

REPORT BY THE CHIEF OF STAFF OF THE TRUCE SUPERVISION ORGANIZATION  
TO THE SECRETARY-GENERAL CONCERNING THE JERUSALEM INCIDENT

Note by the Secretary-General: The Secretary-General has the honour to circulate for the information of the members of the Security Council the attached report from the Chief of Staff of the Truce Supervision Organization, dated 1 August 1954, concerning the Jerusalem incident (30 June - 2 July 1954).

Jerusalem, 1 August 1954

REPORT BY THE CHIEF OF STAFF  
ON THE JERUSALEM INCIDENT (30 June - 2 July 1954)

I have the honour to report to the Security Council on the violation of the cease-fire in the Jerusalem area on 30 June, 1 July and 2 July 1954.

2. On 30 June, at about 17.30Z (19.30 Jordan time; 20.30 Israeli summer time) the Acting Chairman of the Israel-Jordan MAC and I heard shots in the direction of the central sector of the demarcation line which divides Jordanian-controlled Eastern Jerusalem from Israeli-controlled Western Jerusalem. Those shots, which might have been preceded by others which we did not hear, were followed by a heavy burst of fire by rifles and Bren guns. Calls were immediately sent out to the United Nations observers in the area and to the Israel and Jordan Delegations, requesting them to investigate and take steps to stop the fire.

3. After a comparative lull troubled by some single shots and bursts of automatic weapons, firing by rifle and automatic weapon started again at about 18.15Z and spread to the north along the demarcation line. Reports received from authorities on both sides alleged heavy firing from the other side. About 18.45Z heavy fire was heard with some explosions which appeared to be mortar.

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4. Messages were sent to the Chief of Staff of the Arab Legion and to the Prime Minister of Israel requesting them to take all necessary measures for a cease-fire. Reports received from United Nations observers on both sides established that both sides were firing and efforts were pursued to fix a time for a simultaneous cease-fire. Once the unconditional cease-fire ordered by the Security Council has been broken along several miles in the heart of Jerusalem, it is particularly difficult to secure an agreed deadline for a new cease-fire. An agreed deadline may even be unsuccessful for lack of time for the transmission of orders to all front-line positions. Thus, neither a first cease-fire arranged for 20.30Z, nor a second one arranged for 21.10Z were observed. In a third attempt, the deadline was fixed at 22.30Z. During the 45 minute period preceding this deadline, heavy mortar fire against the Old City was witnessed by United Nations observers. This last cease-fire set for 22.30Z was observed by both parties for several hours.

5. Between 22.30Z and 0900Z on 1 July, some isolated shots were reported, but at 0900Z fire opened again along the entire Jerusalem demarcation line. It became lighter at about 0945 Z, with intermittent shots continuing.

6. At 1400Z, the Delegations of the two Parties met at my request and under my chairmanship in a special session of the MAC. In view of the resumption of firing on 1 July, I proposed that they should agree to recommend to their respective Governments: (a) to forbid and punish sniping, (b) to order an unconditional cease-fire and (c) to report to the United Nations observers for immediate investigation any future breaches of the cease-fire. With a view to calming public opinion in Jerusalem and elsewhere, I further proposed that the two Governments should make it clear that they had no intention to start military operations and should withdraw any reinforcement of the line which might have been made on 30 June and 1 July. Finally, I pointed out that an agreement for an investigation of the events was very desirable and that I was ready to arrange for United Nations Observer teams to investigate on both sides of the demarcation line with the co-operation of the respective authorities. I added that the reports of the observers would be considered and the necessary conclusions drawn in a meeting of the MAC.

7. After my statement, the Senior Israeli Delegate gave the Israeli version of the incidents. Regarding the starting of fire on 30 June, he stated that at 20.31 hours, Israeli time, a number of shots were fired from the Old City wall towards the New City of Jerusalem; two Israelis were immediately wounded; the fire was not returned and apparently stopped, but at about 21.20 heavy fire started all along the line (six more Israelis were wounded within about an hour). With regard to the resumption of firing on 1 July, he stated that sniping had begun at daybreak at about 0530, that one Israeli was killed and three wounded, that fire had started afresh and continued up to a few minutes before the meeting, and that three more Israelis were wounded.

8. The General Staff Officer in charge of the Israeli Delegations to the MACs added that it was a planned Jordanian attack and that, on the Israeli side, fire had been returned only after a time, when the situation became extremely dangerous.

9. The discussion was interrupted and finally cut short in this first meeting of the MAC in view of the Jordanian allegation that firing had been resumed in the southern sector against Deir Abu Tor on the Jordan side of the demarcation line. In this connexion each Delegation stated that instructions had been given on its side not to fire and even not to return fire. The two Delegations agreed that the information just received regarding the resumption of firing should be checked. They also agreed on an unconditional cease-fire as from 1530Z and on an investigation of the Jerusalem incident to be carried out, as I had proposed, by United Nations observers with the assistance of the respective authorities on each side.

10. The cease-fire which had been agreed to for 1530Z during the 1 July meeting of the MAC was of short duration. There were a few shots between 1600 and 1630Z and at 1705Z and United Nations observer teams on both sides reported that they were under heavy fire. Firing became light at 1730Z and the Jerusalem area became quiet after 1845Z.

11. On 2 July, there were a few shots during the night. At 0330Z, an Israeli soldier was reported wounded in the Mount Zion area. His body was recovered by a United Nations party at 0500Z, after arrangements had been made to ensure no

further firing in that area. Intermittent shooting continued during the day, despite the efforts of the United Nations observers on both sides to secure a complete cessation of firing. Such cessation did not take place until about 2100Z.

12. There were still a few shots on 3 July and it was not until the afternoon of that day that what could be considered a firm cease-fire was obtained. However, occasional shots have since been heard, especially during the night, with a rather serious exchange of firing occurring as recently as 27 July and which was stopped immediately by the action of UNTSO and the co-operation of the Parties. This occasional firing may be explained by the fact that nervousness has not completely disappeared along the demarcation line. Perhaps also some trigger-happy individuals are not yet sufficiently controlled.
13. The United Nations observers completed their investigation of the Jerusalem incident on 6 July. Their reports were communicated to the two Delegations on 8 July and the MAC was convened on 11 July.
14. At the beginning of the meeting I recalled that at the previous meeting, on 1 July, the two Delegations had agreed on an investigation and on a new unconditional cease-fire for 1530Z on that day. However, soon after 1530Z, single shots had been reported from both sides of the line, and at 1705Z United Nations observers, established in teams on both sides to start their investigation of the Jerusalem incident, had reported that they were under heavy fire. I added: "The unconditional cease-fire had been broken by both Parties and, I am sorry to say, not for the first time during the incident. This, to me, shows a lack of control over the men you have guarding your borders. This lack of control may very well be the basic cause of the entire incident, an incident that cost the lives of 9 persons and the wounding of 52 others. For days preceding the open hostilities, reports were received from both sides concerning the throwing of rocks. I have confidence in the witnesses who have confirmed that the guard units of both sides were throwing rocks. This indicates to me a lack of the type of discipline or control one might expect from trained military or police units."

15. I further stated that since the meeting was a continuation of the one I had personally convened to deal with the break of the cease-fire, I should like to open it by presenting certain considerations, the full text of which is annexed to this report (Appendix 1). I stated that, after a careful study of the investigation reports, I did not find that they cleared "the point as to who fired the first shot." I suggested that the usual practice of resolutions introduced by the Parties should not be followed "at this time" and that we should examine the evidence in order that we might, as a body acting under the true concepts of an armistice commission, reach agreement on measures to be undertaken that would make impossible the recurrence of such an incident. Neither such statements nor my opinion that lack of control over the men guarding the border might "very well be the basic cause of the entire incident" was intended to prevent either Delegation from holding and presenting other opinions. As a matter of fact, both Delegations challenged my views. Both, analysing statements of numerous witnesses on their side as well as on the other side of the demarcation line, discarding some statements as unreliable, reconciling apparently contradictory statements with one another, putting oral questions to United Nations observers, endeavoured to prove the case which had been theirs prior to the investigation and, in fact, from the very beginning of the incident, viz. that the responsibility of the other Party was undeniable and that the Chairman must vote in favour of the resolutions which they were eager to move as early as possible and which I prevailed upon them not to read out prior to the end of the discussion in the MAC.

16. At the 11 July meeting, after I had made my statement, the General Staff Officer in charge of the Israel Delegations to the MACs said that there was in the incident "no question of lack of control over people, military, para-military or irregular." It was a planned attack and the first thing the MAC should do was to establish exactly whose responsibility it was. Due to the seriousness of the attack, the Israel Delegation, which had not participated in the operations of the MAC for some time, had agreed to take part in this special meeting. After putting some questions to the United Nations observers, the Israeli Delegation would present its case.

The Senior Jordan Delegate thought that it was very important to know who started the fire. He said that when fire was started against Jordan they had

presented at once a complaint to the Chairman and requested him to do all his best and ask the other side to stop the firing. He accordingly asked to present the Jordan case at once.

The Israel Delegate said his Delegation had not been in a position to submit a complaint to the MAC before the meeting since it had ceased to participate in its work. As the Israel Delegation had requested first to present its case, it was its prerogative to do so, after questions had been put to the United Nations observers.

17. After the United Nations observers had been questioned, I stated that the MAC was not called upon to consider a complaint received from either Party. There had been no such complaint. The Party which would present its case first would not be considered as being the complaining Party. I recalled my suggestion "that no resolution be presented at this time" and added that either Party could present a resolution at the end of the discussion. I then gave the floor to the Delegation of Israel, since it had been the first to request to present its case.

18. The General Staff Officer in charge of the Israel Delegations to the MACs said that while considering the evidence, the MAC had to establish two main things: (a) who started the attack on 30 June? (b) who broke the cease-fire agreement reached during the MAC meeting on 1 July? The Israel Delegate offered evidence of Jordan preparations designed to prove the responsibility of Jordan for the attack on 30 June. Some hours before the shooting started on 30 June, two companies of the Arab Legion were moved to the border, according to Israeli information. They had reinforced the Jordan positions. During the investigation by United Nations observers, an Israeli police sergeant stated that on the morning of 30 June he had noticed 8 to 10 men in a position usually manned by 3. Two days earlier, he had seen in another area the Arabs "putting up big stones, sandbags and floor-tiles, building firing positions and completing the already existing firing positions." Another witness, an Israeli army sergeant, stated that on 30 June, his position, after having been under fire from different positions along the Old City wall, was later under more violent fire coming "from new positions further inside the Old City". In addition, the Israel Delegate told the MAC that the fact that "none of the Jordanian witnesses reported

reinforcement on the Jordan side after firing started proved that preparation had been made before. At the same time, Israeli witnesses described the reinforcements that reached the Israeli positions after firing started and clearly indicated that there was no reinforcement before." According to the Israel Delegate, the fact that on 30 June there were 8 casualties on the Israeli side within the first hour and a half of shooting and no casualty on the Jordan side until 22.00Z, when a policeman was wounded, also proved that the Israelis did not attack. The Israel Delegate stated that, on 30 June, the fire started from the Jordan side at 17.20Z. That time was given by Jordanian witnesses for the opening of fire on their side though they claimed that the Israelis had started before, "which was allegation only". About 17.20Z was also the time when on the Israeli side of the demarcation line a United Nations guard heard, according to his statement, shots from a distance and, arriving at Mamillah Square at 17.25, found that it was under fire from the Old City.

19. With regard to the breach of the cease-fire arranged for 1530Z on 1 July, the fact that there were 5 wounded on the Israeli side within the first half hour and no casualty on the Jordan side until almost an hour and a half was "conclusive proof that here again Jordan broke the cease-fire and started firing at our people on the streets".

20. The Jordanian case was presented by the Senior Jordan Delegate on 12 July. From his analysis of various testimonies, he concluded that on 30 June "the Israelis started to fire at Jordan from different directions at 1715Z; that 15 minutes later Jordan was forced to answer by some light firing in self-defence; that the first Israeli injured was hit at 1745Z".<sup>1/</sup> The Israelis also broke the

<sup>1/</sup> The wounded man, a border policeman on duty on the roof of a building on Mamilla Street, told United Nations observers on 2 July that he had been wounded on 30 June at 17.45Z by the first shot from the Arab side. The time given by the wounded policeman has been contested by the Israel delegation on the grounds that he was suffering great pain when he was interrogated. His sergeant, questioned by United Nations observers on 3 July, said that between 17.30Z and 17.45Z he was standing on Mamilla Street when he heard shots. He ran up the stairs of the building where he had two men posted and found that one of them was wounded. The policeman who was not wounded was interrogated by United Nations observers on 4 July. He had no watch but thought he could estimate the time which had elapsed after they had left the barracks at 17.00Z. According to his statement his companion was wounded by the first two shots fired from the Arab side at about 17.15Z. A different time, about 17.30Z, was given by a civilian who ran up to the roof and helped to carry down the wounded policeman.

cease-fire arranged for 1530Z on 1 July. According to the Arab Legion non-commissioned officer in charge in the Abu Tor area an Israeli sniper continued firing until 1600Z and started again at 1630Z. Five persons were killed and 26 injured on the Jordan side during the Jerusalem incident, all of them on 1 July, except for one injured on 30 June and one killed and one injured on 2 July.

Some days before the incident the Israelis brought strong reinforcements into Jerusalem, according to Jordanian information. A witness on the Jordan side stated that on 30 June there had been firing from a building which had been occupied by the Israel frontier guard about 20 days before. On the other hand, it was not true that Jordan had started building fortifications two days before the incident: the construction of a wall in the square of Damascus Gate was considered last year, after the previous Jerusalem incident, when 15 people were killed and 13 wounded in that square by Israeli fire in five minutes; the construction of the wall began 2 months ago. The Municipality of Jerusalem also started one month ago the construction of another wall on the road of Sheikh Jarrah. The two walls were being constructed to protect the lives of Jordanians from Israeli fire. The wall in the square of Damascus Gate had in fact protected them during the latest incident.

21. At the end of the 12 July meeting, the two Delegations submitted their draft resolutions.

22. The Israeli draft resolution read as follows:

"1. On 30 June 1954, at 1720 hours Z, approximately, Jordanian armed forces started an attack by firing on Israel Jerusalem, commencing at Mamilla Road where an Israel Border Policeman on guard duty was wounded by Jordanian rifle fire. The Jordanian attack in which rifle, automatic and mortar fire was used, spread along the whole urban line, causing a total of eight casualties on Israel side during the first ninety minutes of the attack.

2. At the Special Mixed Armistice Commission meeting on 1 July 1954, a sincere cease-fire was agreed upon, to take effect as from 1 July 1954, at 1530 hours Z. Jordan violated this cease-fire agreement by starting to fire on Israel citizens shortly after the time fixed for the commencement of the cease-fire, hitting an ambulance which was trying to evacuate a wounded woman, and firing on the white jeepsters driven by United Nations military observers.



3. The firing continued on the 2nd of July 1954, causing a total of thirty casualties to Israel, of whom four killed and twenty-six wounded. Of the killed, one was a woman, two male civilians and one a soldier. Of the wounded, seven were women, three children under the age of fourteen, ten male civilians, one a priest, one a soldier and four policemen. Of the latter, the soldier and one policeman were not on duty.

4. The Mixed Armistice Commission condemns Jordan in the strongest terms for this attack of Israel Jerusalem by the Jordanian armed forces and finds that it constitutes an extremely serious breach of the General Armistice Agreement, and particularly of Article III, para. 2 and Article III, para. 3 thereof.

5. The Mixed Armistice Commission calls upon the Jordanian Authorities to abide by all the obligations imposed upon Jordan by the General Armistice Agreement."

23. The Jordanian draft resolution read as follows:

"The Mixed Armistice Commission having examined the report of the United Nations Observers who investigated the Jerusalem incident on both sides of the Demarcation Line, reported to it by the Jordan Delegation on the evening of 30 June, 1954,

I. NOTES that, according to the contents of the report of the U.N. Observers on the Jordan side:

(a) On June 30, 1954 at about 1715Z the Jordan sector of Jerusalem was subjected to Israeli rifle and machine gun fire, followed by mortar bombing.

(b) Israeli fire came simultaneously from different Israeli army positions located at Touri area, King David area, Notre Dame Convent and Musrara Quarter.

(c) Shortly after the start of Israeli firing, Jordan Authorities contacted the Chairman of the MAC and requested that he ask Israelis to cease firing on Jordan.

(d) On the night of June 30, Israeli fire continued at frequent intervals in spite of the U.N. Truce Supervision Organization efforts to enforce a cease-fire.

(e) When Israeli fire continued and increased, followed by heavy mortar bombing, and crossing of the Demarcation Line at Abu Tor, Jordanians were led to reply in self-defense. Showing restraint they used only light arms, and only two 2" mortar shells at Abu Tor to stop the advance of Israelis on Jordan positions.

## II. NOTES FURTHER

(a) that on July 1st at about 0830Z in spite of a cease-fire order, Israelis reopened heavy automatic and mortar fire, on the Jordan sector of Jerusalem, thickly populated.

(b) General Bennike, Chief of Staff of the Truce Supervision Organization, called the two parties at a meeting on that same day at 1400Z. It was agreed that an unconditional cease-fire would be enforced from 1530Z and that teams of Observers would proceed with investigation on both sides of the Demarcation Line.

(c) In spite of this agreement, Israelis continued their firing and shelling by 2" and 3" mortars. Israelis, who did not stop firing at 1530Z and continued firing from 1400Z hrs. till 1600Z hrs. in Abu Tor area, and other areas then continued firing till next day.

## III. NOTES FURTHER

That Israeli firing from June 30 to July 2nd, resulted in making 31 Jordanian victims, five killed, among them one woman and twenty-six injured including two children two and nine years old as well as nine women, all except two of these were peaceful civilians.

## IV. NOTES FURTHER

(a) That Israelis fired at the Jordan Sector of Jerusalem, 104 mortar bombs, sixty 2" shells and forty-four 3" shells. The U.N. Observers were able in the brief time of their investigation to verify the location of sixty-two of these bombs.

(b) The U.N. Observers report that twenty 2" mortars fell in the Armenian Convent, eight in Christ Church, two in the Citadel Police Station, one in Via Dolorosa. Seven 3" mortars fell in the area of the Supreme Moslem Council and Umaryah School which is also the first station on the Way of the Cross. Seven 3" mortars fell on the Armenian Quarter. Three 3" mortars fell on Awqaf buildings. Three more 3" mortars fell about 100 metres South West of the Holy Sepulchre. Another eleven 3" mortars fell on the Russian Church.

(c) Israelis used Convents and Churches such as Notre Dame de France and St. Claire Convent for firing positions. They also took for targets Holy Places, Convents and Churches.

V. FINDS

(a) That the firing across the Demarcation Line by Israeli Military Forces is a violation of Article III, paragraph 3, of the General Armistice Agreement, aggravated by the facts that they concentrated their firing on thickly populated areas, that they used religious places for firing positions and took Holy Places and Convents for targets.

(b) That the crossing of the Demarcation Line by Israeli Military Forces at Abu Tor is a breach of Article III, paragraph 2, of the General Armistice Agreement.

VI. CONDEMNS

Israel in the strongest terms for these acts of aggression by Israeli Military Forces against civilians in thickly populated areas and Holy Places, and calls upon Israeli Authorities to respect the General Armistice Agreement and to prevent such acts of aggression in the future.

VII. DEMANDS

That Israelis do not use Convents and Churches for firing positions and that strict demilitarization of such places be effected."

24. At the beginning of the meeting of the MAC held on 15 July, I replied to a question put to me by the Israel Delegation concerning hits on or damage to Holy Places or other places of worship in connexion with the firing of 2" and 3" mortar during the incident. In my answer, I referred to the statements of the observers and to a map showing the hits they had recorded in the Old City (thirty 2" and nineteen 3") and on the Mount of Olives (eleven 3"). Such map showed clearly the danger to which the Holy Places had been subjected. The Israeli delegation had told the Commission that "strict instructions were issued to the Israeli troops not to fire on the Holy Places" and it had noted that these instructions "were fully implemented". I replied that with whatever care Israeli gunners had tried to comply with them, they could not be implemented in view of the inaccuracy of mortar fire. Such fire, by its very nature, was indiscriminate.

The Israel Delegation returned to the question of hits on and damage to the Holy Places in the course of the meeting. It said that in the Old City of Jerusalem there was not a single 20 or 30 metres distance without a Holy Place,

a place of worship or historical site or some religious building and submitted that it was precisely the reason why the Jordanian authorities had chosen to launch an attack upon the Israel sector of Jerusalem from the Old City, knowing very well that if they should use precisely this historical area as a base for a military attack, no matter who started firing first, it would be necessarily a bullet coming from outside the Old City, in spite of strict instructions, which would hit one or another Holy Place. The Jordanian Delegation in its draft resolution had demanded that Israelis "not use convents and churches for firing positions and that strict demilitarization of such places be effected". The Israel Delegate said that the Jordan Delegation had no right to make this suggestion "without declaring here quite clearly and definitely that it, on its own part, is prepared to undertake, on behalf of the Jordanian Government, never again to use this area of holy places, religious buildings and historical sites as a base for aggression".

25. The Jordanian Delegate observed that the Jordanians were not using any religious places as firing positions.

26. After presenting its case on 12 July, the Jordanian Delegation had submitted the following proposals:

"(a) That the Israeli Authorities be made responsible for the firing in Jerusalem and bear the consequences of this act of aggression.

(b) That Convents and Churches used as firing positions be strictly demilitarized.

(c) That houses in the Demilitarized Zone occupied either by civilians or military forces be evacuated without delay. The continuation of occupation of such buildings can only be a source of further incidents and constitutes a continuous violation of the Armistice Agreement.

(d) That Israeli Authorities give assurances to stop all aggressions against Jordan and not to repeat such attack and firing at the most holy part of the city, which is in Jordan.

(e) That measures be taken to remove from both sides in Jerusalem all kinds of mortars and bombs."

27. The Israeli Delegation stated that most Jordan proposals implied modifications of the General Armistice Agreement which should be considered under Article XII of the Agreement, an Article which Jordan had refused to implement.

28. On 15 July, before the beginning of the discussion of the draft resolutions presented by the two Parties at the end of the previous meeting, the Israel Delegation submitted the following proposals:

- "1. Reaffirmation by the Parties of their obligation to abide by all provisions of the General Armistice Agreement.
2. Reaffirmation by the parties of their obligation to settle all differences and disputes by pacific means.
3. Implementation of the General Armistice Agreement provisions providing for free access to Holy Places, cultural institutions and to Mount Scopus, and the resumption of the normal functioning of the humanitarian institutions on Mount Scopus.
4. Reaffirmation by the Parties of the obligation under the General Armistice Agreement to refrain from firing across the lines and from all hostile acts, and its particularly strict observance in the Jerusalem area.
5. Division of the Jerusalem No-Man's-Land which has been a source of incidents and a clear marking of the Demarcation Line jointly by the two Parties.
6. Meeting at an appropriate level of representatives of the two Parties with a view to adopting security measures for the mitigation of tension and prevention of incidents particularly in the Jerusalem area."

29. Before the draft resolutions submitted by the two Delegations were put to the vote, I explained why, after hearing the two Parties present their case and discuss at length all the aspects of the Jerusalem incident, I had to maintain the position that I was unable to support either side in its condemnation of the other as the Party responsible for the incident. I stressed the want of concrete evidence of advance preparations for an attack by either side; the point - to me decisive - that the shooting began lightly and sporadically and even took up after a lull, without any of the concerted fire on which an

attacker must count for the success of the operation; the logical explanation of the early ratio of casualties in the construction and configuration of the city, and the social habits of the populations; the completely unsatisfactory state of the evidence concerning the first shots, or even the time of the first shots. The full text of my statement is annexed to this report (Appendix 2).

30. In accordance with the position I had indicated, I abstained when the Israeli and Jordanian resolutions were successively put to the vote. Neither of them was carried.

31. At the end of the statement I had made at the 11 July meeting of the MAC (Appendix 1), I had referred to the grave and continuing risk of unplanned outbreaks of hostilities along the Demarcation Line, with consequences which could well be fatal to the peace of the area. I had accordingly made the following suggestions:

1. The establishment of adequate Officer and Non-Commissioned Officer supervision of the frontier guards.
2. A firm undertaking to refrain from any retaliatory fire.
3. The complete repression of sniping.
4. The prompt disciplinary action against all violators of cease-fire orders.
5. A sincere effort to reduce tension.

32. At the meeting of the MAC held on 12 July, the Jordan Delegation declared that it was in full agreement with my suggestions. At the meeting held on 15 July, the Israel Delegation stated that at the two preceding meetings they had pointed out that my suggestions were in fact corollaries of the provisions of the General Armistice Agreement and it was quite clear that both Parties should abide by them. However, because these suggestions were axiomatic, they were not sufficient to provide a solution of the problems created or the reduction of tension existing along the Demarcation Line, and did not provide all the means to guarantee peace and security in Jerusalem. In view of this, the Israel Delegation had submitted the proposals quoted in paragraph 28 of this report.

33. After noting the response of the Parties to my suggestions, and the proposals they had respectively made, I announced, at the end of my statement on 15 July (Appendix 2) that I intended to hold conversations with the Parties for the discussion of practical measures to prevent the recurrence of bloodshed. I shall approach the two Governments to ascertain what steps can be taken to prepare such discussion and, since my mission as Chief of Staff is coming to an end, the manner in which the mission of my successor can best be facilitated in this connexion.

(Signed) GENERAL BENNIKE

APPENDIX 1

OPENING STATEMENT OF THE CHAIRMAN, MAJOR GENERAL V. BENNIKE  
AT THE SPECIAL MEETING OF THE HJK-I MAC ON 11 JULY 1954

This meeting is the continuation of the Special Meeting of First July. The Mixed Armistice Commission then decided that the grave incident which had begun on 30 June in Jerusalem would be investigated on both sides of the Demarcation Line by United Nations Military Observer teams.

In addition, as firing was reported to have re-opened and to have continued during the meeting, a new unconditional cease-fire was arranged for 1530Z on First July.

Soon after 1530Z, the time set, and agreed to by both delegations, for an unconditional cease-fire ... single shots were reported from both sides of the Line. My United Nations Military Observers were already established in teams on both sides to start their investigation of the incident. At 1705Z, both of these teams reported that they were under heavy fire...

The unconditional cease-fire had been broken by both Parties, and, I am sorry to say, not for the first time during the incident. This, to me, shows a lack of control over the men you have guarding your borders... This lack of control may very well be the basic cause of the entire incident... an incident that cost the lives of nine persons and the wounding of 52 others.

For days preceding the open hostilities, reports were received from both sides concerning the throwing of rocks. I have confidence in the witnesses who have confirmed that the guard units of both sides were throwing rocks. This indicates to me a lack of the type of discipline or control one might expect from trained military or police units.

It was not until the afternoon of July 3rd that we had obtained what could be considered a firm cease-fire... and as late as 1510Z last evening, single isolated shots have been reported in this area.

The reports of the investigating teams were communicated to you on 8 July. We have had more than two days to study them. Since this meeting is the



continuation of the meeting I had personally convened to deal with the breach of the cease-fire, I should like to open it by presenting certain considerations

In the first place, we should follow a procedure adapted to this case. This meeting was not convened on the basis of a complaint by either Party, but of a request to the Mixed Armistice Commission by the Chief of Staff, as Chairman of the Mixed Armistice Commission. I have requested the Mixed Armistice Commission to take appropriate action by means of its observation and investigation machinery. In my opinion, the usual practice of resolutions introduced by the Parties would not be helpful. I suggest that no resolution be presented at this time. We should examine the evidence in order that we may, as a body acting under the true concept of an armistice commission, reach agreement on measures to be undertaken that will make impossible the recurrence of such an incident.

In the second place, I ask for your co-operation in recognizing that this is not the place nor time to cloud the air with mutual recriminations by the parties.

I have made a careful study of the investigation reports and must conclude that they do not clear the point as to who fired the first shot. On the contrary, I consider that, faced with many contradictory statements, we shall have to recognize the manifest impossibility of determining with any degree of accuracy the moment of the first of many shots. And I am certain that if we cannot establish when the first shot was fired, then it is equally hopeless to try to prove who began the firing.

But even if it is futile to seek to fix the responsibility for the flare-up in Jerusalem, our time would not be lost if we considered its various aspects with a view to drawing some practical conclusions which would help in maintaining the cease-fire for the future.

Yet, some basic facts do emerge from our examination of the early stages of this deplorable incident. First, as far as the Truce Supervision Organization is concerned, the Military Observers have obtained no evidence that either side planned or prepared either an offensive, or even a general firefight along the

Demarcation Line in the Jerusalem area. Second, I am certain that the good faith of the assurances given by both Parties at our previous meeting - that they had no intention to undertake military operations - has been fully proven.

By contrast, a shameful aspect of this incident was the repeated firing at unarmed civilians engaged in their ordinary activities, on either side of the Line.

Similarly, the use of mortar fire in Jerusalem is justified neither in terms of the dangers involved to religious and cultural sites, nor in terms of military effect. In the course of this incident, peaceable civilians were killed or wounded by mortar fire, churches were repeatedly hit, but no serious damage was inflicted on any military target.

What general conclusions can we now draw for the safety of the future?

First, we are obliged to recognize that there is a grave and continuing risk of unplanned outbreaks of hostilities along the Demarcation Line, with consequences that can well be fatal to the peace of the area. For this reason, we are all duty-bound to turn our attention to the future. We must work to overcome the immediate local causes of tension along the Line; and we must prepare for more effective action on both sides to carry out such local cease-fire agreements as may have to be made in the future.

I accordingly make the following specific suggestions.

First - The establishment of adequate Officer and Non-Commissioned Officer supervision of the frontier guards.

Second - A firm undertaking to refrain from any retaliatory fire.

Third - The complete repression of sniping.

Fourth - The prompt disciplinary action against all violators of cease-fire orders.

Fifth - A sincere effort to reduce tension.

This is a commission where all concerned may be heard, but, I state again, now is not the time to attack one another over issues that cannot be proven by the investigation. I invite, rather, your constructive suggestions on how to prevent such incidents.

In conclusion, I wish to remind the Parties of their own affirmation, in the General Armistice Agreement, that they will scrupulously respect the Security Council's injunction against resort to military force. Nor can I over-emphasize the Council's own re-affirmation, in its resolution of 11 August 1949, both of its unconditional cease-fire order and of its reliance upon the Parties to the General Armistice Agreement to ensure the continued observance of their firm pledge against any further acts of hostility.

Israel and Jordan are, in the eyes of all the world - both jointly in this Mixed Armistice Commission and severally in their own solemn responsibilities as States - the trustees of Jerusalem; and it is only through their own most earnest efforts that this important centre of population, with its Holy Places and its religious and cultural institutions, can be preserved in the interest of the two States themselves and of all the nations of the world.

APPENDIX 2

Statement of the Chairman, Major General V. Bennike,  
at the Special Meeting held on 15 July 1954

During these three meetings, you have both, at very considerable length, analyzed the evidence of the Military Observers on the Jerusalem incident, argued your own points of view, and had repeated opportunities for rebuttals. I now wish to present to you my own conclusions.

Before I do so, I want to thank you for your consideration in allowing me a two-day recess. You will recall that at the second of our special meetings, on 11 July, I requested that we turn our attention to the future and, instead of indulging in mutual recriminations, we work out practical measures for preventing the recurrence of this most deplorable incident. It was in support of this request that I indicated my own view of the case, founded upon my personal experience during the incident and my careful study of the very same reports and records on which you have based your own arguments. I asked you, at that time, to recognize that it would be idle, in an incident of this character, to seek to pinpoint the first shot and so to condemn either side.

Nevertheless, each party has sought at length to prove that the other executed a planned and pre-arranged attack upon the other. For three sessions, amounting to some twelve hours, the Chair has allowed you free range to present the case you thought the record justified. I have given my fullest attention to your analyses and have used the interval you have allowed me in order to review the record afresh, and to gain every possible benefit from your own evaluations of the same evidence as is available to us all.

I shall now give you my conclusions for this review. But I ask you to remember that I am not a judge; I was not called upon to sit here in ignorance of the facts of the case and listen only to what you had to place before me. On the contrary, I am a neutral and impartial member of the Mixed Armistice Commission, but none the less, a voting and participating member, called upon to cast my own vote strictly in accordance with the evidence we have all reviewed. I only ask you to recognize, that I act in good conscience, on the authority of the facts as I see them.

I. I turn first to the immediate antecedents of the incident. Is there evidence that this was an attack, executed in accordance with a pre-arranged plan? Each party has tried to demonstrate high-level planning and military preparation on the part of the other.

A. Each side has introduced unsupported allegations of extensive troop movements by the other in the preceding days. Apart from isolated statements by one or two witnesses on either side, concerning a small increase in the manning of a single firing post immediately opposite them, this charge is not borne out in the record. The United Nations Military Observers, who had good cause to be moving about Jerusalem during the recent period of tension, witnessed no such preparations.

B. The same point may be made as to the charges of abnormal engineering activities in the construction or fortification of guard posts. I accordingly turn to the evidence relating to the first period of firing.

II. Did the outbreak of the firing reveal a planned attack by either side? Here we are on different grounds from the claim of prior build-up.

A. Each party has constructed from the record a persuasive case, to show that his own side was taken by surprise, when the shooting began. There is eye-witness testimony on each side, including that of neutral observers, relating how personnel rushed to man or to reinforce the posts on both sides of the Line. A force planning to open fire, runs the risk of drawing heavy fire, and would logically have had reserve forces, already drawn into position, to counter whatever the opposition may offer. No reports indicated this to be the case on either side.

B. I can see neither of the two Nations planning and carrying out a heavy firing assault, while leaving their civilians unprotected in the frontal areas. No evidence has reached us to indicate that an evacuation of civilians from the border areas took place on either side of the Line in Jerusalem prior to the firing of 30 June 1954.

On the contrary, there is testimony taken by Observer teams on both sides to show considerable civilian panic at certain points close to the firing line, and each Delegation has drawn upon this evidence. The absence of any state of alert may be argued from normal civil activities on either side.

C. This brings me to a matter clearly emerging from the evidence, a point which, to me, seems both inescapable and decisive. This concerns the pattern and tempo of the first fire. No military analyst can fail to take into account the elementary logic that it would be folly to prepare an attack along an extensive line of fire, and then to open with just a few isolated shots, later a few bursts, only later some shooting up or down the line, and then even a period of quiet. On the contrary, we all know that a planned attack must, for its own success and the safety of the attackers, open with heavy, concerted, and steady fire. Here, however, we are at once confronted by the fact that there was a lull in the firing soon after it commenced, and other periods of comparative quietness during the first hour; the fact that, according to many witnesses, the firing started with a few rifle shots; and the fact that the firing did not start along the entire Jerusalem front simultaneously, but gathered its momentum sporadically, in successive stages. This certainly does not, from a military point of view, paint the picture of a planned attack.

III. I must now consider the matter of the casualties on the Israeli side, and the lack of casualties on the Jordan side, during the first hours of firing on 30th June 1954. Does this fact establish the element of surprise, this proving that Jordan must have inflicted these casualties by suddenly opening fire into Israel Jerusalem?

A. First, were these casualties, in fact, the result of absolute surprise? No. According to the casualty list handed to the United Nations Observers on the Israeli side, we find the following: eight (8) Israelis were wounded by midnight of 30th June. The following times were listed to show when these persons were wounded: one at 1745Z, or perhaps sooner; two at 1800Z, one at approximately 1800Z, one at 1830Z, one at 2055Z and two at 2200Z. By studying the personal reports and statements of the United Nations Military Observers, and the statements of witnesses, we find that exchanges of fire had been reported and observed prior to most of the casualties listed for 30th June. From this fact I find that the casualties on the Israeli side during the first hours of firing are not attributable to an element of surprise.

B. I must therefore consider whether there are other explanations for the lack of balance in the first casualties of 30th June.

First of all, on the Israeli side of Jerusalem, there are more open spaces, less protection, more streets that can easily suffer an enfilading fire even at night, more activity and a greater concentration of dwellings near the Demarcation Line, and, usually also, a greater number of people on the streets after dark.

C. In Arab Jerusalem, on the other hand, to fire into and against the walled city is to fire into a city of stone roofs, narrow alleys, and few open spaces, all surrounded by a high, heavily constructed, stone wall. Likewise, some walling is still under construction to protect open spots outside the Old City walls. Few residents of the Old City customarily move about after dark. Moreover, the firing did not spread rapidly along the entire Jerusalem front after the concentration of fire in the central sector where Jordanians are well protected. By the time it reached peripheral areas where Jordan is relatively more exposed, most people had found shelter.

D. The numerous Israel 2" mortar shells that fell on the walled city on the night of 30th June landed mainly on rooftops and did relatively little damage. It was not until the following day, when 2" and 3" mortar fire was directed into the city during the hours when people were in the open areas that mortar casualties mounted rapidly. So also, the daylight hours brought a relatively more equal opportunity for the selection of targets for rifle and automatic fire.

For all these reasons, I can only conclude that the Jerusalem incident, beginning 30th June, was not thought out in advance by either party, and was not the result of a planned attack. As I shall have occasion to state again in my conclusion, I do not, in finding that there was no plan, minimize the responsibility of either party. The incident should have been prevented.

IV. This brings me to examine whether responsibility can at least be fixed for the firing of the first shot.

Gentlemen, I submit that it is impossible to determine who fired the first shot; as long as the evidence remains in utter conflict, as to even the time of the first shot.

A. Before considering the question of the time when firing started on 30 June, I should like to recall the efforts which have been made here to check, as far as possible, the accuracy of the various testimony given by witnesses. In particular, the question frequently arose: How did they know or estimate the time when they saw or heard what they allegedly did see or hear? The resumption of the firing after 30 June obliged the United Nations Observers to divide their efforts between carrying out their investigations and maintaining the cease-fire. Various witnesses were interrogated after an appreciable delay and what they had imagined or been told in the interval, may in certain cases have coloured their actual experience.

Some witnesses may have added to their experience precise details calculated to mislead investigators, particularly regarding the time when the other side fired across the demarcation line.

Let us consider who is or may be in a position to have information as to the time when firing began and developed.

In the first place, the two Governments, whose army and police commands must have received immediate or quick information about what was taking place along the demarcation line.

In the second place, witnesses, including United Nations Observers, who were close to the demarcation line. Each of them saw or heard what happened in a more or less limited area. He could not know what happened in other areas.

Let us consider first, official statements from both sides, prior to the investigation of the incidents.

On 1 July, the two Governments addressed to the Secretary-General of the United Nations communications which were published as Security Council documents, in New York. The Jordanian communication (S/3258) refers to the showering of "the Arab town of Jerusalem with bullets and shells of automatic guns incessantly as from 8.30 P.M. until midnight" on 30 June. The Israeli communication (S/3259) states that on 30 June, at 20.45 hours, heavy fire was opened from the wall of the Old City of Jerusalem into the streets of the New City.



In describing the incident, the Senior Israel Delegate, at our meeting of 1 July, stated that on 30 June, at 20.31 hours, Israeli time, a number of shots were fired from the Old City wall towards the New City of Jerusalem, and that one policeman and one civilian were immediately wounded.

There followed the investigation by United Nations Observers, and the questions put to them on 11 July. In the resolutions submitted to us we find that the beginning of firing is fixed by Jordan at about 1715Z by Israel at about 1720Z. It is clear from the records of the last two meetings that assertions as to the timing of the beginning of the incident have altered during our discussions.

B. On each side of the line, the witnesses vary by 45 minutes in their assertions as to when the other opened fire - with allegations on each side for as early as 1700Z and for as late as 1745Z. The witnesses include, on both sides, trained army and police personnel, as well as civilians and various church authorities.

C. The evidence is not even conclusive as to the place of the first firing. Many witnesses could speak of the first shot as having been fired in the Old City wall - Mamillah Road sector, in the Notre-Dame area, or at Deir Abu Tor.

D. I think I can fairly state that each of you have impliedly recognized the underlying difficulty of establishing the time and place of the first firing. Each has sought to reason from a variety of indirect inferences that the firing must be deemed to have emanated from the other side.

But I am bound by the evidence before us. It fails to resolve the many contradictions as to the moment at which the shooting began. It is accordingly impossible for me to conclude that any particular shot, of which such and such witnesses speak, must have been the first one.

V. I wish to examine only one other element. If I cannot agree that an attack was planned, or that fire can be shown to have been opened by one side but not the other, it is nevertheless my duty to examine whether there is evidence of a relatively spontaneous outbreak of these lamentable hostilities.

I wish to stress again the mounting tension along the Jerusalem Demarcation Line in the days and weeks preceding the incident.

A. There were repeated incidents of rock throwing by the personnel posted on both sides of the line. This is attested to in the reports, and Military Observers have directly experienced this phenomenon.

B. The testimony speaks of other breaches of ordinary military decorum by personnel posted where the two lines nearly adjoin, including insulting taunts and gestures.

C. The incident began with isolated shots, according to an appreciable consensus of witnesses, as well as several Military Observers. It is quite possible that a guard on one side, enraged by a stone or insult from the opposite side, fired his gun. In the tense atmosphere of the moment, answering shots would naturally have followed.

D. Both Delegations insist that their own forces were under orders, before the incident, not to return fire. I have no reason to disbelieve these assertions. But the fact is that fire was exchanged from a very early moment. This indicates cases of inadequate military discipline.

E. However that may be, after the successive cease-fire arrangements, isolated shooting and sniping was resumed. Again, I have no call to doubt your good faith in mutually promising the cease-fire; but it is clear that neither side had the practical ability to put an end to this sniping. It serves little purpose for each Delegation to argue that after the cease-fires, their own side only shot back at snipers. The facts show that after the cease-fires, both sides continued to suffer civilian casualties in circumstances that were proof of sniping or of other undisciplined fire at civilians. Moreover, I find the same impossibility of determining which side first broke cease-fires as confronted me in the matter of the commencement of the incident.

I do not underestimate the temper that an incident of this character arouses in the forces on the line of fire. But I do stress that the facts all betray a situation in which a spontaneous and uncontrolled outbreak of heavy fire could shatter the peace of Jerusalem - with unforeseeable and tragic consequences not intended by either party.

It is for that very reason that I have offered five practical steps which, I believe, would greatly assist in bringing the situation under control. I repeat my request that you act upon those five suggestions. I am glad that it is agreed that both Parties should abide by them.

In repeating my suggestion, it is necessary for me to make plain to you the conclusion which I derive from my analysis of all the evidence as I have just outlined it to you. For all the reasons I have stated, I cannot vote for either of your resolutions.

I therefore urge you, once, again, not to press your resolutions to a vote. What has happened cannot be passed over lightly. Both sides share the responsibility for the casualties resulting from this tragic outbreak. But, I again ask you, therefore, to turn your attention to the future, and to the measures which we should all work out together - not for condemning one side on the basis of intuition rather than clear evidence, but for preventing the recurrence of bloodshed.

Indeed, if I am right, - as I am persuaded - that this incident had its origin in an unexpected outburst, then resolutions of condemnation have no preventive value, but practical measures to prevent what neither side intended become inescapably urgent.

I intend to hold conversations with the Parties to discuss such measures. The people on both sides of this troublesome demarcation line deserve a feeling of security, and it is our privilege, as well as our responsibility, to bring this about.

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