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President: Prince WAN WAITHAYAKON
(Thailand).

AGENDA ITEM 66

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

1. Mr. LODGE (United States of America): As we have said before, the United States thinks that Israel must withdraw its forces without further delay. Immediately thereafter, the United Nations Emergency Force should move in behind the withdrawing Israel forces in order to assure the maintenance of the cease-fire and to safeguard the Armistice Agreement. This is the essential basis for creating peaceful conditions.

2. We have studied the Secretary-General's report [A/3512] with great care, and we have concluded that the measures which he suggests are fair and practicable. They are, in fact, essential. The report is positive and constructive. It fully justifies our trust and confidence in the Secretary-General. The carrying out of his suggestions will mark the turning point in the unhappy history of this problem. Without necessarily endorsing all the legal points contained in his report, the United States does endorse the basic premise on which the Secretary-General bases his recommendations. We believe that the United Nations Emergency Force should co-operate with the United Nations Truce Supervision Organization. We agree that strict observance by both Egypt and Israel of the provisions of the Armistice Agreement and the fullest respect for the resolutions of the Security Council and the General Assembly are the keys to the restoration of peace and stability.

3. Under the Armistice Agreement and pursuant to the Security Council's decisions, neither side may assert any belligerent rights, much less engage in hostile action. Under the Armistice Agreement also there is a clear legal basis for a separation of the armed forces of the two sides. The deployment of the United Nations Emergency Force must, as the Secretary-General recommends, be such as to assure that this separation is achieved. That is why the United States strongly supports the Secretary-General's recommendations concerning the deployment of the United Nations Emergency Force on both sides of the armistice lines, particularly with regard to the sensitive positions in the Gaza and El Auja sectors.

4. We believe it is essential that units of the United Nations Emergency Force be stationed at the Straits of Tiran in order to achieve there the separation of Egyptian and Israel land and sea forces. This separation is essential until it is clear that the non-exercise of any claim to belligerent rights has established in practice the peaceful conditions which must govern navigation in waters having such an international interest. All of this, of course, would be without prejudice to any ultimate determination which might be made of any legal questions concerning the Gulf of Aqaba.

5. The United States hopes that the General Assembly will give decisive support to these and other recommendations set forth in the report. We believe the Secretary-General should be authorized to carry out these measures immediately upon the withdrawal of Israel forces.

6. I cannot emphasize too strongly one point which seems paramount to the United States Government. Surely this Assembly would not be satisfied with a return to the unsatisfactory conditions which helped to bring about the recent hostilities, but it must be clear to all that the sort of assurances that are sought in this connexion can be given effect, and they must be given effect, only after Israel completes the withdrawal of its forces behind the armistice lines.

7. Let me conclude by appealing to the parties directly concerned to recognize that the success of the United Nations action rests upon compliance by each of them with the resolutions of the General Assembly, the provisions of the Armistice Agreement and the decisions of the Security Council. The United Nations Emergency Force is carrying out its important mission for the benefit of both Israel and Egypt with the full authority of the General Assembly, to which it is responsible. In the circumstances, neither side should seek unilaterally to impede the operations of the United Nations Emergency Force.

8. Mr. EBAN (Israel): The General Assembly last discussed the Middle Eastern question on 19 January [642nd meeting]. Three days later, pursuant to our undertaking of 14 January, Israel forces had withdrawn behind the international frontier, thus evacuating the whole of the Sinai peninsula, with the exception of the strip of territory along the western coast of the Gulf of Aqaba from which freedom of navigation is at present ensured for the ships of all nations wherever bound. An area of 50,000 square kilometres previously held by Israel forces has thus been made available for the entry of the United Nations Emergency Force.

9. Amongst the problems left behind by the resolution [997 (ES-I)] of 2 November 1956, the questions of Gaza and of free navigation in the Suez Canal and the Gulf of Aqaba now remain for solution.

10. The Government of Israel has reiterated its willingness to withdraw its forces from these two areas

as well. We hold, however, that the 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 and by sea. In explaining this position to the General Assembly on 19 January, I went on to express our sincere concern lest "the General Assembly [would] be restoring belligerency to Gaza, [would] be restoring a blockade of the Gulf of Aqaba and the Straits of Tiran, unless in arranging withdrawal it [arranged] other things also, and [arranged] them carefully and well". [642nd meeting, para. 94.] Everybody knows that a withdrawal without careful related arrangements would lead to a renewal of hostilities by land and by sea.

11. On 20 January, the Secretary-General invited the Israel delegation to state to him its intentions on withdrawal and to formulate for the General Assembly its proposals on the arrangements which it had mentioned in relation to Sharm El Sheikh and Gaza. On 23 January, I submitted Israel's proposals on each of these subjects in the form of an *aide-mémoire* [A/3511].

12. The General Assembly will note that the Israel proposals envisage a withdrawal of forces from the Sharm El Sheikh area and from the Gaza Strip, but they seek to reconcile this withdrawal with other objectives of vital concern to Israel and the world community. The withdrawal from Sharm El Sheikh is suggested in circumstances which would prevent the recurrence of blockade activities and the consequent eruption of armed conflict. The withdrawal from Gaza is proposed under arrangements which would allow for the development of peace, tranquillity and economic welfare, in place of the bloodshed, disorder and squalor which seethed and festered in Gaza during the disastrous years of the Egyptian occupation.

13. My Government believes from its intimate knowledge and experience that these proposals offer the best hope for an equitable solution of these problems.

14. Before discussing Israel's proposals in detail, I wish to comment on the report submitted by the Secretary-General in pursuance of the General Assembly resolution [1123 (XI)] of 19 January 1957.

15. This report contains a factual account of the Secretary-General's efforts under the resolution, and is supplemented by certain opinions on the rights and duties of Member States. I shall confine myself to those points which have a bearing on Israel's proposals for a solution of the problems of the Suez Canal, the Sharm El Sheikh area and the Gaza Strip. In so doing, I have in mind the Secretary-General's opinion that "forthcoming efforts, aimed at continued progress, should concentrate on concrete issues" and that these should be "approached in a constructive spirit seeking essentials". [A/3512, para. 34.]

16. Paragraphs 5 to 8 of the report discuss certain "non-controversial" points, to use the words of the report, "in the determination of the limits within which the activities of the United Nations can be properly developed". [Ibid., para. 5.] The report considers that the United Nations cannot condone a change of what is called the "*status juris* resulting from military action", and that it "must, therefore, maintain that the *status juris* existing prior to such military action be re-established by a withdrawal of troops, and by the relinquishment or nullification of rights asserted in territories covered by the military action and depending upon it". [Ibid., para. 5 (a).]

17. The term "*status juris*" is unknown in international law. The Latin words signify not a legal situation but a situation in which law finds itself. Israel's apprehension on this point is lest these words be interpreted as implying a duty to re-establish the situation prevailing before the recent hostilities began.

18. Our view is simple. In the three outstanding issues—the Suez Canal, the Gulf of Aqaba and the Gaza Strip—our duty is not to re-establish but to prevent the re-establishment of the previous situation, for in each case the situation on 28 October 1956 was one of illegality and not of law. The blockade in the Suez Canal was illegal. The blockade in the Gulf of Aqaba was illegal. The organization of the *fedayeen* movement from Gaza was illegal. These three illegalities, more than any other factors, brought about the hostilities which we are now seeking to liquidate. In pursuing its policy for the withdrawal of non-Egyptian troops, the United Nations surely has no duty to restore Egypt's blockading and raiding capacity to its former state.

19. The General Assembly will recall that many delegations, while advocating the withdrawal of troops, have argued with equal energy against restoring the conditions of illegality and violence out of which the recent hostilities evolved. For this reason such concepts as "re-establishment" and "restoration" should, I think, be cautiously used in the context of the three problems which now remain for consideration.

20. We cannot forbear to recall that, during the invasion of Israel by Arab armies in 1948, in defiance of the cease-fire decisions of the Security Council, Egypt and Jordan did establish new territorial situations which the United Nations did condone. For at least ten months, these occupations lacked even the legal authority which they subsequently obtained in the Armistice Agreements. There was no United Nations effort to secure the withdrawal of troops. There was no principle that rights achieved by military occupation must be relinquished. Egypt's recent position in Gaza is a result of this acquiescence in the consequences of Egypt's invasion.

21. In the light of this history, and of other events in Asia and in Europe, the idea that the United Nations cannot function for peace except on the basis of restoring the *status quo* requires some qualification. In this case, my Government must certainly hold that the United Nations may not restore illegal situations, even if it has reservations about the method whereby those illegalities have been removed. We cannot go back to blockades in the Gulf and the Canal or to the terror which raged from Gaza. Neither in national conscience nor in international responsibility should we do this.

22. We note the suggestion in the report that "the Secretary-General, in carrying out the policies of the United Nations, must act with scrupulous regard for the decisions of the General Assembly, the Security Council and the other principal organs". [A/3512, para. 5.] My delegation sees no reason for departing from the text of the Charter which, under Article 25, ascribes the capacity of "decision" only to the Security Council, and, under other articles, the capacity of "recommendation" to the General Assembly. This point has relevance to the present case, in view of Israel's claim of legal priority for the Security Council's decision of 1 September 1951 over anything that the General As-

sembly can recommend, especially in any context affecting maritime freedom.

23. The report touches at length on the Suez Canal and the Gulf of Aqaba. The General Assembly will well understand the vigilance and the precision with which Israel has studied the observations of the report on innocent passage in these international waterways. Endowed with meagre territory but with a long coast line and access to two oceans, Israel ranks high amongst those nations whose present existence and future development depend upon the ability to navigate the high seas in peace. Indeed, without that ability, we have no future at all. But our sensitivity on this point is shared by many Governments which regard maritime freedom as a basic condition of their security and welfare.

24. The maritime community has been accustomed to see international organs lay their main stress on the international right of free navigation, rather than on the national claims of coastal States to limit the exercise of those rights. It is no accident that maritime freedom was the first principle on which a recognized body of international law arose. It would be a grave matter if universal freedom of navigation were to be subordinated to the national policies of those Powers which, by geographical accident, command the narrow pathways uniting the high seas. The Suez crisis illustrates what explosive results ensue when such a subordination of international rights to national policies is apprehended or carried out.

25. From this point of view, Israel must look with concern upon a tendency in this report to lay, in our view, too great a stress on the competence of coastal States to limit free navigation and too little emphasis on the right of free navigation itself.

26. A reader of the report might receive the impression that Israel's right to free navigation in the Suez Canal rests totally or, at least, primarily on one of the preambular recitals of the Security Council's resolution of 1 September 1951 [S/2322]. We hold that Israel's rights rest on broader foundations than this; these foundations include the Constantinople Convention of 1888,¹ according free passage to the ships of all nations, in peace and war, without distinction of flag; the resolution of the Security Council of 1 September 1951, with special reference to its unconditional operative paragraph; the resolution of the Security Council of 13 October 1956 [S/3675], under which "the operation of the Canal should be insulated from the politics of any country" and freedom of passage should be accorded to all nations "without discrimination, overt or covert"; and the General Assembly resolution [997 (ES-I)] of 2 November 1956, which requires the restoration of "secure freedom of navigation" to follow the cease-fire, and to be applied without any exception or qualification.

27. Thus, even if the 1951 resolution had never existed, Israel's right to free navigation in the Suez Canal would exist unreservedly by virtue of the equality and universality which govern the law of the Suez Canal. We do not believe that Israel's rights to passage in the Suez Canal can be made dependent on one of the several preambular motives on which the 1951 resolution is based.

¹Convention respecting the free navigation of the Suez Maritime Canal signed at Constantinople on 29 October 1888.

28. Paragraph 26 of the report describes the Security Council as having "called upon Egypt to terminate the restrictions on the passage of international commercial shipping and goods through the Suez Canal". This description is correct as far as it goes, but the quotation should be completed by the addition of the crucial words "wherever bound". So that it would read: "commercial shipping and goods through the Suez Canal wherever bound". Paragraph 5 of the Security Council resolution of 1 September 1951 states that:

"... since the armistice régime, which has been in existence for nearly two and a half years, is of a permanent character, neither party can reasonably assert that it is actively a belligerent or requires to exercise the right of visit, search and seizure for any legitimate purpose of self-defence".

The report correctly describes this preambular reference as "a basis"—not the basis—on which the Council called upon Egypt to terminate its restrictions.

29. The fact is that the Security Council's decision to forbid restrictions on the passage of shipping wherever bound is stated in operative paragraph 10 of the 1951 resolution in unconditional terms. The rejection of belligerent rights under the armistice régime is but one of the motives which led to the Security Council's decision. It cannot be said that, if the armistice régime falls into desuetude or is succeeded by any other situation, the right of free passage is suspended.

30. Least of all can my Government admit that its primary right of free navigation in the Suez Canal and the Gulf of Aqaba can be affected by so remote a circumstance as the operation or non-operation of articles VII and VIII of the 1949 Armistice Agreement, dealing with the unconnected and not very momentous questions of El Auja and the defensive areas. Can we forget that the Security Council's resolution of 1 September 1951 was violated by Egypt for years on end even when article VIII of the Armistice Agreement was fully implemented and in force? How then can the restoration or non-restoration of that article today have effect on the validity of the 1951 resolution?

31. In short, Israel's right to use international waterways is not influenced by whether or not Israel forces are in El Auja, which is on the Israel side of the frontier. My Government cannot accept any such relationship between unrelated questions. All those interested in free navigation in the Suez Canal and other international waterways should join us in opposing the idea that such rights of navigation can be dependent on some other issue arising between Egypt and a maritime State.

32. For, if it is accepted that Egypt can deny the Canal to any State by proclaiming unilateral belligerency against it, or by invoking some other dispute with it, then the 1888 Convention is effectively annulled, and every State will have navigation by Egypt's mercy, or not at all. This is not an academic consideration, for here is the last pronouncement from an Egyptian official source on the question of the Suez Canal. It comes from a leading article in *El Gomhouria*, the organ of the Egyptian military group, and it was quoted by the official radio in Cairo on 2 January 1957. It says:

"Whatever happens, the fact remains that the Egyptian people alone control the Suez Canal. The Egyptian people can prevent the passage through the Canal of all ships regardless of nationality."

Surely such statements argue palpably in favour of maintaining the full orthodoxy of the international jur-

isprudence on the unconditional character of maritime rights in the Canal.

33. This leads to our view that no matter what is or what is not agreed between Egypt and Israel concerning the disposition of their military forces in the Sinai desert or in the Negev, Israel's right to maritime freedom is absolute. We deal here with an unconditional right belonging to all nations and not with an act of grace which may be conferred or withheld by the coastal State according to the solution of other, extraneous issues.

34. In making these observations on Israel's rights in the Suez Canal, I recall the report of the Secretary-General of 9 May 1956 [S/3596] in which it is emphasized, rightly, that the Security Council alone has the competence to interpret its resolutions. This was in reply to a request for action to help secure the implementation of the 1951 resolution.

35. I pass to the question of the Straits of Tiran. My Government does not hold that there is a "legal controversy" about its right of innocent passage through the Straits of Tiran. Indeed, this has been one of the few questions on which unanimity has always existed. This unanimity even extends to Egypt itself. In the *aide-mémoire* dated 28 January 1950, handed by the Foreign Minister of Egypt to the United States Ambassador, referring to the occupation of the islands of Tiran and Sinafir, it is stated *inter alia*—and I quote from the original text of the Egyptian communication:

"This occupation was in no way undertaken to stop innocent passage of ships through these waterways separating these two islands from the Egyptian coast of Sinai. It goes without saying that this passage is the only practicable one and will remain free, as in the past, and this is in conformity with international practice and the recognized principles of human rights."²

36. Today is the seventh anniversary of Egypt's acknowledgement of the right of innocent passage in the Straits of Tiran and the Gulf of Aqaba.

37. In addition to these mutually accepted principles of maritime law, we have the primary obligations of the United Nations Charter to refrain from the use or threat of force. These provisions surely forbid the use of force by coastal States against peaceful shipping. Under the Charter, there cannot be a "legal controversy" between the doctrine of free navigation and the claim of a hostile State to shoot at ships passing within its range. The choice between maritime peace and maritime war is not legally open. There can never be a genuine conflict between the legality of innocent passage and the illegality of blockade. The former must prevail over the latter.

38. Moreover, the fact that a commission of the General Assembly has decided procedurally to study a certain topic at a later date does not mean that the established law of the freedom of the seas is suspended, or that there may be an interim sanction for acts of war at sea. The agenda and time-table of the International Law Commission cannot be advanced seriously as an element in this discussion. The fact that the International Law Commission is to consider an item at a later date is entirely without legal relevance to the present.

39. Finally, we do not believe that the right of blockade in the gulf and the straits is admissible provided

that it is exercised with "restraint". My Government has not been able fully to understand the statement that "any possible claims of belligerent rights should take into account the international interests involved and therefore, if asserted, should be limited to clearly non-controversial situations". [A/3512, para. 25.] The implication that there are situations in which Egypt and Israel might assert belligerent rights against each other without controversy is puzzling.

40. To sum up: we rise from a study of this part of the report firmly convinced that international organs should approach questions of navigation with the traditional emphasis on the international interest; on universality; on freedom of passage; on the absence of connexion between maritime freedom and external problems; and without undue deference to alleged rights of blockade.

41. The report deals in detail with the 1949 Armistice Agreement. It is important that we frankly analyse the status of that agreement today. It is important that we ask ourselves the question which the report raises: does this agreement really offer a framework in which peaceful relations between Egypt and Israel can be established?

42. The report admits that the General Armistice Agreement has "deteriorated" (paragraph 15); that it has been "undermined progressively by developments in recent years" (paragraph 15); that "ever-widening non-compliance" with it has developed (paragraph 26); and, by implication, that it has ceased to be operative at all, to the extent that, even after withdrawal behind the armistice lines, it could be considered as operative only in part, since non-compliance would still continue in other substantive clauses. That is the judgement in paragraph 27.

43. The Israel delegation has addressed the Security Council and the General Assembly many times on the events which led to the breakdown of the 1949 Armistice Agreement with Egypt. By the time we had reached the point of explosion in October 1956, Israel was enjoying practically none of its rights under that agreement.

44. We had no "security and freedom from fear of attack". We had no recognition by Egypt of the character of the agreement as a condition leading to permanent peace. The demarcation line offered us no protection against raids, assaults and *fedayeen* incursions. We had no freedom of navigation in the Gulf of Aqaba. We had no free use of the Suez Canal. We had no acceptance by Egypt of our very sovereignty, although this is inherent in the existence of a contract between two Member States of the United Nations. We had direct reason to know that Egypt would refuse to negotiate any agreement for the revision, suspension or replacement of the Agreement in favour of permanent peace.

45. Thus, as armed gangs roamed across our countryside and our commerce was strangled in both international waterways, we realized that every single right, every amenity, every advantage which Israel had a claim to enjoy under the 1949 Agreement was effectively denied to us. At the same time Egypt claimed, and sometimes received, international support in its efforts to secure respect of the agreement by Israel.

46. The rock on which the Armistice Agreement foundered was that of belligerency. For eight years an effort was made to keep this agreement alive in conditions quite incompatible with its existence. These con-

²See *Official Records of the Security Council, Ninth Year, 659th meeting*, para. 103. The original text of the communication was in French.

ditions were the doctrine and the practice of "a state of war"; the claim of belligerent rights; non-recognition of Israel's independence and integrity as a State; and the refusal by Egypt to respect the dynamic and forward-looking character of the Armistice Agreement as a transition to the negotiation of permanent peace.

47. Is it any wonder that this agreement lies in ruins, and that a new edifice is needed within which Egyptian-Israel relations must henceforward grow and develop?

48. The need for a new edifice was clearly perceived by the Secretary of State of the United States, who said from this rostrum on 1 November 1956:

"All of us, I think, would hope that out of this tragedy there should come something better than merely a restoration of the conditions out of which this tragedy arose. There must be something better than that . . . There needs to be something better than the uneasy armistices which have existed now for these eight years between Israel and its Arab neighbors. There needs to be a greater sense of confidence and sense of security in the free and equal operation of the Canal than has existed since three months ago, when President Nasser seized the Universal Suez Canal Company." [561st meeting, paras. 154 and 155.]

49. A similar thought was echoed that same evening by the Foreign Minister of Canada:

"Are we to return" he asked "to the *status quo*? Such a return would not be to a position of security, or even to a tolerable position, but would be a return to terror, bloodshed, strife, incidents, charges and counter-charges, and ultimately another explosion . . ." [562nd meeting, para. 306.]

50. A study of our records leads to the strange conclusion that, three months ago, while hostilities were still raging, there was more forward thinking and less conservatism, more ambition to seek new avenues of peace, less disposition to be satisfied with patchwork expedients, than is expressed in the present report or in some of the speeches heard this morning.

51. On 3 November 1956, Mr. Lodge warned us:

"Let us stop the futile process of patching up previous agreements and understandings, which but serves to provide new pretexts for further provocations." [563rd meeting, para. 37.]

Earlier in his statement, Mr. Lodge had said:

"The instability of the Armistice Agreements is too well known to require comment . . . The armistice, which should have led to a peaceful settlement, has instead given rise to growing provocation and increasing tension, especially since the ominous rearmament of Egypt by the Soviet Union. The abrupt seizure by Egypt of the Universal Suez Canal Company, and the failure thus far of efforts to find a solution to this important problem, have created a situation of deep concern to many nations." [Ibid., para. 23.]

52. With these words in our memory, surely we must at least hesitate before we decree that Egyptian-Israel relations can have no other framework than the 1949 Agreement which Egypt is clearly not prepared to implement, with all its implications of non-belligerency and transition to peace; and which Israel, accordingly, regards as no longer furnishing a basis for its relations with Egypt under the Charter. It is in the light of this

history that we develop our reservation to the remedy proposed in the present report in so far as the legal basis or framework of that remedy are concerned.

53. My Government feels that reliance on a partially operative 1949 agreement is not necessary in order to secure the objectives of withdrawal and permanent non-belligerency in the Gulf of Aqaba and in Gaza. These questions can be solved on their merits and in conformity with United Nations objectives. But we think that there is little value in the partial restoration of an agreement which was meant to be an integrated whole, and which in any case was to be followed by an early transition to peace.

54. In its commendable desire for realism, the report admits that a full restoration is impossible. It says:

"The armistice régime may be considered as operative at least in part, provided forces are withdrawn behind the armistice lines, even if non-compliance were to continue in relation to other substantive clauses of the Armistice Agreement." [A/3512, para. 27.]

55. But, on examination, this thesis of the partial operativeness of the Agreement becomes difficult to sustain. It could, in the strict sense of language, be interpreted to mean that the armistice would be operative if respected by Israel, even if it were violated by Egypt in essential points. That is what the words could mean—certainly not what the intention can be. This idea of a partial recognition of the Agreement would conflict with the principle of the integrality, mutuality and equilibrium of treaties. No State has a duty to respect an agreement which is not totally respected on the other side.

56. For these reasons we strongly doubt whether any system of relations can be established by rebuilding this collapsed structure on the basis of some of its less significant provisions, such as articles VII and VIII. But one truth does emerge from the central thinking of the report. The report admits that fresh agreements are required in any case between Egypt and Israel. Would it not, then, be wise to use such agreements for a serious and stable solution of outstanding security problems, rather than to revive an agreement which has collapsed beyond repair? Since the report admits that many provisions of the armistice agreements now have to be replaced or modified, surely efforts should be directed towards the establishment of a peaceful relationship between Israel and Egypt, rather than towards the restoration of a framework in which belligerency and hostility have flourished.

57. The report deals with the United Nations Emergency Force. The functions of the Force are cautiously and restrictively interpreted. Indeed, the activities of the Force are subordinated to Egypt's consent. I recall that the Secretary-General's report of 6 November 1956 on the Force did contain the seed of a different interpretation, expressed in the following paragraph, which perhaps should now be recalled to mind. The Secretary-General wrote:

"It is further clear that the General Assembly, in its resolution of 5 November 1956, by the reference to its resolution of 2 November, has wished to reserve for itself the full determination of the tasks of this emergency Force, and of the legal basis on which it must function in fulfilment of its mission." [A/3302, para. 8.]

58. In our discussions recently on withdrawal and related problems, we sought to clarify the functions of the United Nations Emergency Force with some precision. At times we understood that its functions might include the prevention of belligerency and that it would remain in any area as long as necessary to discharge that function. This point is still not clear. It is vital and urgent that it be clarified further, for if the entry of the Force were merely the prelude to Egyptian reoccupation, and if the activities and duration of the Force were subject to Egyptian control, it would be hard to envisage it as an effective barrier against the policies of belligerency and blockade which Egypt has for so long maintained, and has, to the extent of our knowledge, not yet renounced.

59. From this consideration of the Secretary-General's latest report, I pass to the question of Israel's proposals for a settlement of the outstanding problems, and of some of those which lie beyond.

60. I first deal with the question of withdrawal from the Sharm El Sheikh area. Here my Government stands for the simultaneous reconciliation of two objectives—the withdrawal of Israel forces, and the guaranteeing of permanent freedom of navigation by the prevention of belligerent acts against shipping in the Straits of Tiran and the Gulf of Aqaba.

61. The need for accompanying the withdrawal of Israel forces by related measures for ensuring free navigation and preventing belligerency is now widely upheld in the General Assembly and in world opinion.

62. Day by day, the international character of this waterway becomes more strongly established. It is being used with increasing frequency by ships of many flags. The guns on the promontory are silent and muzzled. Ships pass north and south without hindrance or delay. Ships of Arab flag now pass between Arab ports on missions of commerce or pilgrimage, with the same serenity as that enjoyed by ships of other nationalities plying between Eilat and ports in the Red Sea.

63. Meanwhile, at Eilat and across the Negev, work has gone forward to complete the link between the Red Sea and the Mediterranean. Soon this new bridge of sea and land will be freely available to the commerce of nations, and Europe and Asia will be liberated from their exclusive reliance on one single fragile connexion between the eastern and western oceans of the world.

64. But all these visions depend upon permanent freedom of navigation. Would we not fall into a tragedy of error if this open waterway were again to become a closed and stagnant lake; if guns were again to be trained on the channel between Tiran and the mainland; if, as a result of attacks on Israel's shipping, a perilous and avoidable conflict were to erupt?

65. Now this, too, is not a vision idly conjured up. For here again we look to the latest pronouncement by Egyptian official sources on Egypt's intentions in the Gulf of Aqaba. This pronouncement comes in the official Cairo radio statement of 16 January 1957, reacting to the apprehension of Israel that an Egyptian reoccupation would involve the restoration of the blockade. Radio Cairo, which is an official governmental agency, stated that "the Israel spokesmen should take this threat seriously; the Gulf of Aqaba is an Arab gulf and will remain such in the future".

66. That, then, is the crux of the problem. I listened with care to the representative of Ceylon—and I fear

that we cannot avoid this question of sequence. We know—because Egypt has told us—that, if we were to withdraw without any effective arrangement, the blockade would be restored, and therefore to advocate withdrawal without any simultaneous arrangement is, effectively, to advocate a blockade. And, since a blockade would inevitably elicit a response, we reach the conclusion that to advocate a withdrawal without related measures would be to advocate a course leading inevitably to the renewal of conflict. That is why the simultaneity of these two objectives cannot be evaded.

67. But, of the concrete problems facing the General Assembly, surely this problem of the Straits of Tiran is the easiest of solution. We have no desire to remain in that strip of territory, and it is Israel's intention to evacuate it immediately upon receiving effective assurances against any interference with the freedom of Israel and international shipping. Israel has no interest in the desolate strip of land on the shore of the straits, but it is our right, on which we insist with full determination, that the blockade should not be restored.

68. There is thus a direct relationship, in law and in fact, between Egypt's blockade of the straits and Israel's occupation of the territory commanding them. Both the blockade and the occupation are anomalies which ought to be liquidated simultaneously. If Egypt practices warfare against Israel from those positions, then Israel's reciprocal right to defend itself against that warfare cannot be contested.

69. Reciprocity is the key to this, as to so many other problems. If, under the doctrine of a state of war, you condone Egypt's right to practise blockade against Israel, then, under the same doctrine of a state of war, you cannot refuse Israel's right to prevent that blockade. Freedom of navigation on the seas and in the straits is a basic principle of international law. So, also, is the principle that there shall not be occupation by one country of the territory of another against its will.

70. Israel's case is that both these principles should be vindicated together. The blockade and the response to the blockade should be simultaneously annulled; and, because there is an international interest both in freedom of navigation and in the prevention of hostility between Israel and Egypt, we turn to the United Nations to liquidate each of these symptoms of hostility and to provide the physical means for ensuring permanent freedom of navigation in this international waterway.

71. The best solution of this problem would be for the countries—four of them—bordering on the gulf to sign a treaty safeguarding freedom of navigation for all ships, wherever bound, without distinction of flag. Until such time as a solution of this kind became practicable, the problem would be solved if the General Assembly would decide that the United Nations Emergency Force should assure freedom of passage, and that it should not leave the coastal strip until a final settlement was obtained between Israel and Egypt, or until some special arrangement on permanent freedom of navigation in the Gulf was reached in an agreement between Israel and the other interests concerned. My delegation believes that the General Assembly could take this decision.

72. Is not our position, by any objective standard, a position of moderation, of conciliation, of elementary prudence and of mature international responsibility? If the United Nations will simply decide to place its forces on this coast for the purpose of ensuring free navigation

until a permanent agreement for freedom of navigation is reached, then the problem will have been solved.

73. The problem of Gaza is admittedly one of unique complexity, and there is no reason for surprise if Israel's proposals for an interim solution appear complex. We are convinced, however, that this plan is more conducive than any other to peaceful relations between Egypt and Israel; to the security and welfare of the inhabitants of Gaza and of adjoining Israel communities; to the prospect of solving the refugee problem; and to the avoidance of the tensions and hostilities which have in recent years made Gaza a focal point of danger to Middle Eastern peace.

74. Let me summarize the elements of our plan.

75. First, out of consideration for the position taken by the General Assembly, and in deference to the principle of the demilitarization of Gaza, Israel has no intention of maintaining armed forces in the Gaza Strip and does not believe that there need be any military forces there at all.

76. Second, we advocate that a suitable relationship be established between the present administration and the United Nations.

77. Third, we counsel most earnestly against any attempt to disturb or uproot the present arrangements in the area, which ensure, at a level not previously experienced, public services in health, education, electricity, irrigation, communications, agriculture, trade and industry, and internal security.

78. I understand that it is this third point—the maintenance and development of these various links between Gaza and Israel—which causes some difficulty to representatives here and their Governments. I should therefore like to explain why we believe, on careful scrutiny, that this course should be confirmed.

79. It has nowhere been questioned that the Egyptian occupation was an era of disaster for the people of Gaza and for their Israel neighbours. The Gaza Strip was the chief springboard for murderous attacks against the people of Israel. It was the nest of *fedayeen* units. It was a scene of destitution, squalor and hopelessness, for the Egyptian administration made no efforts to integrate this area into the life of Egypt, or to provide amenities or hopes of progress for its inhabitants. If Egyptian rule were re-established, either directly or following a period of United Nations Emergency Force control, all constructive prospects would be locked, and the Gaza Strip would revert to isolation, lawlessness and destitution, to its own misfortune and that of all the adjacent area. There would merely be re-established an Egyptian colony on foreign soil, cut off from its natural economic hinterland.

80. To illustrate this theme beyond the information contained in our *aide-mémoire*, I want to describe some elements of the reviving life in Gaza which the General Assembly should strive not to extinguish.

81. The connexion of Gaza with Egypt, as I have pointed out, was the artificial result of the Egyptian aggression of 1948. While the Armistice Agreement conferred certain rights on the Egyptian invading army in Gaza, which I presume nobody would now suggest should be restored, the Agreement did not require Egyptian civilian control. There is no compulsion in international law, past or present, in favour of restoring Egyptian administrative control to the Gaza area. The

administrative control was merely the consequence of a military position. If the military position is not restored, there is no necessity in law to restore the administrative position.

82. The facts of Gaza's geography should be borne in mind. The distance from Gaza to Tel-Aviv is 40 miles, to Jerusalem about 45 miles, to Beersheba about 30 miles, and to Cairo 250 miles. A broad desert separates the Gaza Strip from Egypt. On the other hand, Gaza and the Israel villages surrounding it are part of a single topographical region.

83. The Gaza Strip is primarily a purely agricultural area. Egypt is also an agricultural country, and thus cannot absorb the agricultural production of Gaza. On the other hand, the Israel economy is industrial in character and Israel is a natural market for the agricultural surpluses of the Gaza Strip.

84. The main agricultural problems are irrigation and the introduction of industrial crops. Irrigation would make possible the conversion of the present extensive methods of cultivation to intensive agriculture and the introduction of more profitable crops. There is work on the plan for bringing water to the Gaza Strip from the Yarqon, *via* the Negev pipeline. The first pipeline will be completed in March, and by the summer between 6 and 7 million cubic metres of water will be brought to the strip, which will make possible the irrigation of thousands of dunams.

85. There is similar progress, which I will not detail, in other aspects of Gaza's economic and social life. Citrus exports from Gaza are reaching European markets. Local industrial produce finds a market in Israel. Social welfare services, training centres, and other related services are in full operation. The tragic scarcity of health services, doctors and nurses is now being remedied. Primary schools in the area have been reopened. Local authorities in Khan Yunis, Deir el-Ballah and Rafah are maintaining their own development projects. Local Arab residents are taking an increasing share in the administration of the area, and 1,200 of them, including police, teachers and agricultural workers, are employed in the administration of the area.

86. Remembering the misery to which the people of Gaza have been condemned for eight years and the complete sterility of their life, the General Assembly, in our submission, should reflect very carefully before it recommends the destruction of all these natural links which integrate Gaza into the life of an economy and a society larger than itself. Let it be recalled that we are both willing and desirous that all this activity should continue in full association and relationship with the United Nations; that is to say, within a framework of international responsibility.

87. Nor do we consider that the interests of the Gaza population should be ignored. That population is following these discussions with alertness and vigilance. On 24 January, the chairman and the members of the Rafah council published their appreciation of the order, peace, tranquillity and normalcy restored to their township; and welcomed the declaration that the present administration in the area would continue. The council at Khan Yunis, the council at Deir el-Ballah, and the advisory committee representing the Gaza population have similarly testified to their earnest desire to see these development processes maintained. In none of these communications did the representatives of the Gaza population express themselves on political or judi-

cial matters. But, having been starved of any social respect or economic independence for eight years, they are reluctant to see Gaza revert to its former state, or to become economically stunted unit, cut off by international forces from any links with its natural economic hinterland.

88. If these administrative processes were to continue in due relationship with the United Nations, a solution would have been found to the problems of security, to the economic problem, and ultimately to the problem of the refugees.

89. While we do not underestimate the importance of the formal and juridical questions discussed in the Secretary-General's report, the problem of Gaza is essentially one which touches the welfare of the people, rather than the nature of documents. We believe that the General Assembly has the power to provide a legal sanction for such arrangements in Gaza as are, by common and unchallenged consent, the most conducive to the security and welfare of its people. I refer to the present administrative arrangement in Gaza. The United Nations should not close the door on this prospect, or recommend measures which would condemn the Gaza area to a further period of isolation and despair. The way should be kept open for further study of the proposals which my Government has submitted and which the people of Gaza manifestly support.

90. These communications from the representatives of Gaza fully confirm the general trend of the report by Colonel Nelson to the Secretary-General [A/3491], which was published a few weeks ago. This also referred to their interest in the maintenance of the present development processes.

91. A few words on the Suez Canal before my conclusion. We notice reports of progress in the physical clearance of the Suez Canal. It must surely be taken for granted that this international waterway cannot be opened by United Nations action and remain closed to any Member State. It is vital that the Canal be opened under a régime of law and not under the system of illegal discrimination which has prevailed for the past two years. We notice with anxiety that the withdrawal of non-Egyptian troops from the Canal has not been followed by the commencement of any hopeful negotiations which might provide a system for the Canal in which the maritime nations could have a sense of confidence and independence.

92. Behind the solution of these concrete problems, Israel aspires to a new system of relations between Egypt and itself. We do not hold that the inoperative character of the 1949 Armistice Agreement means the existence of a state of war, and we are ready to confirm this position by signing an agreement of non-belligerency and mutual non-aggression with Egypt immediately.

93. The proposals which we have put forward for Sharm El Sheikh and Gaza involve the withdrawal of our military forces, thus conforming with the objectives of the General Assembly. We urge that, by adopting related measures on the lines that we have submitted, the General Assembly enable the withdrawal of forces to become a link in a chain of constructive developments leading to the future.

94. In presenting these views to the General Assembly, we remind the world of the essential simplicity of our case. The things we seek are simple things. We seek no Egyptian territory, we threaten no Egyptian interest. We seek to live without our men, women and children

being liable to sudden death springing at their throats from Gaza and elsewhere. We wish our homes in the Negev and the coastal plain to maintain the peace which they have known for three months and not be brought back into the inferno which any prospect of Egyptian occupation would involve. We seek to have our ships sail freely, equally with others, on international waterways. We want our lawful access to our own ports. We want to be able to develop our trade and commerce with all nations, free from the warlike strangulation of blockade.

95. Are these immoderate or exorbitant demands? These things are our rights. They are not acts of grace. Let us have these rights and we shall respect the rights of others. Our proposals are nothing but a programme to ensure that the respect of Egypt's rights by Israel shall be accompanied by a reciprocal respect for Israel's rights by Egypt.

96. In conclusion, I note that the Secretary-General in his report points out that the immediate issues at stake are practically all "complicated and delicate". By discussing them seriously and in a conciliatory spirit, without rancour or denunciation, the General Assembly can contribute effectively to their solution.

97. It must be recognized that most of the longer-term issues facing us can be solved not by a return to old agreements, but only by the direct contact and agreement of the two Governments concerned. Let us at least learn in the debate where Egypt stands. Does it still maintain a state of war and a right of blockade? If not, then we face an easier, a different juridical situation. In the absence of direct contacts or some such clarification of Egypt's basic attitude, there are infinite dangers of deadlock.

98. To promote direct settlements of immediate and, thereafter, of long-term problems is the central purpose to which the General Assembly should now move. The futility of a belligerent relationship must surely be grasped by Egypt, as it always has by Israel. A structure of peaceful relations cannot arise in full perfection overnight, but the General Assembly can, by forward-looking action, lay its foundations in firmness and strength.

99. Mr. SERRANO (Philippines): We are back again to this very vexing and perplexing question of the Arab-Israel dispute.

100. We have before us the report of the Secretary-General of 24 January 1957 [A/3512], which makes reference to his previous report of 15 January 1957 [A/3500 and Add. 1]. In order to approach these reports intelligently and to determine possible positions available to this body or to another appropriate organ of the United Nations, it seems to me necessary that we should keep distinctly in mind the following: first, the terms of the basic Assembly resolutions from 2 November 1956 to 19 January of this year; secondly, the position of the parties to the question—the position of Egypt and the position of Israel; thirdly, the position of the Secretary-General and of the United Nations Emergency Force in the light of the terms of the Assembly resolutions by which UNEF was created and organized and by which the Secretary-General was entrusted with certain specific responsibilities in connexion with the hostilities; and fourthly, what this Assembly can do and cannot do in the light of the present state of affairs.

101. If we keep clearly in mind the juridical relation and the link among these four fundamental factors I

have mentioned, I hope that we may be able to avoid the possibility of confusion and to view the situation with a degree of clarity.

102. In his report of 15 January, the Secretary General made mention of the fact that, on the basis of previous resolutions, discussions had been held between himself and the representatives of the Government of Israel with a view to securing full compliance with the terms of the Assembly resolutions as far as the withdrawal of forces was concerned. We were told that in several communications made by the representative of Israel certain withdrawals had been announced: first, on 3 December 1956; secondly, on 7 and 8 January 1957, and thirdly, on 15 January. Moreover, on 14 January, the representative of Israel also announced intended further withdrawals by 22 January of this year.

103. It was also stated in the report of the Secretary-General that there would be meetings between the Commander of UNEF and the Commander of the Israel forces for carrying out these intended withdrawals. We were informed that at those meetings the Israel Commander would be requested by the UNEF Commander to define precisely the extent of the so-called Sharm El Sheikh area and the strip on the western coast of the Gulf of Aqaba.

104. By and large, the first report of the Secretary-General emphasized the urgency of the completion of the first necessary phases of withdrawal, pointing out that, under the terms of the Assembly resolutions, particularly that of 2 November 1956, whose provisions were finally reiterated on 19 January 1957, there was need not only for a cease-fire, but also for the complete withdrawal of the forces behind the armistice lines and, finally, for the scrupulous observance of the terms of the Armistice Agreement. Great emphasis was placed by the Secretary-General on the completion of these necessary phases under the Assembly resolutions as steps leading to a more permanent and satisfactory solution of this intractable problem.

105. The report of the Secretary-General now before us, which is an extension of his original report, states that Israel had not fully complied with the Assembly resolution [1123 (XI)] of 19 January at the time of the expiration of the time limit therein stated. Here he reaffirms his views on the urgency of the conclusion of the first phases as contained in the Assembly resolutions. With respect to the limits of the United Nations action, he lays down three fundamental criteria which he considers as non-controversial.

106. On the matter of the Gaza Strip, he makes the categorical statement that the *de facto* situation in the Gaza area under the armistice must be enforced and that no alteration of what he calls the *status juris* therein would be tolerated under the terms of the Assembly resolutions. Nevertheless, he states that even if the *de facto* situation in the Gaza area is to be maintained, it is understood to be without prejudice to the assertion of any rights or claims, custodial, military or otherwise, as provided for in specific terms under the Armistice Agreement. Because of this, the Secretary-General expresses the view that, in so far as the Israel offer of some kind of administration in Gaza is concerned, with some form of suitable relationship with the United Nations, such a proposal cannot be accepted, the reason being that it would require an alteration of the *status quo* in the Gaza Strip as it existed under the Armistice Agreement.

107. The report also recommends the reaffirmation of a non-aggression agreement between the parties as contained in article I of the Armistice Agreement. To this effect, the Secretary-General recommends the implementation of articles VII and VIII of the Armistice Agreement in connexion with the defensive areas and the continued demilitarization of El Auja. He then concludes that it would require the stationing of UNEF in Gaza, El Auja and on the Israel side of the armistice demarcation line in so far as the zone is concerned.

108. On the matter of the Sharm El Sheikh area, the Secretary-General neither accepts nor denies the Israel position. He makes mention, however, of the resolution of the Security Council of 1 September 1951 in connexion with the restrictions imposed by the Government of Egypt on Israel shipping in the Suez Canal; and he states that it was found by the Security Council that, as the Armistice Agreement had continued in force for two and a half years at the time that resolution was adopted, it had acquired a more or less permanent character such as would preclude the assertion or the exercise of any of the belligerent rights of the parties. And he concludes that, on the basis of the finding of the Security Council—if the conditions still exist upon which that finding was predicated—neither party now can exercise or assert belligerent rights. He therefore asks the parties not to exercise these rights of belligerency in the Gulf of Aqaba or the Straits of Tiran.

109. These, in brief, are the contents of the report of the Secretary-General.

110. The position of Egypt, as we see it, is simple. Egypt simply wants the complete withdrawal of Israel forces behind the demarcation lines, in accordance with the terms of the General Assembly resolutions, and adds that this withdrawal permits of no conditions whatsoever.

111. On the other hand, the Government of Israel poses three principal issues as far as the withdrawal of its forces is concerned.

112. In connexion with the Gaza Strip, it proposes that a system of Israel administration now in effect be continued subject to a suitable relationship with the United Nations. It avows that it has no territorial designs over the Gaza Strip and accepts the position that there is need for the withdrawal of its forces from the Gaza Strip.

113. On the other hand, in connexion with the withdrawal from the Sharm El Sheikh area, two conditions are imposed by Israel: first, that a satisfactory guarantee is given on mutual abstention from the exercise of acts of belligerency; and secondly, that the right of navigation in the Gulf of Aqaba and the Straits of Tiran is ensured, either in the form of a private agreement between Egypt and Israel or by some kind of an international agreement.

114. Thirdly, with respect to the Suez Canal, Israel wishes to impose the condition that its right to free navigation there, as provided by the resolution of the Security Council of 1 September 1951, and broadly on the basis of the Constantinople Convention of 1888, be fully guaranteed.

115. I have noted with some regret the dissatisfaction of the representative of Israel over the Secretary-General's report. His statement today somehow confirmed the press reports this morning attributing to a spokesman of Israel words to the effect that the report was "negative", "unconstructive" and "a masterpiece of ob-

curity". I hope these words do not officially represent the views of the Israel Government.

116. I must state in this connexion that any criticism by the Israel Government of the present report is based on what I believe is a misapprehension of the position of the Secretary-General; the Israel Government appears to be expecting too much from the Secretary-General, beyond the legal position that he has under the Assembly resolutions. We must not lose sight of the fact that the Secretary-General assesses his responsibilities in the present question in the light of the resolutions of the General Assembly and of his report of 6 November 1956, confirmed by this body. We cannot expect him to do more than what he is entrusted with by this Assembly under its resolutions.

117. Basically, we repeat that the Assembly resolutions call for four things: a cease-fire; the cessation of hostilities; abstention from military raids and military incursions; and scrupulous observance of the terms of the armistice agreements.

118. The United Nations Emergency Force was created and organized to give effect to the terms of these resolutions. It was expressly stated in the resolution [1000 (ES-I)] creating this United Nations Force that it was intended to implement these terms. Therefore, considering the position of Israel with respect to the Gaza area, could Israel expect the Secretary-General in his report to act on that proposal?

119. Before we come to this, I would wish to refer to the part of the Secretary-General's report where he states that the Israel proposal for the continuation of Israel administration in the Gaza Strip, accompanied by suitable relationship with the United Nations, cannot be accepted. I have no doubt that the Secretary-General had in mind the definition of the functions of the Force which he set out in his report of 6 November 1956:

"It is further clear that the General Assembly, in its resolution of 5 November 1956, by the reference to its resolution of 2 November, has wished to reserve for itself the full determination of the tasks of this emergency Force, and of the legal basis on which it must function in fulfilment of its mission." [A/3302, para. 8.]

In paragraph 9 he added:

"While the General Assembly is enabled to establish the Force with the consent of those parties which contribute units to the force, it could not request the force to be stationed or operate on the territory of a given country without the consent of the Government of that country."

In my view, that was the part of the earlier report which the Secretary-General had in mind when he made the following statements in his present report:

"These considerations exclude the United Nations from accepting Israel control over the area"—meaning the Gaza Strip—"even if it were of a non-military character. They would also exclude the deployment of the UNEF necessary, in the absence of Israel troops, if such arrangements as those proposed by the Government of Israel were to be implemented."

"Any broader function for it in that area, in view of the terms of the Armistice Agreement and a recognized principle of international law, would require the consent of Egypt." [A/3512, paras. 13 and 14.]

120. If I correctly interpret the views of the Secretary-General regarding the necessity of obtaining the consent of Egypt for the assumption of functions by UNEF beyond what is expressly provided in the Armistice Agreement, and with reference to what he stated in his report of 6 January, I must say that there could be a point of disagreement in this respect. The question that arises is this: when UNEF enters the Gaza Strip soon after the withdrawal of the Israel forces, can the Gaza Strip be regarded as Egyptian territory in such a way as to require Egypt's consent for the further stay and deployment of UNEF there?

121. For the present, it should be noted that before the occupation of the Gaza Strip by Israel forces, Gaza was under the military control of Egypt, but was not therefore a part of the territory of Egypt. It was under the control of Egypt as a result of the Palestine war. If we are to interpret the words "territory of a State" in the Secretary-General's report, we must in this connexion recall the partition. Under the partition, the Gaza Strip was a part of the Arab State and not of Israel. Necessarily it was also not a part of Egypt.

122. Therefore, if the legal and juridical link is to be established by the Secretary-General between this report and his previous report of 6 January, with reference to the consent of the State of a territory wherein these units may be stationed, the basis is erroneous. With respect to Egypt, Gaza is not its territory, and the consent of Egypt is not necessary for the continuance of UNEF in that area. Neither is the consent of Israel necessary, because, under the partition, Gaza was a part of the Arab State and not a part of Israel or Egypt. In this respect, therefore, I am not quite in agreement with the conclusions arrived at by the Secretary-General.

123. In connexion with the withdrawal of Israel forces from the Gaza Strip, the question is not whether Egypt or Israel should or should not give its consent, but whether the Assembly can do something and, if not, whether any other appropriate organ of the United Nations can do something. The question will then arise: what will be the functions of UNEF when it enters the Gaza Strip? I have stated that UNEF was established for four purposes: to ensure a cease-fire, the cessation of hostilities, abstention from mutual incursions and raids, and the scrupulous observance of the Armistice Agreement. In the Secretary-General's report defining the functions of UNEF, it is to be temporary in character.

124. In the light of the Israel proposal—and I do not ask members to accept it or to reject it, but merely to determine the juridical basis of any action that may be taken thereon—I am of the opinion that, in as much as the Gaza Strip has been occupied by Israel in connexion with these hostilities, it now devolves upon the General Assembly, if it wants to effect some kind of permanent solution, to redefine the functions of UNEF in occupying Gaza. To the extent that UNEF lends itself to the scrupulous observance of the Armistice Agreement, it will be performing a function which requires no further definition by this Assembly, because that function has already been defined by the resolution [997 (ES-I)] of 2 November 1956. However, if UNEF has to continue in the Gaza Strip for some period of time, with a view, for example, to preventing the recurrence of military raids between Israel and Egypt—perhaps indefinitely—then there is need for the General Assembly to determine now whether it should redefine the functions

of UNEF in the light of the Assembly resolutions which we have already adopted and in the light of what we want to do in the Gaza Strip, if we want to do something.

125. I would repeat that neither the consent of Israel nor the consent of Egypt is necessary in the performance of the functions of UNEF in Gaza, so long as those functions are related to the terms of the resolution [997 (ES-I)] of 2 November 1956, as reiterated in other resolutions of the General Assembly. Indeed, if such consent is necessary on the part of Egypt, I would say that it is already presumed by the fact that Egypt voted in favour of those resolutions.

126. I do not say that this Assembly should reject or accept the proposal of Israel on Gaza. As a matter of fact, if we consider the *aide-mémoire*, the statement of the representative of Israel is that such a scheme has been offered only for study and comment by this body and not as a definite proposal. How good that scheme is I do not know. In my view, it takes the form of some type of trusteeship, although the representative of Israel did not qualify it as such. It appears to be in the nature of a perpetual trusteeship, without any termination date and with some kind of relationship with the United Nations. But if it is intended by this body to have UNEF in the Gaza Strip to prevent the possibility of the recurrence of conditions in which each party accuses the other of military incursions, it is essential for this body to redefine the functions of UNEF.

127. In connexion with the Gulf of Aqaba and the Straits of Tiran, there are two conditions which are imposed by Israel: the simultaneous guarantee of abstinence from acts of belligerency and the guarantee of the right of free navigation therein. The position of Israel involves two parts, one which is related to the General Assembly resolutions and the other which is entirely alien to them. In so far as the Assembly resolutions call for the withdrawal of Israel forces from the areas occupied by them, the proposal has relevance; but in so far as it mentions freedom of navigation in the Gulf of Aqaba and the Straits of Tiran, it has absolutely no relevance to the said resolutions.

128. I must state in this connexion that the Assembly is considering this question as a result of the outbreak of hostilities on 29 October 1956. The Assembly does not have general jurisdiction over the question of Palestine. Indeed, the only organ of the United Nations which has exclusive jurisdiction over this issue, apart from the actions resulting from the events of 29 October, is the Security Council. Therefore the General Assembly, in my view, cannot consider any proposal or any part of a proposal which does not fall within its appropriate jurisdiction. As the proposal of Israel touches on freedom of navigation in the Gulf of Aqaba and the Straits of Tiran, I am afraid that it cannot validly be considered by this body. All that the Assembly can do is to determine the question of the withdrawal of forces from the Sharm El Sheikh area.

129. I do not say that the position of Israel is not legitimate. If Israel feels that freedom of navigation in the Gulf of Aqaba and the Straits of Tiran is essential to its security and peace, and that it is a matter that may constitute a threat to international peace and security, I would say that Israel is at liberty to present the question before the Security Council, apart from the question of the withdrawal of Israeli forces from the Sharm El Sheikh area. That, in my view, is the correct

juridical position, and it seems to me that this is the only way in which we can solve this question properly.

130. I would also say, in connexion with the position of Israel on the question of free navigation in the Suez Canal, that this is a matter that unhappily this Assembly cannot consider in the present state of affairs. It is a question that must be raised, again by Israel, before the Security Council.

131. It must be noted that the resolution of the Security Council of 1 September 1951, which was the immediate source of the right invoked by Israel on the elimination of restrictions against Israel shipping in the Suez Canal, was an action taken before the opening of hostilities on 29 October 1956, when, owing to the lack of unanimity in the Security Council, this Assembly took jurisdiction in this matter. However, the only action that this Assembly can take is such as is legally relevant or as arises out of the hostilities that began on 29 October. Beyond that, this Assembly cannot arrogate to itself a function which belongs properly to another organ of the United Nations. I say—and I do not comment upon that right, as it has been the consistent position of my delegation to pursue an objective analysis of the situation—that the question of the right of Israel to unrestricted shipping in the Suez Canal cannot be raised here but must be raised by it before the Security Council.

132. I therefore come to the following conclusions.

133. First, in connexion with the present report of the Secretary-General, which unhappily is now the subject of criticism by the Government of Israel, I must state that the views expressed by the Secretary-General therein are limited to his assessment of his responsibilities and duties and those of the UNEF under the basic Assembly resolutions. He, therefore, cannot be expected to go beyond the responsibilities as defined for him and UNEF by those resolutions.

134. On the other hand, it must not be forgotten that the Secretary-General had functions assigned to him other than those arising from the Assembly resolutions. It should be recalled that the Secretary-General was brought into this picture earlier in 1956. He submitted his report to the Security Council, which discussed it and adopted a resolution, on 4 June 1956 [S/3605], which in its operative paragraphs 4 and 7 provided as follows:

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

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

135. Therefore, as far as the Palestine question is concerned, the Secretary-General has two sources of obligations: the Assembly resolutions and the Security Council resolution of 4 June 1956. If the Secretary-General feels that, under the Assembly resolutions, he cannot do certain things, as indicated in the present report, he might perhaps do those things under the authority given him by the Security Council resolution of 4 June 1956.

136. To illustrate this, I would point out that the Secretary-General's present report indicates his belief that there is a need or advisability for both parties to

reaffirm the provisions of article I of the Armistice Agreement with respect to the guarantee of mutual abstention from attack by land, air or sea. As I see it, there is no need for the Secretary-General to recommend the reaffirmation of that provision, because under the resolution of the Security Council he himself can require the parties to make such a reaffirmation if he believes that it will ease whatever misgivings Egypt and Israel may entertain on the situation.

137. Thirdly, what the Secretary-General cannot do under the Assembly resolutions or under the resolution of the Security Council, perhaps this Assembly or the Security Council might do, according to what might be appropriate in the circumstances. It is essential to determine this in order that there may be no room for misapprehension.

138. Fourthly, Israel's proposal in regard to the Gulf of Aqaba and the Straits of Tiran regardless whether it is justified or unjustified, is a matter that in my view may be acted upon only by the Security Council, that is, in so far as navigation therein is concerned, leaving to this Assembly the matter of the withdrawal of Israel forces without any conditions whatsoever. The same is true with regard to the Gaza area. In so far as the armistice is to be observed in the Gaza area, and if there is need for maintaining UNEF there for the purpose of avoiding a repetition of military incursions by both parties there, the Assembly can in my view redefine the functions of the UNEF so as to meet the situation.

139. A reaffirmation by the parties of article I of the Armistice Agreement, in so far as there is a mutual guarantee that neither of the two parties will attack each other, being an essential condition for transition to a permanent peace in the area, can be required by the Secretary-General, not under the present Assembly resolution but under his duties in connexion with the resolution of the Security Council.

140. Lastly, there is, in my view, a need for a revision of the Armistice Agreement in order to bring about greater stability and to reduce misgivings on the part of the parties concerned. The revision of the Armistice Agreement is permissible and can be done under article XII of the Agreement itself, which specifies three procedures for revision. The first is by the mutual consent of the parties. The second is that, if mutual consent cannot be secured, one of the parties may call upon the Secretary-General, who in turn will call a conference of the representatives of both countries, and such a conference becomes obligatory upon both parties. Thirdly, if no agreement can be secured in that conference, the matter may be brought to the Security Council.

141. I believe that the maintenance of the Armistice Agreement following the withdrawal of forces behind the armistice lines is the objective that we must now attain. In the opinion of Israel, there is no use going back to a situation which may only revive a potential source of danger between the two parties. That, in my view, is a correct statement, because for a number of years we have been witnesses to the mutual charges of violations of the armistice. And while it is essential, as an initial step to bringing peace into the area, to withdraw all the forces behind the armistice lines, the revision of the Armistice Agreement becomes equally necessary if we are to look for a more stable and permanent solution for that area. Since the parties are being called upon to revert to the Armistice Agreement, there is need for improving it.

142. In my view, revision can be effected along the following lines. First, we can eliminate the defensive forces provided for in the Armistice Agreement. These defensive forces have not in fact been used for real defense purposes. If we are to believe the mutual recriminations of both parties, these defensive forces have become only forces of mutual attack. I do not see any necessity for their further maintenance. They can be eliminated.

143. Secondly, the demilitarized zones might be enlarged in dangerous areas between Israel and Egypt, and the functions of the United States Emergency Force might then be redefined with a view to its occupying the demilitarized areas and thereby maintaining peace between the two countries until a more permanent settlement can be achieved between them.

144. These are the brief views of my delegation, and it is our hope that the clarification of the juridical aspect of the situation, as well as the need for filling a potential vacuum in the armistice régime, may help to bring about a more rational solution for the problems connected with this issue.

145. Mr. DEJANY (Saudi Arabia): When we met to discuss the Secretary-General's report, from 17 to 19 January, the real intentions of Israel about the withdrawal of its forces were clear to many delegations, including my own. Several delegations felt, in view of the Secretary-General's oral report on 21 December 1956, [632nd meeting] when he had stated that a date falling between 13 and 27 January 1957 for the complete withdrawal of Israel forces was unacceptable to him, and in view of the fact that 22 January had been designated by Israel as a date for withdrawal only up to a certain point in Sinai and no more, and in view of Israel's declarations about its position with regard to Sharm El-Sheikh and the Gaza Strip, that the time had come when the Assembly must take more vigorous action in order to bring about compliance with the General Assembly's resolutions by Israel, as they had been complied with before by the United Kingdom and France.

146. With that object in mind, we prepared a draft resolution, which in our view was appropriate and necessary in the light of the facts as they stood then. A number of delegations, however, showed a desire for affording Israel a little more time to reconsider its position. We did not wish to prejudice any possible chance, which a number of representatives felt existed, for the attainment of the complete withdrawal of the Israel forces behind the armistice lines in accordance with the resolutions of the General Assembly. In that spirit of co-operation, we agreed to an extension of a few more days, to enable the Secretary-General to continue his efforts, in the hope that they would bring about the achievement of that objective.

147. It was in that spirit that my delegation joined in sponsoring that mild resolution which was adopted on 19 January [642nd meeting] by 74 votes to 2, with 2 abstentions. During the debate which preceded the adoption of the resolution, a large number of delegations expressed themselves clearly and strongly in support of the unconditional withdrawal of the Israel forces. The general debate conveyed to Israel a unanimity of thought among the delegations on this point. Many expected that Israel would comply in the face of this unanimity and in view of the seriousness of the situation which would be created by its continued defiance of the General Assembly's resolutions.

148. Many delegations had faith in Israel. It seemed that they did not believe that Israel, of all the States, would defy such an overwhelming majority view in the General Assembly. They seemed to recall and to rely upon Israel's high regard for the position of the General Assembly as expressed in Mr. Eban's words in the First Committee in 1948, when he said that Israel represented the fulfilment of the Assembly's will; it had come into being at the behest of the United Nations; it was an encouraging example of a case in which the Assembly's recommendations had been faithfully carried out; its right to existence rested on a sound juridical basis because it had been ordained by the highest organ of the United Nations.³ It was felt that if Israel proclaimed that it owed its existence to the "highest organ of the United Nations", it certainly would not defy resolutions adopted by such an overwhelming majority, by that highest organ of the United Nations.

149. It must have been sobering for those delegations to note, however, the defiance of Israel, its utter disregard for the pleas of the United Nations, and its challenge to United Nations authority.

150. The report of the Secretary-General [A/3512] is now before us. It states that, at the expiration of the time limit, Israel had not fully complied. The word "fully" seems to refer to the withdrawal which Israel had stated earlier that it would make by 22 January, and beyond which it will not go. The intention of the resolution was essentially that the withdrawal should cover the Sharm El Sheikh area and the Gaza Strip, the areas which Israel had refused to evacuate unconditionally. In effect, therefore, there was no modification in the position which Israel had maintained on 19 January, and which led to the adoption of that last resolution.

151. The *aide-mémoire* [A/3511] containing Israel's refusal to comply includes nothing more than we heard in this hall when this item was last discussed. It is an arrogant challenge and shows contempt for the authority of the United Nations.

152. It must have become clear now to all delegations, beyond any shadow of doubt, that Israel had made up its mind, from the beginning, not to withdraw from those two areas. Its exceedingly slow withdrawal in the early stages was not dictated by any legitimate considerations or necessity. It was a deceitful approach meant to win time. Time was needed to cover and minimize the acts of genocide and other atrocities which the Israel forces and authorities had committed against the peaceful inhabitants of those areas. Time was needed to fabricate a set-up to be advanced to the world as being one which neither Israel nor the area could do without. Time was needed for a cooling-off period, for the exploitation of the international situation, for a full-scale propaganda campaign. It was needed to concoct and fabricate excuses.

153. The position of my delegation on this whole issue of the tripartite aggression against Egypt, and its consequences, has not changed. We condemn it just as strongly today as on the day when the armed forces of the three aggressors began the invasion. The same principles which led to the condemnation of the aggression and the rejection of all the explanations advanced in justification of it should be upheld more strongly now to resist any possible attempt to gain advantages for the aggressors; otherwise, the aggression, in the end,

will be considered as having been justified in the first place. That would amount to a flagrant violation of the Charter. It would amount to establishing a precedent which would surely mean the end of the United Nations and its Charter.

154. There are many trouble spots all over the world today, in the Middle East as well as in other parts of the world. There are a number of burning issues between nations today, and it is certain that more will spring up in the future. We cannot see a greater threat to the United Nations and its prestige and authority than in conceding in any degree to the principle that an aggressor State, if it shows arrogance, cunning and defiance, will in the end receive the blessing of the United Nations for the achievement of its aggression. We cannot understand the endeavour of any delegation to minimize the dangerous consequences of attempts to appease the ever-increasing appetite of Israel.

155. My delegation maintains very strongly that the Israel allegations which it advanced in justification of its aggression against Egypt are greatly exaggerated or unfounded and are essentially the product of a systematic propaganda which has been going on for years. Its objective is the implementation of its expansionist policies.

156. In my last intervention in this Assembly [641st meeting], I referred to a statement by a military correspondent to a leading newspaper upon his return from Israel where, he said, many Israelis now admitted that before Israel's invasion of Egypt there had been no actual military indication of any imminent Egyptian attack.

157. The representative of the United States recalled in the Security Council [748th meeting] the second personal appeal which President Eisenhower had sent to Mr. Ben Gurion, in which he stated that he had no reason to believe that its Arab neighbours had taken any step justifying Israel's action. Indeed, President Eisenhower's appeal to which the representative of the United States referred was based on facts. It would not have been incorrect if Mr. Ben Gurion had been told that the facts on the record would fully justify an opposite conclusion; one which would give ample justification for a reverse attack—an attack on Israel rather than by Israel.

158. I should like to invite the representatives to cast a brief look at the record covering the twenty-one months' period which preceded the tripartite aggression against Egypt. There has been no official tabulation to show the number of casualties in relation to Israel and each of the four Arab States surrounding it. Fortunately, there is an official record which gives the totals.

159. According to the report of General Burns, Chief of Staff of the Truce Supervision Organization, dated 17 October 1956 [S/3685], the total number of military and civilian casualties suffered by Egypt, Syria, Jordan and Lebanon in 1955 were 297 killed, 222 wounded, and 120 captured; while Israel's casualties for the same period, along the four borders, amounted to 63 killed, 172 wounded, and 3 captured. From 1 January to 30 September 1956, the casualties in Egypt, Syria, Jordan and Lebanon were 199 killed, 197 wounded, and 8 captured; while Israel's casualties along the four borders were 58 killed, 160 wounded, and 3 captured. To the figure of the Arab casualties of 1956 should be added the 48 killed by the Israelis in their attack on Qalqiliya

³Official Records of the General Assembly, Third Session, Part I, First Committee, 218th meeting.

during the night of 10 October, 1956. This brings the total number of Arabs killed during this period to 544, as compared to 121 Israelis.

160. How could anyone reconcile this official list of casualties with the cries raised by Israel, both inside and outside the United Nations, regarding the menace from the neighbouring countries to Israel? How could anyone reconcile these figures which show the heavy losses suffered by the Arabs with the figure advanced by the Foreign Minister of Israel [638th meeting], alleging 573 Israel casualties in killed and wounded over the years? The latter figure of Israel casualties was advanced as justification for Israel's invasion of Egyptian territory and as the reason why it now refused to withdraw from the Gaza Strip.

161. How could anyone maintain that these official figures were a reason for Israel's aggression and its continuation, while Israel authorities butchered at least 452 Arab civilians in two days, according to the conservative report of the Director of the United Nations Relief and Works Agency for Palestine Refugees? The Foreign Minister of Israel did not state how many of the 573 Israel casualties had been killed and how many wounded "over the years". The proportion of killed and wounded, on the basis of the two sets of figures submitted by General Burns, is almost 1 killed to every 3 injured. On this basis, the number of killed in these 573 Israel casualties would be about 145 "over the years".

162. Let us look at the ridiculous position into which the General Assembly is being pushed. Israel invaded Egypt because, it alleged, some 145 Israelis were killed as a result of raids allegedly originating from the Gaza Strip during the past eight years; that is, some 16 persons killed, on the average, every year. One method which they used in order to rectify this wrong was the butchering of 452 Arab refugees and civilian residents of two towns in the Gaza Strip in two days.

163. On the basis of these figures, supplied by official United Nations sources and by Israel itself, is it not outrageous that the voice of Israel should continue to shout "murder", when Israel was itself the perpetrator of the most shocking murders? Is it not also fantastic that some delegations should have fallen for this mischievous propaganda, and, as a result, started a crusade giving the impression that Israel was the aggrieved party, when in fact Israel's grievances are so insignificant compared with its own crimes and wrongdoings? Are we to assume that there is a tendency to consider the lives of Israelis more valuable than those of Arabs? We have not heard those representatives who were perturbed about Israel's alleged grievances utter a word about the crimes committed by Israel.

164. The acts of murder and terror committed by the Israel authorities in the Gaza Strip during the first months of Israel occupation, which we understand is still continuing, exceed everything that Israel can claim to have suffered from Arab infiltrators from all directions during the entire eight years that have passed. If it is right for Israel to claim that the situation in Gaza was intolerable on account of the fact that it suffered some 150 casualties in killed during the past eight years, how much more intolerable could the people of the Gaza Strip say the Israel occupation was—an occupation that in two days cost them the lives of at least 450 persons who were slaughtered by the Israel authorities?

165. The Foreign Minister of the Sudan and the representative of Jordan have already referred this morning to Israel's record with regard to the violations of United Nations resolutions and, particularly, of the Armistice Agreement—the type of violation, its seriousness, its legal bearing, the extent of the loss of life involved and the material damages. I do not intend to repeat what they have already said. It is important to point out, however, that if, in the view of some delegations, there are grounds for raising the border issues, the least justifiable grounds would be the ones advanced by Israel. If the subject were to be discussed, it could not be discussed on the terms of the party that had violated the agreement most seriously so many times. Israel is the only party to have been censured and condemned by the Security Council. Is it not fantastic to watch the excesses and exaggerations of Israel, which tend to reverse the order of the grievances and make it appear as if the party which has suffered the most is the party which is gravely at fault? Is it not equally fantastic to find a growing support in this Assembly for such an unjust development?

166. There can be no doubt now, from the facts surrounding the Israel aggression, that the Israel allegations were unfounded or exceedingly exaggerated. Not only was the alleged threat of the imminent Egyptian attack, which was made the basic justification for this preventive war, revealed to have no basis in fact, but the Israelis themselves did not believe that it existed. Whatever might be construed as a legitimate justification, there was nothing so compelling that it could in any circumstance justify the launching of such a serious act of aggression. The situation prevailing before the attack and the outlook for the future revealed no drastic change from the situation that existed at the time when the aggression was committed. On the contrary, there had been an increasing number of attacks by Israel armed forces in very large numbers against Arab territories, resulting in great loss of life. The last of those aggressions, as a matter of fact, was under consideration by the Security Council on the eve of the aggression against Egypt.

167. The invasion was, therefore, the overt expression of the Zionist-Israel aggressive and expansionist tendencies to which we frequently refer. Israel was awaiting just such a propitious time when it could strike another blow and reap benefits which it had not been able to attain otherwise.

168. This is the characteristic of Israel and of the international Zionist movement which is responsible, perhaps more than anything else, for the tense situation in the Middle East and for all the problems which have arisen from the unjust manner devised for the settlement of the Palestine problem. What is most unfortunate and astounding is that it is beginning to bring in the kind of return which Israel propaganda has worked hard to cultivate.

169. I must repeat in substance what I related in some detail last time. The General Assembly should keep in mind four basic facts in connexion with the alleged grievances on the basis of which Israel refuses to withdraw its forces behind the armistice lines. First, those alleged grievances are either unfounded or greatly exaggerated; secondly, they are not the only issues which have arisen from the United Nations intervention in Palestine, but two of a large number of other issues which Israel refuses to redress; thirdly, those grievances, the subject matter of our discussion, are of a

very minor importance when compared to the other outstanding issues involved in the Palestine question; fourthly, it was Israel which first established the practice that the most important of those issues, no matter how compelling might be the need and urgency for its settlement, might not be considered, to use Israel's own words, "in disregard of the general context of Arab-Israel relations".

170. No one can seriously dispute any of those four facts. What, then, are the reasons which necessitate the discussion of the Gaza Strip and the Gulf of Aqaba at this time by the General Assembly? There seem to be none except for the attempt to give the aggressor the right to call for such a special consideration of these two items.

171. I have just pointed out how, in truth, Israel suffered little from the Gaza Strip as compared to the damage and suffering which it brought to the people of that strip. One may add that if Israel were to comply with the General Assembly resolution which calls on it to permit those refugees to return to their homes, or if it were to return to those people the area around the strip which it annexed by force, that might put a better and more decisive end to the activities of the refugee infiltrators. That would be the right way to put an end to the acts of these refugees, who see no wrong in their attempt to reach for the produce of their lands and groves under Israel occupation.

172. I pointed out last time how those representatives who seemed to be so concerned about ending the alleged grievances of Israel showed no similar concern at any time to bring about compliance by Israel in permitting the return of a million Arab refugees to their homes and lands which are under Israel control. What explanation may we deduce from their total lack of interest in that burning and most urgent humanitarian problem and their relentless efforts to satisfy Israel's endless demands to ensure the prosperity and security of its people in the Arab refugees' homes and land?

173. My delegation is greatly disturbed by the attempts which are being pursued by some delegations to broaden the functions of the United Nations Emergency Force. The Secretary-General, quoting from his report of 6 November 1956 [A/3302], states in paragraph 7 of his present report [A/3512]:

"It follows from its (UNEF's) terms of reference that there is no intent in the establishment of the Force to influence the military balance in the present conflict and thereby the political balance affecting efforts to settle the conflict."

We cannot accept any modification of that interpretation.

174. Egypt made its position clear on the United Nations Emergency Force in the *aide-mémoire* which it forwarded to the Secretary-General:

"Noting that the General Assembly in its resolution 1001 (ES-I) of 7 November 1956, approved the principle that it could not request the Force to be stationed or operate on the territory of a given country without the consent of the Government of that country". [A/3375, annex.]

The General Assembly approved the *aide-mémoire*. No one contested Egypt's stand when its Foreign Minister addressed the General Assembly on 27 November. He said at that time:

[The speaker read out paragraphs 48, 49 and 50 of the record of the 597th plenary meeting.]

175. We concur in this analysis by the Foreign Minister of Egypt. That was our understanding of the terms of reference of the Force when it was established. We strictly adhere to this position and expect the General Assembly to do likewise.

176. My delegation is strongly opposed to any attempt or plan aimed at giving these topics special consideration. We see no justification whatsoever for any such attempt or plan. Any fair and honest appraisal of the issues arising from the Palestine question, in the light of the position existing before the Israel aggression, will disclose that the grievances of the Arabs were one hundred times as great as those which the Israelis alleged that they had. The Arabs, however, had not sought to adjust those legitimate grievances through aggression. It would be tragic if the General Assembly were now, either directly or indirectly, to give its tacit approval to the acts of the aggressors. That would be the effect of accepting any conditions for the complete withdrawal of Israel forces from the rest of Sinai and from the Gaza Strip.

177. The General Assembly should seriously consider the probable consequences of this move to appease the alleged Israel grievances. Such a move would be an open invitation for the Israelis to strike at the neighbouring Arab countries, one after the other. Cannot representatives visualize how easily Israel will be able to build up causes to justify such acts of aggression, as it has done in the case of Egypt? If Israel should achieve success in this first aggression against Egypt and reap the fruits of that aggression with the blessing of the United Nations, what is going to restrain the Israelis from hitting out in other directions to bring about the same ends? The second largest political party in Israel has as its first legitimate goal the annexation of the whole State of Jordan. Is it not obvious that giving in to the Israelis now will strengthen the position of that party and its supporters, and indeed of all of Israel? Representatives who are promoting this move must realize the catastrophic results which their well-intentioned action might have. They cannot shirk that responsibility.

178. We adhere to the position maintained by the overwhelming majority of representatives and by the Secretary-General, that the withdrawal of Israel forces must be complete and unconditional. We assert that the alleged grievances advanced by Israel as an excuse for its refusal to withdraw its forces are exaggerated or unfounded, and in no circumstances can be considered as a justification of the aggression or as a reason for rewarding it at any subsequent time.

179. It is about time for the General Assembly to take a close look at Israel's record of defying United Nations resolutions relating to Palestine. The Israelis have placed their hands on what was allotted to them, as well as on what was left for the Arabs of Palestine. They have laid claims to what they have occupied of the area allotted to them, as well as to what they have not occupied. They have insisted on retaining full control over what they claim came to them by right, as well as over what they carved out by might. They have defied all the principal resolutions on Palestine. They are ever productive of excuses to explain their failure to comply, as they are of claims to what they crave.

180. One of the most unfortunate aspects of the hardening of Israel's attitude of contempt and defiance for the United Nations resolutions on Palestine is the re-

sponse with which the United Nations, and particularly the larger Powers, have met that defiance. The reason why Israel's ambitions and actions have seemingly become uncontrollable is, essentially, to be found in the action and inaction of those States. Their conspicuous silence as Israel commenced to flout one resolution after another was construed by Israel to mean that its actions were being condoned. That, in itself, only led Israel to accelerate the pace of its wrongful actions, while at the same time stepping up the mass production of its absurd, though plausible, arguments to cover up its misdeeds. There is no doubt that Israel would have respected the United Nations resolution on Palestine if the will had been present in the United Nations to show firmness in insisting on what was right and just.

181. Now the United Nations is confronted with another open defiance by Israel of General Assembly resolutions on a most serious subject. This is a challenge to the authority and prestige of the United Nations. It threatens to destroy the enhancement of the Organization's prestige which was brought about by checking the tripartite aggression against Egypt and bringing about complete compliance by the United Kingdom and France with the Assembly's resolution. Israel's defiance

constitutes a very serious threat to the peace and security of our part of the world.

182. We believe that the time has come for the General Assembly to condemn Israel both for the aggression against Egypt and for Israel's failure to comply with the United Nations resolutions calling on it completely to withdraw its forces behind the armistice lines. The General Assembly may recall that the only time when Israel's defiance was successfully met was in 1953, when Israel discovered that it could not defy the United Nations and at the same time expect foreign aid to continue. In a matter of hours, Israel's defiance came to an end.

183. It is time for the General Assembly, in the circumstances, to call for the imposition of economic sanctions against Israel. Nothing else will put an end to Israel's expansionist aims. Israel should be made to realize that the time has come to call a halt to its policy of reaping a double crop. Israel should not be permitted to continue to exploit the returns of its aggressions, and, on top of that, to continue to receive military and economic aid and assistance from the Members of this Organization.

The meeting rose at 5.40 p.m.