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REPORT BY THE CHIEF OF STAFF OF THE TRUCE SUPERVISION ORGANIZATION
TO THE SECRETARY-GENERAL ON THE INCIDENTS BETWEEN EGYPT AND ISRAEL,
SINCE THE GAZA INCIDENT OF 28 FEBRUARY 1955

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, cabled on 13 April 1955, from the Chief of Staff of the Truce Supervision Organization concerning the incidents between Egypt and Israel since the Gaza incident of 28 February 1955.

I

1. Since the Gaza incident of 28 February 1955, which was considered by the Security Council last month, the Egyptian delegation has lodged forty-nine complaints with the Mixed Armistice Commission and the Israel delegation thirty-five complaints. Twenty-one Egyptian complaints alleged overflights, sixteen firing across the demarcation line, six crossing of the demarcation line by an armed group, and two crossings by an armed unit. Thirteen Israel complaints alleged infiltration into Israel, eight firing across the demarcation line, and seven blowing up by a mine of an Israel command car on patrol along the demarcation line. In addition, three Israel complaints alleged overflights, two crossing of the demarcation line by an armed group and one crossing by an armed unit.
2. The twenty-one Egyptian complaints alleging overflights, the sixteen Egyptian and eight Israel complaints alleging firing across the demarcation line, the seven Israel complaints alleging blowing up by mines of Israel army vehicles on patrol, indicate the state of tension prevailing along the demarcation line. The most important factor contributing to the increased tension is the mining of tracks used by Israel army vehicles. This new development may well be retaliatory action by certain elements following the Gaza incident.
3. Since the beginning of March, Israel has reported the following casualties: three soldiers and one civilian killed; twenty-eight soldiers and twenty-three civilians wounded. Egypt has reported the following casualties: three soldiers and three civilians killed; seven soldiers and two civilians wounded. Four Arab infiltrators have been reported killed and one wounded inside Israel.
4. In conformity with the rules of procedure of the Mixed Armistice Commission emergency meetings were held for the incidents of major importance. The following is a summary of the resolutions adopted in the emergency meetings.
5. Israel was condemned 1/ for an incident of 9 March, when an Arab farmer was wounded in the Gaza strip by an Israeli patrol which fired across the demarcation line. The wounded man was captured by two armed Israelis who crossed the demarcation line.
6. Egypt was condemned 2/ for an incident of 12 March, when an Israel Army command car was blown up by a mine laid on the track used by Israel routine patrols along the demarcation line of the Gaza strip. There were no casualties. The Mixed Armistice Commission found that the mine had been laid by men who had crossed the demarcation line from the Gaza strip.
7. On 15 March the Israel settlement of Sharsherett, twelve kilometres from the demarcation line, was attacked with rifle fire and hand grenades. An Israeli officer was wounded, and a house seriously damaged. No resolution 3/ was adopted by the Mixed Armistice Commission, the Chairman, in the absence of convincing evidence, having been unable to find that the attackers came from Egyptian-controlled territory.
8. Egypt was condemned 4/ for an incident of 19 March when a mine laid on the track used by Israel routine

patrols blew up an Israel Army vehicle, slightly wounding four Israeli soldiers. The Mixed Armistice Commission found the mine had been laid by men who had crossed the demarcation line from the Gaza strip.

9. Egypt was condemned 5/ for an incident of 24 March at Patish, seventeen kilometres from the demarcation line, where two men threw two hand grenades and fired four bullets with Sten guns at an Israeli wedding party, killing one woman and wounding twenty-three men, women and children. An appeal to the Special Committee against this decision has been filed by Egypt.

10. Egypt was condemned 6/ for an incident of 28 March, when a mine laid on the track used by Israel routine patrols blew up an Israel Army vehicle, seriously wounding two Israelis, an officer and a private. The officer died of his wounds. The Mixed Armistice Commission found that the mine had been laid by men who had crossed the demarcation line from the Gaza strip.

11. Egypt and Israel were both condemned 7/ for an incident of 30 March, when fire was exchanged between an Israel patrol driving along the demarcation line and an Egyptian position. Both sides used automatic weapons and three-inch mortars. One Egyptian soldier was wounded. It was impossible to determine which side fired first.

12. Egypt was condemned 8/ for an incident of 31 March, when a mine laid on the track used by Israel routine patrols blew up an Israel Army vehicle, wounding two Israeli soldiers. The Mixed Armistice Commission found that the mine had been laid by men who had crossed the demarcation line from the Gaza strip.

13. Egypt was condemned 9/ for an incident of 1 April, when a mine was laid on the track used by Israel routine patrols blew up an Israel Army command car. One Israeli soldier was seriously injured. The Mixed Armistice Commission found that the mine had been laid by men who had crossed the demarcation line. In view of the lack of sufficient evidence, the Chairman of the Mixed Armistice Commission abstained on the paragraph of the Israel resolution which stated that the Egyptian military position opened fire at the Israel patrol with automatic weapons immediately after the explosion of the mine.

14. Israel was condemned 10/ for firing which occurred on the same day. The Chairman voted for an Egyptian resolution stating that Israeli soldiers had opened fire at an Egyptian outpost with rifles, automatic weapons and two mortars, wounding an Arab boy, but he noted that the firing took place near the spot where the Israel command car was blown up at about the same time.

15. Another case of the mining of the track used by Israel patrols and another case of an exchange of fire occurred on 2 April. The Mixed Armistice Commission had received complaints both from Egypt and Israel, and two resolutions were moved, one by the Egyptian delegation and the other by the Israel delegation. The resolutions 11/ were adopted by majority vote, the Chairman voting in favour in both cases. In the Egyptian resolution the Mixed Armistice Commission found that on 2 April, at about 0940 local time, Israeli soldiers fired at an Egyptian outpost with rifles, automatic weapons and three-inch mortars, and that an Israel jeep penetrated one hundred meters into Egyptian-controlled territory, and that as a result of this act of aggression, two Egyptian soldiers were wounded, one of whom died of his wounds.

16. In the Israel resolution, the Mixed Armistice Commission found that a group of men trained in mine-laying had crossed the demarcation line and committed an act of aggression by laying of a mine on the routine route of Israel routine security patrols two metres from the demarcation line. At about 0930 local time the mine blew up an Israel Army command car of a routine Israel security patrol. At about 0940, Egyptian military positions fired at the patrol and at an Israel observation post with automatic weapons and three-inch mortars. Five soldiers and one officer belonging to the Israel patrol were wounded, one soldier by a bullet, another by mortar shell fragments. Twenty mortar impacts and shell fragments were found in the Israel observation post. The Israel resolution noted that, despite the obligations imposed upon Egypt by the General Armistice Agreement and numerous Mixed Armistice Commission decisions, these repeated acts of aggression against Israel had not been terminated.

17. The Chairman of the Mixed Armistice Commission, explaining his vote, stated that the case before the Mixed Armistice Commission was a case of mining and a case of exchange of fire. The mining case was convincing in itself. As to the exchange of fire, each party claimed the fire was opened by the other party, and the evidence offered only proved that there had been firing by both sides, using automatic weapons and mortars. Consequently, while agreeing that firing by one party at the other across the demarcation line is a violation of article II, paragraph 2, of the General Armistice Agreement, the Chairman did not think that the use of the expression "act of aggression" was appropriate.

18. The most serious incident since the Gaza incident of 28 February is certainly that of 3 April. On the Egyptian side, two soldiers were killed and a captain and four soldiers were wounded. On the Israel side, out of a patrol consisting of an officer and fifteen soldiers, two of the soldiers were killed, two seriously wounded and ten others wounded. The two delegations submitted complaints and moved resolutions which were adopted 12/ by a majority vote, the Chairman having noted for both.

19. In the Egyptian resolution, the Mixed Armistice Commission found that on 3 April at about 1730 local time, an Israel Army unit, driving in three command cars and armed with rifles, automatic weapons, hand grenades and mortars, came near the demarcation line and fired at an Egyptian checkpoint. From several Israel positions - one of them in the vicinity of the Israel settlement Nahal Oz - the Egyptian checkpoint was heavily shelled by ninety-two three-inch and 120 mm. mortars. The Israelis also used five armoured half-track vehicles. One of these crossed the demarcation line and attacked the Egyptian checkpoint. An Egyptian Army jeep was taken by Israelis from behind the checkpoint. The Mixed Armistice Commission decided that the above-mentioned actions were violations by Israel of article II, paragraph 2, and article VII, paragraphs 4 and 5, of the General Armistice Agreement. The Mixed Armistice Commission called upon the Israel authorities to withdraw immediately any armoured half-tracks and 120 mm. Mortars which might be in the defensive area mentioned in article VII, paragraph 4, and in Annex III on the definition of defensive forces, and to return

the Egyptian Army jeep.

20. In the Israel resolution the Mixed Armistice Commission found that at about 1730 local time an Egyptian military position near Kilo 95, twenty metres from the demarcation line, and an Egyptian military position on hill 79 attacked with LMGS, MMGS and three-inch mortars a routine Israel security patrol driving in three command cars along the routine patrol route. The attack took place when the Israel patrol was fifty metres from the first Egyptian military position in flat terrain, devoid of cover and dominated by two Egyptian positions. The latter also fired three-inch mortars at the Israel village of Nahal Oz. Owing to the heavy fire from the Egyptian positions which dominated the area in which the Israel patrol was pinned down, and the heavy casualties suffered by the patrol, it was impossible to evacuate the dead and wounded or to render first aid on the spot. Reinforcements had to be called upon for this task, and such reinforcements had to use five half-tracks, to return fire with LMGS and mortars, and to cross the demarcation line with one half-track in the direction of the Egyptian position. Only then was it possible to rescue the casualties and survivors of the Israel patrol. The Mixed Armistice Commission noted with grave concern these repeated and continuous acts of aggression by Egypt against Israel forces on routine duty. The Mixed Armistice Commission decided that the above-mentioned unprovoked acts of aggression by Egyptian military positions against Israel security forces constitutes a flagrant violation by Egypt of articles I, paragraph 2, and II, paragraph 2, of the General Armistice Agreement.

21. At the end of the emergency meeting of the Mixed Armistice Commission, the Chairman explained his vote on the two resolutions for which he had voted.

22. With regard to the Egyptian resolution, he stated that the words "fired at" used in the Egyptian resolution did not imply, in his opinion, that the Israel command cars fired first at the Egyptian outpost. As to the violations of the General Armistice Agreement by Israel referred to in the Egyptian resolution, they were, in his opinion, technical violations. The Mixed Armistice Commission had always decided that acts such as the firing across the demarcation line by military units, the crossing of the demarcation line by military units, the use of vehicles and weapons of a certain type in an area in which they are forbidden, were violations of the General Armistice Agreement. Any violation of the General Armistice Agreement should be described as such, even if in a particular case special circumstances should be taken into account.

23. With regard to the Israel resolution, the Chairman, while agreeing as to the facts although some details were contestable, made reservations on the following points: (a) The Israel resolution mentioned the presence of three inch mortars in the Egyptian position, but did not mention that only five impacts were found in Israel territory; (b) with regard to the Egyptian firing at the Israel village of Nahal Oz, a United Nations Observer at 1820 had seen an Israel mortar position in the vicinity of the said village firing upon the Egyptian position; (c) the Chairman recalled the statement he had made in his comments on the Egyptian resolution concerning the use by Israelis of half-tracks and 120 mm. Mortars in the defensive area in which they are prohibited by the General Armistice Agreement; (d) The Israel resolution condemned Egypt for violating article I, paragraph 2, of the General Armistice Agreement, which provides that "no aggressive action by armed forces ... of either party shall be undertaken, planned, or threatened against the people or armed forces of the other". The Chairman stated that reference to article I, paragraph 2, did not imply in his mind any relation to any planning. The Chairman regretted the useless loss of lives and called on both parties to enforce strict discipline on their troops stationed in this sensitive spot.

24. As Chief of Staff, I have associated myself with the Chairman of the Egypt-Israel Mixed Armistice Commission in his regret for lives lost, as well as in other comments and reservations on the two resolutions which were adopted.

II

25. In my view, a majority of the incidents listed above are due to emotional tension following the action at Gaza on 28 February. Israel patrols which have been mined or fired upon follow a round, close to and paralleling the demarcation line, which they have patrolled for several years but which makes them extremely vulnerable. It would appear that the actions for which Egypt has been condemned maybe due to unofficial retaliations by military or civilian personnel in the Gaza area and in some cases to the hasty opening of fire against what was believed to be a threat of attack. In any case, if the situation is not to continue to deteriorate, such actions must be repressed by Egypt, and, on the other hand, Israel forces must avoid any provocation or actions which might legitimately cause Egyptian forward troops to fear attack. On 7 April I addressed an urgent request to both parties in this sense.

26. On 11 and 13 April, I interviewed the responsible senior Israel and Egyptian military authorities in regard to the steps to be taken to improve the situation in the Gaza area, as recommended in my report to the Security-Council (S/3373). In my view, the most urgent of these is to institute joint patrols. Egypt is prepared in principle to set these up; I have not yet received the final reply from the Israel authorities.

27. Both sides are prepared to meet with a view to effecting a local commanders' arrangement, towards which considerable preliminary work has been done.

28. Both sides have assured me verbally that only disciplined regular military and police forces are being employed in an area extending one kilometre on either side of the demarcation line.

29. The Israel authorities look with favour on the erection of an obstacle to help prevent infiltration. The Egyptian authorities see difficulties in this proposal, but are prepared to consider ways and means of carrying it out. Both sides point out that it would be difficult for them to create such an extensive obstacle unless assisted by the supply of materials from outside sources.

30. On the request of the Egyptian representative to the Mixed Armistice Commission, additional United Nations observers are being posted in positions on the Egyptian side of the demarcation line where they will be better able to determine which side is guilty of firing first or crossing the demarcation line.

31. Pending agreement on the measures suggested above or other effective measures desired by both parties, it is necessary that both parties make the commanders of their troops in the area responsible for preventing any initiation of hostile acts, provocations, or any other action which might lead to a clash which the Governments of both sides have declared they desire to avoid.

APPENDIX

DECISIONS OF THE EGYPTIAN-ISRAELI MIXED ARMISTICE COMMISSION AT EMERGENCY MEETINGS REGARDING INCIDENTS WHICH TOOK PLACE DURING THE PERIOD 1 MARCH - 3 APRIL 1955

A. Emergency Meeting of 20 March 1955

1. The Commission adopted the following resolution submitted by Egypt:

"The Mixed Armistice Commission, having discussed Egyptian complaint E-40-55 and investigation report,

(1) Finds that on 9 March 1955 at 0900 local time, an Israeli patrol approached the Armistice Demarcation Line at Abbassan area opened fire from Israeli controlled territory across the Demarcation Line on an unarmed Arab named Hassan Abu Anza who was planting watermelon in his field in Egyptian controlled territory.

(2) Further finds that as a result of firing and above mentioned Arab was wounded.

(3) Notes further that after firing across Armistice Demarcation Line two armed Israelis crossed the Demarcation Line and advanced about one hundred ten metres inside Egyptian controlled territory, took the wounded Arab and returned back with victim to Israeli controlled territory.

(4) Decides that the above action is a flagrant violation of Article II Paragraph 2 of the General Armistice Agreement by Israel.

(5) Requests the immediate return of the wounded Arab Hassan Abu Anza and his donkey.

(6) Notes with grave concern the serious situation prevailing along the Demarcation Line."

Resolution adopted, Egypt and Chairman voting in favour, Israel voting against.

2. The Commission adopted the following resolution submitted by Israel:

"The Mixed Armistice Commission, having considered Israel complaint number I-59-55,

(1) Finds that during the early hours of 12 March 1955 a trained group of three men crossed the Armistice Demarcation Line from Egyptian controlled territory into Israel.

(2) Further finds that the above mentioned group laid a mine on routine patrol track within Israel.

(3) Finds further that as a result of this act of aggression an army vehicle of routine Israel security patrol was blown up and destroyed.

(4) Notes with grave concern that despite the obligations imposed on Egypt by the General Armistice Agreement the laying of mines within Israeli territory has not been terminated.

(5) Notes with grave concern the serious situation prevailing along the Armistice Demarcation Line.

(6) Decides that this act of aggression committed by the above mentioned group in Israel is a flagrant violation of the General Armistice Agreement by Egypt.

(7) Calls upon Egyptian authorities to take necessary steps to terminate such acts of aggression."

Resolution adopted, Israel and Chairman voting in favour, Egypt voting against.

3. The Commission failed to adopt the following draft resolution submitted by Israel:

"The Mixed Armistice Commission, having considered Israeli complaint number I-67-55,

(1) Finds that on the evening of 15 March 1955 a group of armed men crossed the Armistice Demarcation Line from Egyptian controlled territory into Israel.

(2) Further finds that the above mentioned group penetrated to a distance of twelve kilometres into Israel.

(3) Finds further that the above mentioned group attacked Shasahereth settlement with rifle and hand grenades. As a result of this attack

(a) one Israeli officer was wounded by hand grenade splinters

(b) a house in above mentioned settlement was seriously damaged.

(4) Notes with grave concern that despite the obligations imposed by the General Armistice Agreement on Egypt and various Mixed Armistice Commission decisions no end has yet been put to such acts of aggression by Egypt.

(5) Decides that this act of aggression constitutes a flagrant violation of the General Armistice Agreement by Egypt.

(6) Calls upon Egyptian authorities to put an immediate end to such acts of aggression."

Draft resolution not adopted, Israel voting in favour, Egypt voting against and Chairman abstaining.

Explaining his vote, the Chairman stated:

"In abstaining from the vote on the resolution submitted by the Israel Delegation, I did not want to indicate that this incident has not occurred, since the damage caused by it was seen by a United Nations Observer, nor did I want to imply that it was committed by Israelis, but merely that in the absence of convincing evidence, I have been unable to decide that the authors of this incident came from Egyptian controlled territory as stated in proposed resolution."

B. Emergency Meeting of 23 March 1955

4. The Commission adopted the following resolution submitted by Israel:

"The Egyptian-Israeli Mixed Armistice Commission, having considered Israeli complaint I-69-55,

(1) Finds that during the night of 18/19 March 1955 a group of two trained men armed with a mine crossed the Armistice Demarcation Line from Egyptian controlled territory into Israel.

(2) Finds further that above mentioned group laid a mine on track used by Israel routine security patrols in Israel.

(3) Further finds that as a result of this act of aggression an Israel army command car with four soldiers on routine duty was blown up with the following consequences:

(a) Four Israeli soldiers were lightly wounded;

(b) Command car was seriously damaged part of vehicle blown to a distance of seventy metres;

(c) Description of damage to vehicles:

(I) Front wheel blown off,

(Ii) Tire blown away,

(Iii) Motor completely destroyed,

(Iv) Glass shattered.

(4) Notes with extremely grave concern that despite obligations imposed on Egypt by the General Armistice Agreement and numerous Mixed Armistice Commission decisions such repeated acts of aggression against Israel by Egypt have not been terminated.

(5) Calls upon Egyptian authorities to terminate immediately all acts of aggression against Israel.

(6) Notes with grave concern the serious situation prevailing along the Armistice Demarcation Line.

(7) Decides that this act of aggression carried out by above mentioned group is a flagrant violation of the General Armistice Agreement by Egypt."

Resolution adopted, Israel and Chairman voting in favour, Egypt voting against.

C. Emergency Meeting of 27 March 1955

5. The Commission adopted the following resolution submitted by Israel:

"The Egyptian-Israeli Mixed Armistice Commission, having considered Israeli complaint I-75-55,

(1) Finds that during the night of 24 March 1955, a group of two armed men who had previously penetrated into Israel, approached the village of Patish situated seventeen kilometres deep in Israel.

(2) Finds further that above mentioned group perpetrated a brutal and murderous act of aggression by throwing two hand-grenades and firing four bullets from two sten guns at wedding party taking place in above mentioned village.

(3) Finds further that as a result of this brutal and murderous act of aggression, the Israeli village of Patish suffered the following civilian casualties:

(a) One woman killed;

(b) One baby girl one year old suffered shock;

(c) One girl and three boys were wounded;

(d) Six women were wounded;

(e) Twelve men were wounded.

(4) Notes with grave concern that these acts of aggression against Israel have not yet been terminated.

(5) Decides that the acts described in paragraphs one, two and three of this resolution constitute a flagrant violation of the General Armistice Agreement by Egypt.

(6) Notes with extremely grave concern aggravation to the serious situation prevailing along the Armistice Demarcation Line.

(7) Calls upon Egyptian authorities to do their best to arrest these infiltrators."

Resolution adopted, Israel and Chairman voting in favour, Egypt voting against.

Amendments submitted by Egypt to paragraphs two, six and seven of the draft Israeli resolution were adopted.

D. Emergency Meeting of 31 March 1955

6. The Commission adopted the following resolution submitted by Israel:

"The Egyptian-Israeli Mixed Armistice Commission, having considered Israel complaint I-81-55,

(1) Finds that during the night of 27/28 March 1955 a group of trained men armed with a mine crossed the Armistice Demarcation Line from Egyptian controlled territory into Israel.

(2) Finds further that the above mentioned group committed an act of aggression by laying the mine on a track used by Israeli routine security patrols in Israel.

(3) Further finds that as a result of this act of aggression an Israel army command car of routine security patrol containing an officer and four men was blown up at 1430 local time on 28 March 1955. The command car was thrown two metres from the track by the force of the explosion.

(4) Finds further that as a result of this act of aggression:

(a) One Israeli officer was seriously wounded and subsequently died of his wounds. One Israeli soldier was seriously wounded.

(b) One Israel army command car was seriously damaged as follows:

(I) Right front wheel blown off completely, parts of same scattered in a radius of 60 metres.

(Ii) Right part of motor destroyed.

(5) Notes with grave concern that despite the obligations imposed on Egypt by the General Armistice Agreement and numerous Mixed Armistice Commission decisions, these repeated acts of aggression by Egypt against Israel have not been terminated.

(6) Decides that the above mentioned act of aggression constitutes a flagrant violation of the General Armistice Agreement by Egypt.

(7) Notes with extremely grave concern aggravation caused by repeated acts of aggression by Egypt against Israel, to already serious situation prevailing along the Armistice Demarcation Line.

(8) Calls upon Egyptian authorities to put an immediate end to those acts of aggression against Israel."

Resolution adopted, Israel and Chairman voting in favour, Egypt voting against.

The Chairman declared with reference to the expression "trained men" that he understood it to mean only that the group knew how to lay a mine competently.

E. Emergency meeting of 6 April 1955

7. The Commission adopted the following resolution submitted by Egypt:

"The Egyptian-Israeli Mixed Armistice Commission, having considered Egyptian complaint E-60-55,

(1) Finds that on the morning of 30 March 1955 an Israeli army unit armed with rifles, automatic weapons and three inch mortars, commanded by an Israeli officer, came near the Armistice Demarcation Line and opened fire at an Egyptian position and at an Egyptian patrol which was about five hundred metres well inside Egyptian patrol which was about five hundred metres well inside Egyptian controlled territory with rifle, automatic weapons and three inch mortars across the Demarcation Line from Israel controlled territory. Twenty-three inch mortar shells hit the area in Egyptian controlled territory.

(2) Further finds that as a result of this firing and shelling directed by the Israel unit, one Egyptian soldier was wounded by mortar shrapnel and an Arab house was hit.

(3) Decides that the above mentioned act of aggression constitutes a flagrant violation of Article II Paragraph 2 of the General Armistice Agreement by Israel.

(4) Calls upon the Israeli authorities to put an immediate end to these acts of aggression against Egypt."

Resolution adopted by majority vote, Israel voting against.
See explanation by Chairman following decision 8.

8. The Commission adopted the following resolution submitted by Israel:

"The Egyptian-Israeli Mixed Armistice Commission, having considered Israel complaint I-82-55,

(1) Finds that on the morning of 30 March 1955 an Egyptian military position located in Egyptian controlled territory opened fire with automatic weapons and three inch mortars at a routine Israel security patrol patrolling along the Demarcation Line inside Israel territory.

(2) Decided that the above mentioned act of aggression constitutes a flagrant violation of Article II Paragraph 2 of the General Armistice Agreement by Egypt.

(3) Calls upon Egyptian authorities to put an immediate end to these acts of aggression against Israel."

Resolution adopted, Israel and Chairman voting in favour, Egypt voting against.

The Chairman, in reference to the phrase "opened fire" used in both resolutions, stated that evidence presented to the Mixed Armistice Commission had not shown who fired first but that an exchange of fire took place during which automatic weapons and three-inch mortars were used by both sides.

F. Emergency meeting of 7 April 1955

9. The Commission adopted the following resolution submitted by Israel:

"The Egyptian-Israeli Mixed Armistice Commission, having considered Israel complaint I-83-55,

(1) Finds a group of three trained men armed with a mine, crossed the Demarcation Line from Egyptian controlled territory into Israel.

(2) Finds further that the above mentioned group committed an act of aggression by laying a mine on the track used by Israel routine security patrols in Israel.

(3) Further finds that as a result of this act of aggression an Israel army command car was blown up at 0915 local time approximately, on 31 March 1955 with the following consequences:

(a) two Israeli soldiers wounded;

(b) one Israeli command car severely damaged as follows:

(I) Right front wheel blown off;

(Ii) Motor blown apart, parts of same scattered in a radius of 150 metres.

(4) Notes with grave concern that despite the obligations imposed upon Egypt by the General Armistice Agreement and numerous Mixed Armistice Commission decisions, these repeated acts of aggression against Israel have not been terminated.

(5) Decides that the above mentioned act of aggression constitutes a flagrant violation of the General Armistice Agreement by Egypt.

(6) Notes with extremely grave concern the repeated mining of Israel routine patrol by groups emanating from Egyptian controlled territory and intensification to the already aggravated situation prevailing along the Armistice Demarcation Line as a result of these repeated acts of aggression against Israel.

(7) Calls upon Egyptian authorities to put an immediate end to these acts of aggression against Israel and to fully observe the General Armistice Agreement."

Resolution adopted, Israel and Chairman voting in favour, Egypt voting against.

The Chairman stated that in accordance with the recommendation of the Chief of Staff of the United Nations Truce Supervision Organization he had already suggested to both delegations that the text of resolutions submitted to the Mixed Armistice Commission should not only avoid the use of exaggerated adjectives or the repetition of the same words in each paragraph, but also be as brief as possible. The Egyptian delegation had expressed its readiness to follow such a procedure, the Chairman stated, however, the Israeli delegation preferred to have this proposition discussed at a regular meeting of the Mixed Armistice Commission.

The Chairman said he was obliged to vote upon a resolution, that he was unable to amend it motu proprio except for minor drafting points suggested informally which are or are not accepted, and that he must therefore either vote for, against or abstain. As regards the present resolution, the Chairman said he was convinced of the fact stated but did not approve of certain adjectives or words used, in particular in paragraphs four, six and seven. He stated further that he did not believe that a resolution would carry less weight when worded in a more sober way.

He stated finally that he understood by the words "trained men" as used in paragraph one of the resolution, men who were able to competently lay a mine, not implying in this case any other form of training.

G. Emergency Meeting of 9 April 1955

10. The Commission adopted the following resolution submitted by Egypt:

"The Egyptian-Israeli Mixed Armistice Commission, having considered Egyptian complaint number E-70-55 and its investigation reports by the United Nations Military observers:

(1) Finds that on 3 April 1955 at about 1730 local time, an Israeli army unit driving in three command cars and armed with rifles, automatic weapons, hand grenades and mortars came near the Demarcation Line and fired at an Egyptian checkpoint. The Egyptian checkpost was heavily shelled by 92-3 inch and 120 MM from several positions inside Israeli controlled territory. One of those positions was in the vicinity of the Israeli settlement Nahal Oz.

(2) Further finds the using of five armoured half track vehicles. One of these crossed the Demarcation Line and attacked an Egyptian checkpost.

(3) Further finds as a result of these actions:

(a) Two Egyptian soldiers were killed.

(b) A Captain and four other Egyptian soldiers were wounded.

(c) An Egyptian Army jeep was taken from behind the checkpost to Israeli controlled territory.

(4) Decides that the above-mentioned actions are violations of Article II Paragraph 2 and Article VII, Paragraphs 4 and 5 of the General Armistice Agreement.

(5) Calls upon Israeli authorities to withdraw immediately any armoured half tracks and 120 MM mortars which may be in a defensive area mentioned in Article VII Paragraph 4 and Annex III on the definition of defensive forces and to return back the Egyptian Army jeep."

Resolution adopted, Egypt and Chairman voting in favour, Israel voting against.
Explaining his vote, the Chairman stated:

"The words 'fired at' in the first paragraph do not imply in my opinion that the Israelis fired first."

"Also in my view, violations referred to in paragraph (4) are technical violations. This Mixed Armistice Commission has always decided that acts such as: Firing across the Demarcation Line by military units, crossing of Demarcation Line by military units, use of vehicles and weapons of certain

type in area which they are forbidden are violations of the General Armistice Agreement."

"I feel that it is obligatory that any violations of the General Armistice Agreement should be described as such, even if in a particular case special circumstances should be taken into account."

See also statement by the Chief of Staff at the end of the explanation of the Chairman on Decision 11.

11. The Commission adopted the following resolution submitted by Israel:

"The Egyptian-Israeli Mixed Armistice Commission, having considered the complaint number I-87-55,

(1) Finds that on 3 April 1955 at approximately 1730 local time a Permanent Egyptian military position situated in Egyptian controlled territory near Kilo 95 twenty metres from Armistice Demarcation Line and the Egyptian Military position on Hill 79 attacked with LMGS, MMGS and three inch mortar fire routine Israel security patrol moving along routine patrol route in Israel, when the Patrol reached the point on road fifty metres from first Egyptian military position in flat terrain, devoid of cover and completely dominated by above-mentioned permanent Egyptian military positions.

(2) Finds further that the Permanent Egyptian military positions also fired three inch mortars at Israel village of Nahal Oz.

(3) Further finds that as a result of this unprovoked attack by the above-mentioned Egyptian military positions against an Israel routine security patrol consisting of an Officer and 15 soldiers driving in three command cars, later suffered following casualties:

(a) Two soldiers are drilled.

(b) Two soldiers seriously wounded.

(c) Ten soldiers wounded.

(d) Three Israel Army command cars were heavily damaged by heavy Egyptian fire.

(4) Finds further that owing to heavy fire directed from permanent Egyptian military positions which completely dominated the area in which the Israel routine patrol was pinned down and heavy casualties suffered by above-mentioned patrol, it was impossible to evacuate dead and wounded or to render first aid on spot, therefore, reinforcements had to be called to accomplish this task.

(5) Further finds that owing to factors described in paragraph (4) above, reinforcements were forced to use five half tracks and to return Egyptian fire with LMGS and mortars and to cross the Demarcation Line with one half track in direction of Egyptian military position only then was it possible to accomplish the rescue of casualties and survivors of this patrol.

(6) Notes with grave concern the extreme gravity of this attack and that in perpetration of this act of aggression Egypt showed a total disregard for the General Armistice Agreement.

(7) Notes further with grave concern these repeated and continuous acts of aggression against the Israel security forces on routine duty by Egypt.

(8) Decides that the above-mentioned unprovoked acts of aggression by Egyptian military positions against Israel security forces constitute a flagrant violation of Article I paragraph 2 and Article II paragraph 2 of the General Armistice Agreement by Egypt.

(9) Notes with extremely grave concern the untenable situation created along the Armistice Demarcation Line by these unprovoked acts of aggression by Egyptian troops against Israel.

(10) Calls once again upon Egyptian authorities to terminate immediately all acts of aggression against Israel and to fully implement the General Armistice Agreement."

Resolution was adopted, Israel and Chairman voting in favour, Egypt voting against.

Explaining his vote, the Chairman stated:

"I should like to state that while agreeing as to facts generally although some details are contestable, I wish to formulate reservations concerning:

(a) Paragraph 1. I regret that when mentioned presence of three inch mortars in Egyptian position, this resolution does not also mention the fact that only five impacts were found in Israeli territory.

(b) Paragraph 2. A United Nations observer himself saw at 1820 on 3 April an Israeli mortar position in the vicinity of Nahal Oz firing against the Egyptian position.

(c) Paragraph 5. Explanations already given for the Egyptian resolution apply also for this paragraph of the Israeli resolution.

(d) Paragraph 8. Reference to Article I paragraph 2 does not imply in my mind any relation to any planning.

Finally I do not approve of certain exaggerated words used in this resolution particularly in paragraphs (7) and (9). I want to express my deep regret for such useless loss of human lives and I call on both parties to enforce on their troops stationed in this sensitive spot a strict discipline."

The Chief of Staff associated himself with the Chairman of the Egyptian-Israeli Mixed Armistice Commission in his regret for the lives lost in this recent very serious incident, as well as in his other comments and reservations on resolutions. He considered that it was his duty to point out that the series of events in the vicinity of Gaza which had resulted in the deteriorating situation can and should be ended; which will require from both parties firm control of their forward troops so as to avoid any acts of provocation or retaliation, or any actions which might lead to fear of attack by either side.

H. Emergency Meeting of 11 April 1955

12. The Commission adopted the following resolution submitted by Egypt:

"The Egyptian-Israeli mixed Armistice Commission, having considered the Egyptian complaint number E-68-55,

(1) Finds that on 1 April 1955 at about 1300 local time, Israeli soldiers opened fire at an Egyptian outpost in Egyptian controlled territory across the Armistice Demarcation Line with rifles, automatic weapons and two mortars.

(2) Further finds that four shells of the two mortars were found in the Egyptian outpost.

(3) Further finds that as a result of this act of aggression a boy twelve years old who was sitting in front of his house was wounded by a bullet.

(4) Notes with grave concern that despite the obligation imposed on Israel by the General Armistice Agreement and numerous Mixed Armistice Commission decisions, such acts of aggression against Egypt have not been terminated.

(5) Decides that the above-mentioned act of aggression constitutes a flagrant violation of Article II paragraph 2 of the General Armistice Agreement by Israel.

(6) Notes with grave concern the serious situation prevailing along the Demarcation Line.

(7) Calls upon Israeli authorities to put an immediate end to these acts of aggression against Egypt and to fully observe the General Armistice Agreement."

Resolution adopted, Egypt and Chairman voting in favour, Israel voting against.

The Chairman explained his vote as follows:

"Although I am convinced of the facts I should like to make it clear that this firing took place in the vicinity of the spot where an Israeli command car was blown up by a mine on the same day and about the same time, and I would like to repeat again that I do not approve of repetition and use of certain exaggerated words."

13. The Commission adopted the following resolution submitted by Israel:

"The Egyptian-Israeli Mixed Armistice Commission, having considered Israel complaint number I-84-55,

(1) Finds that a group of trained men armed with a mine crossed the Armistice Demarcation Line from Egyptian controlled territory into Israel and committed an act of aggression by laying the mine on a track used by Israel routine patrols in Israel.

(2) Finds further that as a result of this act of aggression an Israel army command car of routine security patrol was blown up at approximately 1230 local time on 1 April 1955 and as a consequence one Israel soldier was wounded and the above-mentioned command car practically destroyed.

(3) Further finds that an Egyptian military position situated in Egyptian controlled territory opened fire at an Israel patrol with automatic weapons immediately after the explosion.

(4) Decides that the above-mentioned act of aggression constitutes a flagrant violation of the General Armistice Agreement by Egypt.

(5) Notes with extremely grave concern that despite the obligations imposed upon Egypt, these acts of aggression against Israel have not been terminated and the intensification of the already aggravated situation prevailing along the Armistice Demarcation Line as a result of these repeated incidents of mine laying on Israel routine patrols route by groups emanating from Egyptian controlled territory.

(6) Calls once again upon Egyptian authorities to put an immediate end to these acts of aggression

against Israel and to fully observe the General Armistice Agreement”.

The resolution was voted upon paragraph by paragraph. Resolution adopted, Israel voting in favour, Egypt voting against all paragraphs and the Chairman voting for, with the exception of paragraph (3) on which he abstained.

Explaining his vote the Chairman stated:

“I abstained on paragraph (3) of the proposed Israeli resolution in view of the lack of sufficient evidence. Although convinced of the fact that the Israeli Command car was blown up by a mine, I make some reservations. In paragraph (1), referring to the use of trained men, I understand as already stated before, when voting on similar resolutions that these men are able competently to lay a mine, but that I do not want to include any implication of any other form of training. In paragraph (2) of the resolution, for the sake of accuracy, I would have liked that in referring to wounded soldier the following sentence from the United Nations Observer’s Report be used: “The Israeli soldier was slightly hit in one eye by soil projection. Generally speaking, I did not approve of repetition of certain words in every paragraph of a resolution and once again I request both parties to word their resolutions in a more sober way.”

I. Emergency Meeting of 12 April 1955

14. The Commission adopted the following resolution submitted by Egypt:

“The Egyptian-Israeli Mixed Armistice Commission, having considered the Egyptian complaint number E-69-55 and the Investigation Report of the United Nations Observer,

(1) Finds that on 2 April 1955 at about 0940 local time Israeli soldiers fired at an Egyptian post in Egyptian controlled territory across the Demarcation Line with rifles, automatic weapons and three inch mortars.

(2) Finds further that impacts of three inch mortars shells were found in Egyptian outpost and in surrounding area.

(3) Finds further that an Israeli jeep crossed the Armistice Demarcation Line and penetrated 100 metres into Egyptian controlled territory.

(4) Further finds that as a result of this act of aggression two Egyptian soldiers were wounded, one seriously, who subsequently died of his wounds.

(5) Notes with grave concern that despite obligations imposed upon Israel these actions against Egypt have not been terminated.

(6) Decides that this act of aggression is a flagrant violation of article II, paragraph 2, of the General Armistice Agreement by Israel.

(7) Calls upon Israeli authorities to put an immediate end to these acts of aggression against Egypt and to fully observe the General Armistice Agreement.”

Resolution adopted, Egypt and Chairman voting in favour, Israel voting against.

See explanation by Chairman following decision 15.

15. The Commission adopted the following resolution submitted by Israel:

“The Egyptian-Israeli Mixed Armistice Commission, having considered Israel complaints numbers I-85-55 and I-86-55,

(1) Finds that a group of men trained in mine laying armed with a mine, crossed the Demarcation Line from Egyptian controlled territory and committed an act of aggression by laying a mine on a routine route of the Israel routine Security Patrols two metres from the Armistice Demarcation Line in Israel.

(2) Finds further that as a result of the above-mentioned act an Israel army command car containing one Officer and ten men of the routing Israel Security Patrol was blown up at 0930 local time approximately on 2 April 1955.

(3) Finds further that at about 0940 local time the Permanent Egyptian Military Positions situated in Egyptian controlled territory fired at the above-mentioned patrol and at an Israel observation post situated in Israel with automatic weapons and three inch mortars.

(4) Finds further that as a result of the acts described in paragraphs (1), (2) and (3) of this resolution, the Israel routine Security Patrol sustained the following casualties and damages:

(a) Five Israel soldiers were wounded; one of them by a bullet and one by mortar shell fragments.

(b) One Officer slightly wounded.

(c) One Israel army command car completely destroyed.

(5) Finds that 20 mortar shell impacts and fragments of shells were found in the above-mentioned observation post.

(6) Notes with grave concern that despite obligations imposed upon Egypt by the General Armistice Agreement and numerous Mixed Armistice Commission decisions, these repeated acts of aggression against Israel have not been terminated.

(7) Decides that acts described in paragraph (3) of this resolution constitute a flagrant violation of article II, paragraph 2, of the General Armistice Agreement by Egypt.

(8) Decides further that acts described in paragraphs (1) and (2) of this resolution are a flagrant violation of the General Armistice Agreement by Egypt.

(9) Notes with extremely grave concern that this is sixth case of mine laying on an Israel routine patrol route by groups emanating from Egyptian controlled territory since 12 March 1955 and intensification to an already aggravated situation prevailing along the Armistice Demarcation Line as a result of these repeated acts of aggression against Israel.

(10) Calls once again upon authorities to put an immediate end to these acts of aggression against Israel and to fully observe the General Armistice Agreement."

Resolution adopted, Israel and Chairman voting in favour, Egypt voting against.

The Chairman explained his vote as follows:

"The case disposed of today was a case of mine and a case of exchange of fire. The mine case is convincing by itself. As to the exchange of fire, both parties claim that fire was opened by the other party and the evidence offered proves only that there was firing by both sides, both sides using automatic weapons and mortars. Consequently, while agreeing that the firing by one party at the other party across the Demarcation Line is a violation of article II, paragraph 2, of the General Armistice Agreement, I do not think that the use of the expression 'act of aggression' is appropriate in such a case. Once again I urge both parties to abstain from repetition of words and expressions when this repetition is not necessary and adds only to the length of the resolution."

Notes

- 1/ For text of resolution, see Appendix, decision 1.
- 2/ For text of resolution, see Appendix, decision 2.
- 3/ For text of draft resolution, see Appendix, under 3.
- 4/ For text of resolution, see Appendix, decision 4.
- 5/ For text of resolution, see Appendix, decision 5.
- 6/ For text of resolution, see Appendix, decision 6.
- 7/ For text of resolutions, see Appendix, decisions 7 and 8.
- 8/ For text of resolution, see Appendix, decision 9.
- 9/ For text of resolution, see Appendix, decision 13.
- 10/ For text of resolution see Appendix, decision 12
- 11/ For textx of resolutions see Appendix, decisions 14 and 15.
- 12/ For texts of resolutions see Appendix, decisions 10 and 11