matter cannot be left to chance or to risk. To say that we should not ensure now a solution of non-blockade is to say that we should not insist on the certainty of preventing war.

99. The deadlock here could not be more drastic. Withdrawal without related steps means the restoration of a blockade. The restoration of a blockade means a danger of war. Therefore, the unilateral and restricted implementation of a General Assembly resolution can, in certain circumstances, lead to an almost certain prospect of armed conflict.

100. In this connexion, I want to refer to another circumstance which has been mentioned in this debate in the same context of maritime freedom. Representatives have noted with regret and concern that the recommendation of the General Assembly which would, among other things, have involved withdrawal from the Sharm el Sheikh area has remained not fully implemented for seventy-eight days. There is a resolution [S/2322] of the Security Council on this very matter of belligerency, blockade and state of war which has been unimplemented for 1,966 days—for the entire period that has elapsed between 1 September 1951 and today.

101. If that resolution had been implemented, no problems in the Suez Canal or in the Gulf of Aqaba would ever have arisen. The whole Suez crisis would never have existed. It might well have been assumed that an Egyptian régime which would have honoured the right of free passage for Israel shipping would have rightly incurred the honour, the trust and the confidence of the rest of the maritime community, and thus the great crisis of confidence which arose in the summer and fall of last year would never have arisen.

102. The decision of the Security Council was taken under Article 25 of the United Nations Charter. Thus, that decision has a legal priority over anything that the Assembly can recommend. That decision was taken 1,966 days ago. It therefore has a chronological priority over anything that the General Assembly can recommend, especially in the context of the refusal and liquidation of blockades. Can anyone in fairness influence Israel to carry out a three-month-old resolution without simultaneously exercising at least a comparable influence on Egypt, simultaneously to implement a resolution which has remained unimplemented for 1,966 days? We must therefore insist as a central point on the unconditional implementation of the 1951 resolution on the question of blockades and the renunciation of belligerency.

103. The responsibility of the United Nations for securing the implementation of the 1951 decision is no

less than is its responsibility for securing a withdrawal from the Straits of the Gulf of Aqaba. This question of belligerency rests squarely on the reciprocal principle. Blockade is an act of war. Indeed, in one of the definitions of aggression submitted by the delegation of the Soviet Union to the Sixth Committee,² the exercise of maritime blockade figures as the first point amongst the criteria for the definition of aggression. If the United Nations were to acknowledge to Egypt a right of blockade, it would have to acknowledge to Israel on similar grounds of a state of war the right to oppose that blockade.

104. Here then is the interdependence in law as well as in political fact between the question of Israel's occupation of the Straits of Tiran and the Egyptian thesis and doctrine of a blockade. And this is the argument for a simultaneous liquidation both of the provocation and of the reaction, both of the blockade and of whatever the blockade has elicited by way of response. This leaves us really with three courses in an approach to the question of the Straits of Tiran. There are but three alternatives. One is that Israel should go away with no measures and with no related steps to ensure that the blockade will not be renewed. Then by the sequence which I have described we shall return to belligerency and to the danger of active conflict. This is the imprudent course which we think should be rejected.

105. The second course would be for Israel to remain as a response to the Egyptian policy of blockade so long as that is maintained. We fully understand all the grave reasons which operate against such a course. Therefore, we seek the middle course: the withdrawal of troops and simultaneous arrangements and measures to ensure permanent freedom of navigation and, therefore, the absence of belligerent acts in this international waterway.

106. In relation to this problem and to other problems, some representatives have speculated upon the possible utilization of the United Nations Emergency Force. My delegation has already explained that a guarantee for an issue such as freedom of navigation is only of value if it has permanence and continuous duration. Therefore, the mere invitation of the possible functions of the United Nations Emergency Force does not solve this problem until or unless greater precision and clarity are given to the functions of the United Nations force and the terms and conditions for its tenure.

107. It seems that there are different conceptions within the General Assembly of the functions and objectives of this Force. There are two versions, one which sees it as an instrument of the General Assembly to prevent belligerency in the areas in which it operates, and another, I am afraid, which comes very near to regarding the Force as a temporary facility made available to Egypt to clear the path for a return to whatever Egyptian forces were doing before, and to whatever it is that Egyptian forces plan to do in the future. I fear that if this very lax definition of the United Nations Emergency Force function were accepted, the Force would find itself inadvertently in military alliance with Egypt until Egypt's striking power were restored. I would therefore say that the question whether the United Nations force can be a factor depends upon a definition in terms of clarity and precision of its functions and of the duration of its tenure. /)

108. To sum up, then, the issue involves great national interests of Israel, great international interests

and, above all, it embodies and symbolizes the whole problem of avoiding renewed belligerency and war. We shall carry forward our discussions with the Secretary-General on this matter. In the centre of Israel's approach lies the necessity of implementing the 1951 Security Council resolution, the question of Egypt's reciprocal duties towards Israel and the problem of the precise definition of the functions of the United Nations Emergency Force.

109. I have nothing to add on the question of Gaza beyond that which my Minister for Foreign Affairs said at this rostrum on 17 January [638th meeting]. The General Assembly should have in mind the present situation in the Gaza area as embodied in Colonel K. R. Nelson's report [A/3491]. This shows the high degree of progress towards autonomous processes of security and administration. It draws attention to the danger of any precipitant disruption of those patterns of order. Israel is not seeking the annexation of the Gaza Strip. Here too our interests are not of territory but of security.

110. We do not believe that an international force can carry out administrative or security functions. We do not think that existing administrative processes should be uprooted. We do believe that the withdrawal of the military forces of Israel from the Gaza Strip is an element in the solution which we should seek. We consider that larger possibilities in the solution of the refugee problem open out here. We seek nothing in fact but provisional *de facto* arrangements which embody some of the ideas which have been mooted here and which perhaps we can evolve with greater clarity in the next stage of the negotiation envisaged.

111. On this point I shall only say that the special report issued by the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East [A/3212/Add.1] does not accurately reflect the present situation in the Gaza zone. The report refers to the period 1 November 1956 to mid-December 1956, although it has only just been published. The source of the information is candidly admitted to be hearsay from Arab, and mainly from refugee, sources. There were no UNRWA representatives in the area at the time that the events of early November took place. The casualties described in that report are violently exaggerated—exaggerated, in fact, almost five-fold—by the inclusion in the list of killed of all who were not there, including refugees who had fled, both to Egypt and to Jordan, including armed personnel who were among those detained. Therefore, my Government reserves its position on this report, of which it will publish a detailed analysis. It cannot forbear from expressing the hope that the utmost solicitude for accuracy and precision will animate all those who report to the General Assembly on any matters coming within or beyond their jurisdiction.

112. The Sinai Desert will have been evacuated on 22 January and made available to the entry of the United Nations Emergency Force. This represents important progress in the fulfilment of the United Nations objectives.

113. We state in complete candour that the other two problems are of such a nature that a policy consisting only of withdrawal without simultaneous related measures would lead to results such as war at sea and on land, for which, we believe, the United Nations would not wish to be responsible. It is therefore that we say that it is necessary for the withdrawal of military forces to be accompanied by related steps which

² Official Records of the General Assembly, Seventh Session, Annexes, agenda item 54, document A/C.6/L.264.

would in the case of the Gulf of Aqaba guarantee freedom of navigation and the absence of hostile acts and in the case of Gaza guarantee the maintenance of tranquillity and order and the prevention of a recrudescence of border warfare.

114. There is nothing in this that cannot be reconciled with the valid provisions of the United Nations resolutions. The General Assembly's resolutions do not prevent these measures from being taken, and it does not say that such measures should not be taken now. We hold with deep conviction that the prevention of the risk of war, whether by land or by sea, is a paramount duty of the United Nations to which all its policies and activities must at all times be adapted.

115. These, then, are the views which we have been gratified to air before this General Assembly at this intermediate stage. Substantive consideration by United Nations organs may again be needed before all these complexities are resolved. We seek no territorial annexation. We seek, and think we have a right to obtain, security against the clear prospect of war-like acts, against piracy by sea, against conflict by land. These we seek with conviction and tenacity in respect of the two problems before us which embody the prospect of peace or of war between Egypt and Israel. If these problems are settled in a unilateral and limited way, the prospect of avoiding belligerency is small, and of advancement to peace even smaller; but if they are settled, as I believe they can be settled, within the framework of the General Assembly's objectives in relation to consequences as well as to declarations, if we bear in mind the words of a great jurist who said that general principles do not always solve concrete issues, then a respite will be created by prudent, preventative action now, a respite in which no belligerency is physically possible. Into such an interval, from which the possibility of belligerency will have been banished, the cause of final peace may well make its first step of progress.

116. Mr. FAWZI (Egypt): When I came to this rostrum at the beginning of the present debate, I spoke only for a few moments. I intend to do likewise today. This is because the issue before the Assembly is incisively clear: it is the matter of Israel's withdrawal from territory which through aggression it occupied after its attack on Egypt on 29 October 1956.

117. The issue remains, as I submitted to the Assembly in my previous intervention [638th meeting], for the Assembly to decide whether or not aggression shall be allowed to reign, to rule, to decide any issues and to bear fruit for the aggressors. It is well known that confusing the issue is a common procedure resorted to by those who are aware of the precariousness of their position. This suffices to explain why some delegations, particularly the delegation of Israel and two or three others—luckily, not more—have tried to take us into by-ways and into side matters which have absolutely nothing to do with the present issue. Indeed, we have begun to feel that a famous procedure known as the filibuster is beginning to grow in this Assembly; I hope that it will be nipped in the bud.

118. Neither this rehashing and falsification of history nor spawning accusations against Egypt which have no foundation whatsoever, should divert our attention from the matter which it is our responsibility to decide here resolutely and without any equivocation. Unfortunately, we have been made to listen here to such arguments as the one presented today by the rep-

resentative of France, who, of all people, comes here and sheds crocodile tears about navigation through the Suez Canal, about the speed—or the lack of speed, according to what he said—at which the clearing of the Canal is taking place. Perhaps he and his Government have completely forgotten when the Canal stopped as a useful and vital artery for navigation. Perhaps they have forgotten that it was through their aggression that the canal, which under Egyptian administration allowed punctual, safe and free passage in less than three months for more than 4,000 ships, was paralysed, was destroyed and was put out of commission until today—through the tripartite aggression with which we have been dealing up to now. To make matters even worse, the representative of France finds the courage to come here and attack the thesis that the aggressor should not be allowed to reap any gains from his aggression.

119. As I have already said, I am not going to go into the details of this matter. The essence of the matter is that Israel should withdraw from the territory which it has occupied since 29 October 1956. Nothing has so far been said which should cause this Assembly to deviate from its duty of seeing to it that Israel's withdrawal, in pursuance of the Assembly's relevant resolutions, should be carried out immediately and without conditions and without demur. We trust that the Assembly will approve the resolution that has been submitted.

120. The PRESIDENT: I shall now ask the Assembly to vote on the draft resolution [A/3501/Rev.1] submitted by the following twenty-five Powers: Afghanistan, Burma, Cambodia, Ceylon, Ethiopia, India, Indonesia, Iran, Iraq, Japan, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Pakistan, Philippines, Saudi Arabia, Sudan, Syria, Thailand, Tunisia, Turkey and Yemen. A request has been made for a vote paragraph by paragraph.

The first paragraph of the preamble was adopted by 68 votes to 2, with 8 abstentions.

The second paragraph of the preamble was adopted by 75 votes to none, with three abstentions.

121. The PRESIDENT: A roll-call vote has been requested on operative paragraph 1.

A vote was taken by roll-call.

Czechoslovakia, having been drawn by lot by the President, was called upon to vote first.

In favour: Czechoslovakia, Denmark, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran, Iraq, Italy, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Mexico, Morocco, Nepal, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Spain, Sudan, Sweden, Syria, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Australia, Austria, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, China, Colombia.

Against: France, Israel.

Abstaining: Dominican Republic, Ireland, Luxembourg, Netherlands, Portugal, Belgium, Costa Rica, Cuba.

The paragraph was adopted by 68 votes to 2, with 8 abstentions.

122. The PRESIDENT: I now put operative paragraph 2 to the vote.

The paragraph was adopted by 75 votes to none, with 3 abstentions.

123. The PRESIDENT: A roll-call vote has been requested on the draft resolution as a whole.

A vote was taken by roll-call.

Iraq, having been drawn by lot by the President, was called upon to vote first.

In favour: Iraq, Ireland, Italy, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Spain, Sudan, Sweden, Syria, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Chile, China, Colombia, Czechoslovakia, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Finland, Greece, Guatemala, Haiti, Honduras, Iceland, India, Indonesia, Iran.

Against: Israel, France.

Abstaining: Costa Rica, Cuba.

The draft resolution as a whole was adopted by 74 votes to 2, with 2 abstentions.

124. The PRESIDENT: I call on the representatives who wish to explain their vote.

125. Mr. GARIN (Portugal): Once again this Assembly has tackled the delicate problem which has been under discussion and has taken another step—and there will have to be many—towards a desired settlement which, we all hope, will eventually be a lasting one—that is, one which will have taken due consideration of the interests of all parties concerned. In order to help to achieve much needed progress in this matter, the

Secretary-General has presented a most valuable report and, as a consequence, the General Assembly is now seized with a more complete view of the problems involved than it was at the time of our previous debates. This should assist the Organization to fulfil the difficult role which was entrusted to it.

126. At the same time, however, the report of the Secretary-General [A/3500 and Add.1] shows clearly that we are facing a problem with many aspects. Only great patience, restraint, understanding and mutual good-will will create the conditions under which it may be possible to achieve practical results. As my delegation sees it, our Organization is only at the initial stage of its peace-building activities in this matter—as the Secretary-General put it when he mentioned the preliminary nature of the present phase of the withdrawal of troops. Such withdrawal being thus an essential factor for the future solution of further aspects of the problem, it is hoped that it will be carried out peacefully.

127. That is the reason why my delegation has voted for the resolution which has just been adopted in order that the Secretary-General may report to this Assembly, within the period of time indicated, on the result of his further efforts to obtain the withdrawal of Israel troops. We have done so in the hope that a more favourable atmosphere can be created within which our Organization may begin its great and urgent task of finding just and equitable solutions, for all the parties concerned, to the very complex and grave problems which, unfortunately, have existed for so long in the area, and to those, no less grave, that have in the meantime encroached upon them.

128. Furthermore, we hope that all the suggestions presented by the Secretary-General in his report, as well as others which have appeared during our debate relevant to our purpose, will receive the consideration of our Organization as soon as possible, in order that no undue delays should occur in our constructive efforts to bring about real peace, with justice, to the area.

The meeting rose at 1.10 p.m.