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REPORT BY THE SECRETARY-GENERAL

1. In my report of 19 May 1967 (S/7896), which I submitted to the Security Council following the receipt on 18 May 1967 of the official request of the Government of the United Arab Republic for the withdrawal of the United Nations Emergency Force (UNEF), I described the general situation in the Near East at present as "more disturbing, indeed, ... more menacing, than at any time since the fall of 1956". I can only reiterate this assessment.
2. It has been alleged in some quarters that the prompt compliance with the request for the withdrawal of the Force is a primary cause of the present crisis in the Near East. This ignores the fact that the underlying basis for this and other crisis situations in the Near East is the continuing Arab-Israel conflict which has been present all along, and of which the crisis situation created by the unexpected request for the withdrawal of UNEF is the latest expression. In my special report to the General Assembly (A/6669), in paragraph 12, I gave the main reasons for the position that I have taken on this issue. In my report to the Security Council on 19 May 1967 (S/7896), I restated the basis for my decision and pointed out that there was a "widespread misunderstanding about the nature of United Nations peace-keeping operations in general and UNEF in particular". In view of the evident persistence of this misunderstanding and of various recent public statements by some responsible leaders, I feel obliged once again, before proceeding with my report, to restate briefly the grounds for the position which I have taken on the withdrawal of UNEF.
3. UNEF was introduced into the territory of the United Arab Republic on the basis of an agreement between the Secretary-General of the United Nations

and the President of Egypt. The consent of the host country, in this as in other peace-keeping operations, was the basis for its presence on the territory of the United Arab Republic. When that consent was withdrawn, the essential part of the basis of UNEF's presence ceased to exist.

4. As stated in my special report to the General Assembly (A/6669), I consulted with the UNEF Advisory Committee on 18 May 1967. The Committee did not move, as it was its right to do under the terms of paragraph 9 of General Assembly resolution 1001 (ES-I), to request the convening of the General Assembly on the situation which had arisen. It was after this meeting of the Advisory Committee, on the evening of 18 May, that I transmitted my reply to the Government of the United Arab Republic concerning the withdrawal of UNEF.

5. My decision in this matter was based upon both legal and practical considerations. It is a practical fact that neither UNEF nor any other United Nations peace-keeping operation could function or even exist without the continuing consent and co-operation of the host country. Once the consent of the host country was withdrawn and it was no longer welcome, its usefulness was ended. In fact, the movement of UAR Forces up to the Line in Sinai even before the request for withdrawal was received by me had already made the effective functioning of UNEF impossible. I may say here that the request received by me on 18 May was the only request received from the Government of the United Arab Republic, since the cryptic letter to Major-General Rikhye from General Fawzi on 16 May was both unclear and unacceptable. Furthermore, I had very good reason to be convinced of the earnestness and the determination of the Government of the United Arab Republic in requesting the withdrawal of UNEF. It was therefore obvious to me that the position of the personnel of UNEF would soon become extremely difficult, and even dangerous, if the decision for the withdrawal of the Force was delayed, while the possibility for its effective action had already been virtually eliminated. Moreover, if the request were not promptly complied with, the Force would quickly disintegrate due to the withdrawal of individual contingents.

6. It may be relevant to note here that UNEF functioned exclusively on the United Arab Republic side of the Line in a zone from which the armed forces of the United Arab Republic had voluntarily stayed away for over ten years. It was this arrangement which allowed UNEF to function as a buffer and as a restraint on infiltration. When this arrangement lapsed United Arab Republic troops moved up to the Line as they had every right to do.

7. If UNEF had been deployed on both sides of the Line as originally envisaged in pursuance of the General Assembly resolution, its buffer function would not necessarily have ended. However, its presence on the Israel side of the Line has never been permitted. The fact that UNEF was not stationed on the Israel side of the Line was a recognition of the unquestioned sovereign right of Israel to withhold its consent for the stationing of the Force. The acquiescence in the request of the United Arab Republic for the withdrawal of the Force after ten and a half years on United Arab Republic soil was likewise a recognition of the sovereign authority of the United Arab Republic. In no official document relating to UNEF has there been any suggestion of a limitation of this sovereign authority.

8. In order to discuss the situation with the Government of the United Arab Republic, and especially in order to examine with that Government the situation created by the withdrawal of UNEF, I decided to advance the date of a visit to Cairo which I had planned some time ago for the beginning of July. I arrived in Cairo on the afternoon of 23 May and left Cairo on the early afternoon of 25 May to return to United Nations Headquarters.

9. During my stay in Cairo I had discussions with President Gamal Abdel Nasser and Mr. Mahmoud Riad, the Minister of Foreign Affairs. They explained to me the position of the Government of the United Arab Republic, which is substantially as set forth in the speech given by President Nasser to the United Arab Republic Air Force Advance Command on 22 May 1967 which has been reported fully in the Press. President Nasser and Foreign Minister Riad assured me that the United Arab Republic would not initiate offensive action against Israel. Their general aim, as stated to me, was for a return to the conditions prevailing prior to 1956 and to full observance by both parties of the provisions of the General Armistice Agreement between Egypt and Israel.

10. The decision of the Government of the United Arab Republic to restrict shipping in the Strait of Tiran, of which I learned while en route to Cairo, has created a new situation. Free passage through the Strait is one of the questions which the Government of Israel considers most vital to her interests. The position of the Government of the United Arab Republic is that the Strait is territorial waters in which it has a right to control shipping. The Government of Israel contests this position and asserts the right of innocent passage through the Strait. The Government of Israel has further declared that Israel will regard the closing of the Strait of Tiran to Israel flagships and any restriction on cargoes of ships of other flags proceeding to Israel as a casus belli. While in Cairo, I called to the attention of the Government of the United Arab Republic the dangerous consequences which could ensue from restricting innocent passage of ships in the Strait of Tiran. I expressed my deep concern in this regard and my hope that no precipitate action would be taken.

11. A legal controversy existed prior to 1956 as to the extent of the right of innocent passage by commercial vessels through the Strait of Tiran and the Gulf of Aqaba. Since March 1957, when UNEF forces were stationed at Sharm el Sheikh and Ras Nasrani at the mouth of the Gulf of Aqaba, there has been no interference with shipping in the Strait of Tiran.

12. It is not my purpose here to go into the legal aspects of this controversy or to enter into the merits of the case. At this critical juncture I feel that my major concern must be to try to gain time in order to lay the basis for a detente. The important immediate fact is that, in view of the conflicting stands taken by the United Arab Republic and Israel, the situation in the Strait of Tiran represents a very serious potential threat to peace. I greatly fear that a clash between the United Arab Republic and Israel over this issue, in the present circumstances, will inevitably set off a general conflict in the Near East.

13. The freedom of navigation through the Strait of Tiran is not, however, the only immediate issue which is endangering peace in the Near East. Other problems, such as sabotage and terrorist activities and rights of cultivation in disputed areas in the Demilitarized Zone between Israel and Syria, will, unless controlled, almost surely lead to further serious fighting.

14. In my view, a peaceful outcome to the present crisis will depend upon a breathing spell which will allow tension to subside from its present explosive level. I therefore urge all the parties concerned to exercise special restraint, to forego belligerence and to avoid all other actions which could increase tension, to allow the Council to deal with the underlying causes of the present crisis and to seek solutions.

15. There are other possible courses of action which might contribute substantially to the reduction of tension in the area. In paragraph 16 of my report to the Security Council on 19 May (S/7896) I referred to the possibility of the Egypt-Israel Mixed Armistice Commission (EIMAC) providing a limited form of United Nations presence in the area. In that report I stated that "it would most certainly be helpful in the present situation if the Government of Israel were to reconsider its position and resume its participation in EIMAC". I suggest that the Council consider this possible approach also during its search for ways out of the present crisis. This form of United Nations presence could to some extent fill the vacuum left by the withdrawal of UNEF.

16. In paragraph 17 of my previous report to the Council I also suggested that "it would be very helpful to the maintenance of quiet along the Israel-Syria line if the two parties would resume their participation in ISMAC, both in the current emergency session and in the regular sessions", and I would wish on this occasion to repeat that suggestion.

17. It also would be useful for the Council to recall that, by its resolution 73 (1949) of 11 August 1949, the Council found that:

"... the Armistice Agreements constitute an important step towards the establishment of permanent peace in Palestine..."

and reaffirmed:

"... the order contained in its resolution 54 (1948) to the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to observe an unconditional cease-fire and, bearing in mind that the several Armistice Agreements include firm pledges against further acts of hostility between the parties and also provide for their supervision by the parties themselves, relies upon the parties to ensure the continued application and observance of these Agreements..."

18. In my discussion with officials of the United Arab Republic and Israel I have mentioned possible steps which could be taken by mutual consent and which would help to reduce tension. I shall of course continue to make all possible efforts to contribute to a solution of the present crisis. The problems to be faced are complex and the obstacles are formidable. I do not believe however that we can allow ourselves to despair.

19. It should be kept always in mind that in spite of the extreme difficulties of the situation, the United Nations has played an essential and important role for more than eighteen years in maintaining at least some measure of peace in the Near East. In that task it has encountered many setbacks, frustrations, crises, conflicts and even war, but the effort continues unabated. We are now confronted with new and threatening circumstances, but I still believe that with the co-operation of all parties concerned the United Nations, and the Security Council in particular, must continue to seek, and eventually to find, reasonable, peaceful and just solutions.

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