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CABLEGRAM DATED 25 DECEMBER FROM THE ACTING MEDIATOR TO THE  
PRESIDENT OF THE SECURITY COUNCIL TRANSMITTING REPORT CONCERNING  
FIGHTING IN THE NEGEV

Sir,

In connection with the note submitted to the Security Council by the Government of Egypt with reference to the fighting in the Negev which began on 22 November I am communicating the following.

On 22 December I received a message from Haifa signed by the Chief of Staff of the Truce Supervision, General Riley, informing me that on the morning of 21 December a note had been received from Israeli Military Authorities as follows.

"In the light of the present situation in the country, the Chief of General Staff Baruch considers that the moment is opportune for reviewing the routines of truce supervision with a view to their simplification and to increasing the usefulness and efficiency of the liaison staff attached to the observers in the service of the Chief of Staff.

I am accordingly instructed to suggest to you to appoint an officer to discuss new methods and routines of supervision with myself and to inform you that in the meantime the Chief of General Staff Baruch has decided to suspend temporarily all current arrangements for observers tours.

The Chief of General Staff Baruch would be grateful if you could inform this HQ at your convenience of the name of the officer appointed, so that an initial meeting can be arranged without delay".

General Riley in reply to this message stated the suspension of an observer operations would be contrary to the provisions of paragraph A of the Security Council resolution of 19 October and that the suggestion was unacceptable.

On 21 December the senior un observer at Tel Aviv reported that he had been informed by Israeli authorities that they would not provide liaison officers for routine observation trips until the meeting they desired had been held, and that liaison officers would be provided only for unusual incidents or complaints. On 22 December General Riley received a second message in same vein but adding that Israeli authorities 'did not intend to suspend observer operations indefinitely'.

On 21 December I sent the following message for communication to the appropriate officials in the Government of Israel. 'In my view the course proposed in Baruch's message will constitute a most serious obstruction to the truce, will be in direct contravention of the truce resolutions of the Security Council, and if persisted in will make it imperative for me to report to the Security Council our complete inability to supervise the truce on the Israeli side. This would severely effect prospects for Armistice negotiations.

We will of course, give serious consideration to any views or suggestions which the Provisional Government may see fit to advance as regards the methods and procedures of truce supervision.'

The daily truce supervision report of 20 December stated that Israeli refusal to furnish liaison officers made impossible truce observation in the Al Faluja area on that day.

On the night of 21 December General Riley conferred with Mr. Shiloah of the Government of Israeli and pointed out that the situation at Al Faluja was the stumbling block to the initiation of armistice negotiations in the Negev sector. General Riley informed Mr. Shiloah that he was confident that armistice discussions could proceed promptly if the Israelis would consent to the withdrawal of the encircled Egyptian force at Al Faluja. Mr. Shiloah promised a prompt reply from his Government on the proposal for the evacuation of the Egyptian Force by stages.

On 22 December the following reply was received from the Government of Israel signed by Mr. Eytan. 'Mr. Reuven Shiloah has reported to the Government on the conversation he had with you yesterday evening in Haifa, and I have now been instructed to transmit to you in the name of the Government the reply which Mr. Shiloah promised to let you have by tonight.'

The Government of Israel has during the past two weeks been watching with concern the steady deterioration of the prospects for peace with Egypt. Following the visit made to the Middle East at the beginning of this month by Dr. Ralph Bunche, who felt that there was a good chance of the Egyptian Government agreeing to the initiation of armistice talks in accordance with the Security Council's resolution, the Government of Israel was prepared, as a token of goodwill, to order that a start be made in the evacuation of the Egyptian forces encircled at Faluja. A communication to this effect was made to Dr. Bunche on December 9.

The Government now understands that the Egyptian Government has changed its mind, and that it is not willing to take any practical steps in the direction of peace. The Egyptian Government appears to confine itself to a single clause in a resolution passed by the Security Council in order to undo the main purpose the Security Council had in mind -- namely the conclusion of an armistice as a first step towards peace. In view of the fact that the Egyptian Government has done nothing to indicate any desire on its part to achieve a peaceful settlement, even after the Government of Israel in response to Dr. Bunche's appeal expressed its readiness to release by stages the Egyptians surrounded at Faluja, the Government of Israel feels bound to reserve its freedom of action, with a view to defending its territory and hastening the conclusion of peace.'

On 23 December un observers stationed at Gaza on the Egyptian side reported that the Gaza coast was shelled by an Israeli ship on 22 December and that the town itself was bombed by aircraft on 23 December. They also communicated reports from the Egyptian GOC that Israeli planes had attacked El Arish airfield, Khan Ynis and Rafah on 22 December; and that Al Faluja had been attacked by plans, artillery and mortar fire.

The Chief of Staff informed me on 23 December that in view of Israeli refusal to permit un observers in the Negev it was not possible to maintain observation of Israeli military operations. The Chief of Staff expressed the opinion that in view of these circumstances there was a grave possibility of resumption of widespread fighting in the Negev.

General Riley further informed me on 23 December that Israeli mobile forces had not been returned to the Negev settlements; that their forces had not been withdrawn from localities occupied since 14 October; that Beersheba had not been evacuated; that the establishment of un observer posts in the Negev had not been permitted; that food and medical convoys under un supervision and escort had not been permitted through Israeli lines to the ~~encircled~~ Egyptians at Al Faluja; and that the Egyptians had not been permitted to withdraw from Al Faluja in compliance with the 13 November plan for the implementation of the 4 November resolution of the Security Council.

The daily truce supervision report of 23 December stated that there were no further reports of fighting in the Negev, but that Israeli authorities would not provide liaison officers to the Telaviv observer teams on that day.

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I have no knowledge of any incidents which could be claimed as a provocation for the fighting in the Negev which began on 22 December.

The recent conferences which I had undertaken in Cairo and Telaviv followed by similar conferences held by General Riley in Cairo on 19 and 20 December have convinced me that armistice negotiations covering the Negev sector could be initiated if some progress could be made toward solution of the problem of the encircled Egyptian force at Al Faluja. In our conferences with Israeli officials General Riley, Monsieur Vigier and I have constantly stressed that the Al Faluja situation is exclusively a matter of truce supervision, that the truce cannot be exploited as a means of laying siege; that the plan of 13 November for the implementation of the 4 November resolution of the Security Council required the withdrawal of the Egyptian force and that this withdrawal is prevented only by the refusal of the Israeli forces to permit it.

In view of all the above circumstances I must report to the Security Council my inability to supervise effectively the truce in the Negev, since UN observers are being refused access to the area on the Israeli side, and since, as indicated in Mr. Eytan's message of 22 December, 'the Government of Israel feels bound to reserve its freedom of action'. I must also report my view that the intransigent attitude assumed by Israeli authorities on the situation at Al Faluja is a major factor in preventing progress toward implementation of the resolution of the Security Council of 16 November.

(Signed) RALPH J. BUNCHE  
Acting Mediator

