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### REPORT OF THE SECRETARY-GENERAL UNDER SECURITY COUNCIL RESOLUTION 331 (1973) OF 20 APRIL 1973

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## INTRODUCTION

1. The present report is submitted in pursuance of Security Council resolution 331 (1973) of 20 April 1973 in which the Council requested the Secretary-General to submit to it as early as possible a comprehensive report giving a full account of the efforts undertaken by the United Nations pertaining to the situation in the Middle East since June 1967. The Security Council also decided to meet following the submission of the Secretary-General's report to examine the situation in the Middle East and it requested the Secretary-General to invite his Special Representative, Ambassador Gunnar Jarring, to be available during the Council's meetings in order to render assistance to the Council in the course of its deliberations.

### I. UNITED NATIONS EFFORTS TO DEAL WITH PARTICULAR ASPECTS OF THE MIDDLE EAST SITUATION

2. Although the main purpose of this report is to apprise the Security Council of the efforts undertaken by the United Nations since 1967 in the search for a peaceful settlement of the Middle East problem and in particular of the activities of the Jarring mission, it may be useful first to recall briefly the efforts made by the Organization to deal with particular aspects of the situation in the Middle East.

#### A. Status of the cease-fire

3. Shortly after the outbreak of the hostilities on 5 June 1967, the Security Council adopted two resolutions calling for an immediate cease-fire (resolution 233 (1967) of 6 June and resolution 234 (1967) of 7 June 1967). Following the adoption of those resolutions, the Governments of Jordan, Israel, the United Arab Republic<sup>3/</sup> and Syria successively announced their acceptance of the cease-fire. Fighting stopped on the United Arab Republic and Jordanian fronts by 8 June and on the Syrian front on 10 June. At the cessation of hostilities the Israeli forces had reached the east bank of the Suez Canal, except for the Port Fuad area at the northern tip, in the United Arab Republic; they also occupied the West Bank in Jordan and the western part of the Golan Heights in Syria. No fighting took place between the Israeli and Lebanese forces and the 1949 armistice demarcation line between Israel and Lebanon has remained unaltered.

4. In order to make the cease-fire effective between the Israeli and Syrian forces, the Security Council passed two further resolutions on 9 and 12 June respectively (resolutions 235 (1967) and 236 (1967)). On the basis of these resolutions and after obtaining the agreement of the two parties concerned, the Secretary-General established a United Nations operation for the observation of the cease-fire in the Israel-Syria sector. A similar operation was later set up in the Suez Canal sector in pursuance of the consensus approved by the Security Council on 9-10 July 1967 and with the agreement of both parties concerned. Much later, at the request of the Lebanese Government and after the Security Council consensus of 19 April 1972, a third observation operation was set up in the Israel-Lebanon sector, but on the Lebanese side only. There is no machinery for the observation of the cease-fire in the Israel-Jordan sector. On several occasions the Secretary-General has drawn attention to the fact that in the absence of a decision by the Security Council no such machinery could be established.

5. The responsibility for the cease-fire observation operations has been entrusted to the Chief of Staff of the United Nations Truce Supervision Organization in Palestine (UNTSO) and the United Nations military observers assigned to that mission. At the same time, UNTSO has continued to maintain the machinery for the supervision of the 1949 General Armistice Agreements, but as Israel no longer recognizes those Agreements, UNTSO has been unable to carry out those of its functions and duties relating to them.

6. Where cease-fire observation operations exist, United Nations military observers are stationed in the cease-fire sectors on both sides in the Suez Canal and Israel-Syria sectors and on one side only in the Israel-Lebanon sector. The United Nations observers do not carry arms and have no enforcement power. Their main function is to observe the situation in the cease-fire sectors and report to the Security Council, through the Secretary-General, on violations of the cease-fire that they have observed, such as firing, exchanges of fire, overflights and forward military movements (see the supplemental information reports in the S/7930/Add. series). They may also receive complaints from the parties, and, when the latter so request, they may carry out inquiries on those complaints. It should be noted that they can only observe developments within the observation range of the observation posts. Air attacks and raids carried out by armed forces against targets far behind the forward defended localities cannot be observed. When guerrilla activity takes place in a cease-fire sector, United Nations observers are generally unable to observe or identify the irregular forces involved.

7. Nevertheless, despite these shortcomings, the reports of the observers have proved to be useful as an independent and impartial source of information for the assessment by the Security Council of the situation in the cease-fire sectors. It may also be pointed out that the presence of United Nations observers in an area can be helpful in preserving the cease-fire in ways other than reporting. The mere fact of their watchful presence can be something of a deterrent to military activity, and in dealing with the parties concerned they can use their influence to defuse dangerous situations. When fighting does break out, they can

quickly intervene on the spot with opposing local commanders to arrange immediate cease-fires. The Chief of Staff of UNTSO and the observers may also use their good offices to facilitate operations of a non-military nature in the cease-fire sectors. For example, when a leak occurred in an oil pipeline between the Israeli and Syrian forward defended localities in November 1969 arrangements were made, through the good offices and safe conduct of UNTSO, for the necessary inspection and repairs to be carried out by technical personnel of the oil company (S/7930/Add.57).

8. Since June 1967, three observers have died in line of duty. One observer was killed near Kuneitra during the hostilities of June 1967 and the other two in the Suez Canal sector in July 1969 and July 1970, respectively. In addition, 13 observers were injured in varying degrees while performing their duties.

9. I have been following the situation in the cease-fire sectors very closely and have endeavoured through the exercise of my good offices and appeals to the parties to reduce tension and prevent escalation. In this connexion I should mention the efforts I made in close co-operation with the President of the Security Council for the release of the Syrian and Lebanese military and security personnel abducted by Israeli armed forces from Lebanese territory on 21 July 1972. Those efforts, initiated in June 1972 in the exercise of my good offices, were later specifically endorsed by the Security Council in its resolution 317 of 21 July 1972. They have not as yet proved successful.

10. When serious incidents break out, the parties themselves generally bring them to the attention of the Security Council, giving, of course, their own versions of them. In the most serious cases, one or both parties concerned often - but not always - request a meeting of the Security Council to consider the matter. A full account of the consideration of the various incidents by the Security Council may be found in the Council's own records and need not be repeated here. However, for reference purposes, a list of the various meetings held by the Security Council on cease-fire matters since June 1967, the complaints of the parties brought before it and the decisions it has taken on them is given below:

(a) 1365-1366 meetings (8-9 July 1967):

Subject matter

United Arab Republic complaint concerning Israeli violationsse-fire in the Suez Canal sector on 8 July 1967 and Israeli complaint concerning United Arab Republic violations on the same day.

Decision:

Consensus of the Security Council of 9-10 July 1967 authorizing the Secretary-General to station United Nations military observers in the Suez Canal sector with the agreement of Israel and the United Arab Republic.

(b) 1369-1371 meetings (24-25 October 1967):

Subject matter:

United Arab Republic complaint concerning Israeli attacks against the Suez area on 24 October 1967 and Israeli complaint concerning the sinking of the Israeli destroyer Eilat by United Arab Republic forces on 21 October.

Decision:

Resolution 240 (1967) of 25 October 1967 condemning the violations of the cease-fire and demanding that the Member States concerned cease immediately all prohibited military activities in the area and co-operate fully and promptly with UNTSO.

(c) 1401-1407 meetings (21-24 March 1968):

Subject matter:

Jordanian complaint concerning Israeli attacks against the East Bank of Jordan on 21 March 1968 and Israeli complaint concerning continuous armed attacks against Israel from Jordanian territory.

Decision:

Resolution 248 (1968) of 24 March 1968 condemning the military action launched by Israel, deploring all violent incidents in violation of the cease-fire and declaring that such actions of military reprisals and other grave violations of the cease-fire could not be tolerated and that the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts.

(d) 1409-1412 meetings (30 March-4 April 1968):

Subject matter:

Jordanian complaint concerning renewed Israeli attacks against the East Bank of Jordan on 29 March 1968 and Israeli complaint concerning Jordanian violations of the cease-fire.

Decision:

Statement by the President of the Security Council at the 1412th meeting on 4 April 1968 to the effect that the members of the Council were deeply concerned at the deteriorating situation in the area and that the Council would keep the situation under close review.

(e) 1434-1440 meetings (5-16 August 1968):

Subject matter:

Jordanian complaint concerning Israeli air attacks against the Jordanian city of Salt on 4 August 1968 and Israeli complaint concerning continuous violations of the cease-fire by Jordan.

Decision:

Resolution 256 (1968) of 16 August 1968 condemning the further military attacks launched by Israel and warning that if such attacks were to be repeated the Council would duly take account of the failure to comply with the resolution.

(f) 1446-1452 meetings (4-18 September 1968):

Subject matter:

Israeli complaints concerning an ambush laid by United Arab Republic soldiers against an Israeli patrol on the east bank of the Suez Canal on 26 August 1968 and firing by United Arab Republic forces against Israeli forces on 8 September 1968 and United Arab Republic complaint concerning Israeli shelling of Port Tawfiq, Suez, Ismailia and Kantara on 8 September.

Decisions: (i)

Statement by the President of the Security Council at the 1448th meeting on 8 September 1968 to the effect that the Council deeply regretted the loss of life and requested the parties strictly to observe the cease-fire;

(ii) Resolution 258 (1968) of 18 September 1968 insisting that the cease-fire ordered by the Council must be rigorously respected, reaffirming its resolution 242 (1967), and urging all the parties to extend their fullest co-operation to the Special Representative of the Secretary-General in the speedy fulfilment of his mandate.

(g) 1456-1457 meetings (1-4 November 1968):

Subject matter:

United Arab Republic complaint concerning Israeli air attacks against civilian targets in upper Egypt and Israeli complaint concerning recent United Arab Republic attacks against Israel.

Decision: None.

(h) 1460-1462 meetings (29-31 December 1968):

Subject matter:

Lebanese complaint against Israeli air attack against the Civil International Airport of Beirut on 28 December 1968 and Israeli complaint concerning Lebanese assistance to irregular forces operating from Lebanon against Israel.

Decision:

Resolution 262 (1968) of 31 December 1968 condemning Israel for its premeditated military action and issuing a solemn warning to Israel that if such acts were to be repeated the Council would have to consider further steps to give effect to its decisions.

(i) 1466-1473 meetings (27 March-1 April 1969):

Subject matter:

Jordanian complaint concerning Israeli air attacks against the area of Salt on 26 March 1969 and Israeli complaint against Jordanian violations of the cease-fire, including assistance to terrorist groups operating against Israel from Jordanian territory and shelling of Israeli villages by Jordanian forces.

Decision:

Resolution 265 (1969) of 1 April 1969 deploring the loss of civilian life and damage to property, condemning the recent premeditated air attacks launched by Israel on Jordanian villages and populated areas and warning once again that if such attacks were to be repeated the Council would have to meet to consider further more effective steps as envisaged in the Charter to ensure against their repetition.

(j) 1498-1502 and 1504 meetings (13-26 August 1969):

Subject matter:

Lebanese complaint concerning Israeli air attacks against villages in southern Lebanon on 11 August 1969 and Israeli complaint against intensified armed attacks against Israel from Lebanese territory.

Decision:

Resolution 270 (1969) of 26 August 1969 condemning the premeditated air attack by Israel on villages in southern Lebanon, deploring all violent incidents in violation of the cease-fire and the extension of the area of fighting and declaring that such actions of military reprisal and other grave violations of the cease-fire could not be tolerated and that the Council would have to consider further and more effective steps as envisaged in the Charter to ensure against their repetition.

(k) 1537-1542 meetings (12-19 May 1970):

Subject matter:

Lebanese complaint concerning Israeli ground and air attacks against Lebanon on 12 May 1970 and Israeli complaint concerning continuous armed attacks against Israel from Lebanese territory.

Decisions:

(i) Resolution 279 (1970) of 12 May 1970 demanding the immediate withdrawal of all Israeli armed forces from Lebanese territory;

(ii) Resolution 280 (1970) of 19 May 1970 deploring the failure of Israel to abide by resolutions 262 (1968) and 270 (1969), condemning Israel for its premeditated military action, declaring that such armed attacks could no longer be tolerated and repeating its solemn warning to Israel that if they were to be repeated the Council would consider taking adequate and effective steps or measures in accordance with the relevant Articles of the Charter to implement its resolutions.

(l) 1551 meeting (5 September 1970):

Subject matter:

Lebanese complaint concerning Israeli ground and air attacks against Lebanon on 4-5 September 1970.

Decision:

Resolution 285 of 5 September 1970 demanding the complete and immediate withdrawal of all Israeli armed forces from Lebanese territory.

(m) 1643-1644 meetings (26-28 February 1972):

Subject matter:

Lebanese complaint concerning Israeli ground and air attacks against Lebanon on 25 February 1972 and Israeli complaint concerning continuous armed attacks against Israel from Lebanese territory.

Decision:

Resolution 313 (1972) of 28 February 1972 demanding that Israel immediately desist and refrain from any ground and air military action against Lebanon and forthwith withdraw its military forces from Lebanese territory.

(n) 1648-1650 meetings (23-26 June 1972):

Subject matter:

Lebanese and Syrian complaints concerning Israeli ground and air attacks against Lebanon on 21, 22 and 23 June 1972 and Israeli complaint concerning continuous armed attacks against Israel from Lebanese territory.

Decision:

Resolution 316 (1972) of 26 June 1972 calling upon Israel strictly to abide by its resolutions and to refrain from all military acts against Lebanon, condemning, while profoundly deploring all acts of violence, the repeated attacks of Israeli forces on Lebanese territory and population, expressing the strong desire that appropriate steps would lead to the release in the shortest possible time of all Syrian and Lebanese military and security personnel abducted by Israeli armed forces on 21 June 1972 from Lebanese territory and declaring that if those steps did not result in the release of the abducted personnel or if Israel failed to comply with the present resolution the Council would reconvene at the earliest to consider further action.

(o) 1651-1653 meetings (18-21 July 1972):

Subject matter:

Lebanese and Syrian complaints concerning the refusal of Israel to release the abducted Lebanese and Syrian military and security personnel in accordance with Security Council resolution 316 (1972) and Israeli request for the mutual release of all prisoners of war.

Decision:

Resolution 317 (1972) of 21 July 1972 reaffirming its resolution 316 (1972), calling on Israel for the return of the abducted personnel without delay and requesting the President of the Security Council and the Secretary-General to make renewed efforts to secure the implementation of the resolution.

(p) 1661-1662 meetings (10 September 1972):

Subject matter:

Lebanese complaint of Israeli attacks against Lebanon on 8 September 1972 and Syrian complaint of Israeli attacks against Syria on the same day.

Decision: None.

(q) 1706-1711 meetings (13-21 April 1973):

Subject matter:

Lebanese complaint concerning Israeli raids in Beirut and Sidon on 10 April 1973.

Decision:

Resolution 332 (1973) of 21 April 1973 expressing deep concern over and condemning all acts of violence which endangered or took innocent human lives, condemning the repeated military attacks conducted by Israel against Lebanon and calling upon Israel to desist forthwith from all military attacks on Lebanon.

11. A review of the major incidents that have disrupted the cease-fire since June 1967 shows that guerrilla activity has been involved in many cases and that this involvement has been a factor both in the maintenance of the cease-fire and in the debates of the Security Council on the subject. It should be noted that some serious incidents were not brought before the Security Council. Indeed, the most serious breakdown of the cease-fire was never considered by the Council.

12. That breakdown concerned the fighting between the Israeli and United Arab Republic forces from early 1969 until 7 August 1970 and was due to the different positions of the parties concerning the implementation of the relevant Security Council resolutions. One side refused to continue to observe the cease-fire which it regarded as in effect perpetuating foreign occupation of its sovereign territory, while the other side contended that it would observe the cease-fire as long as the other party was willing to do so. When the first exchanges of fire took place in February 1969 the Secretary-General reported to the Security Council the concern expressed by the Chief of Staff of UNTSO that continued firing in the Suez Canal sector, if not checked, might result in a more serious breach of the cease-fire. Soon the fighting escalated and by the end of 1969 had reached a high level of hostilities. During the whole period of the fighting the Secretary-General reported in detail all the developments observed by the observers and appealed on several occasions for an end to the hostilities. The fighting came to an end on 7 August 1970 under a proposal initiated by the United States Government. Under that proposal the Governments of Israel, Jordan and the United Arab Republic agreed to designate representatives to discussions to be held under Ambassador Jarring's auspices and, in order to facilitate the latter's task of promoting agreement as set forth in Security Council resolution 242 (1967), they undertook strictly to observe the cease-fire resolutions of the Council as from 7 August 1970 (see also paragraphs 64-66 below).

13. That tragic episode underlines the fact that in the present circumstances the maintenance of the cease-fire depends essentially on the willingness of the parties concerned to abide by it. But this in turn depends on the prospects of achieving a just and accepted settlement of the Middle East problem, and so long as such a settlement is not in sight the cease-fire will remain precarious and unstable.

B. Situation in the occupied territories

14. In the aftermath of the June 1967 hostilities, the Security Council on 14 June 1967 adopted resolution 237 (1967) in which it called upon the Government of Israel to ensure the safety, welfare and security of the inhabitants of the areas where military operations had taken place and to facilitate the return of those inhabitants who had fled the areas since the outbreak of hostilities, recommended to the Governments concerned the scrupulous respect of the humanitarian principles governing the treatment of prisoners of war and the protection of civilian persons in time of war contained in the Geneva Conventions of 12 August 1949 and requested the Secretary-General to follow the effective implementation of the resolution and to report to the Council. That resolution was later endorsed by the General Assembly in its resolution 2252 (ES-V) of 4 July 1967.

15. On 6 July 1967, the Secretary-General appointed Mr. Nils-Göran Gussing as his Special Representative to obtain for him on the spot the information required for the proper discharge of his responsibilities under those resolutions. The Secretary-General issued a report on the mission on 2 October 1967 (A/6797-S/8158),

which set forth the findings of the Special Representative concerning the safety, welfare and security of the population in the areas under Israeli control, the situation of displaced persons from those areas and the question of their return, the treatment of prisoners of war and the question of minorities.

16. In two notes dated 19 April and 31 July 1968 respectively (A/7085-S/8553 and A/7149-S/8699), the Secretary-General informed the General Assembly and the Security Council of his approaches to the Governments concerned in order to send a new representative to the area under Security Council resolution 237 (1967) and General Assembly resolution 2252 (ES-V). The Secretary-General pointed out that concern about humanitarian questions in the Middle Eastern area was frequently brought to his attention, but since the termination of the Gussing mission there had been no United Nations source of first-hand information on those problems. Israel agreed to the proposed mission but insisted that the Special Representative should look into the situation of the Jewish communities in the Arab countries in the area. The United Arab Republic, Jordan and Syria also accepted the Secretary-General's proposal, but they emphasized that the mandate of the Special Representative should be within the scope of the two above-mentioned resolutions and Syria made it clear that that should not include the "so-called Jewish minorities in Arab countries". In view of the difficulties concerning the scope and terms of reference of the proposed mission, the Secretary-General concluded that there was no basis at that time on which the mission could proceed.

17. On 27 September 1968 the Security Council adopted resolution 259 (1968) in which it requested the Secretary-General urgently to dispatch a special representative to the Arab territories under military occupation by Israel following the hostilities of 5 June 1967 and to report on the implementation of resolution 237 (1967). It also requested the Government of Israel to receive the Special Representative of the Secretary-General, to co-operate with him and to facilitate his work and recommended that the Secretary-General be afforded all co-operation in his efforts in this regard.

18. In a report dated 14 October 1968 (S/8851), the Secretary-General informed the Security Council that he was unable to give effect to the decision of the Council. Israel had insisted that parallel assurances should be received from the Governments of the Arab States that had participated in the war that the Special Representative would have the access and co-operation indispensable to the fulfilment of his mission concerning the Jewish minorities in their countries. The Arab States had reiterated their opposition to including the question of Jewish minorities in the mandate of the Special Representative.

19. At its twenty-third session the General Assembly, by its resolution 2443 (XXIII) of 19 December 1968, established a special committee composed of three Member States to investigate Israeli practices affecting the human rights of the population of the occupied territories. At the following session the Assembly adopted resolution 2546 (XXIV) of 11 December 1969, in which, among other things, it expressed its grave concern at the continuing reports of violation of human rights in the occupied territories, called upon the Government of Israel to desist forthwith from its reported repressive practices and policies towards the civilian population in those territories and requested the Special Committee to take cognizance of the provisions of the Assembly's resolution.

20. The Government of Israel has withheld its co-operation from the Special Committee, whose members are Somalia, Sri Lanka and Yugoslavia, claiming, among other things, that it had been illegally constituted. Since 1970 the Special Committee has submitted three reports to the General Assembly (A/8089 in 1970, A/8389 and Add.1 in 1971, A/8828 in 1972). In those reports the Committee set forth its findings based on information it had been able to obtain from sources from the occupied territories and recommended, among other things, that an alternate arrangement be made that would enable a direct and on-the-spot investigation of allegations of violation of human rights and that a protecting Power be designated under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 for the population of those territories. The General Assembly considered those reports at its twenty-fifth, twenty-sixth and twenty-seventh sessions and each time it has requested the Special Committee to continue its work and has called upon Israel to co-operate with the Special Committee and to facilitate its tasks (resolutions 2727 (XXV) of 15 December 1970, 2851 (XXVI) of 20 December 1971 and 3005 (XXVII) of 15 December 1972). In this connexion the Assembly has also called upon Israel to rescind forthwith and desist from all policies and practices affecting the human rights of the population of the occupied territories and reaffirmed that all measures to settle the occupied territories, including Jerusalem, were null and void.

21. The Commission on Human Rights considered matters relating to human rights in the occupied territories at each of its sessions since the beginning of 1968 and has adopted six resolutions on the subject (resolutions 6 (XXIV) of 27 February 1968, 6 (XXV) of 4 March 1969, 10 (XXVI) of 23 March 1970, 9 (XXVII) of 15 March 1971, 3 (XXVIII) of 22 March 1972 and 4 (XXIX) of 14 March 1973). In particular, the Commission, in its resolution 6 (XXV), entrusted a Special Working Group of Experts with the mandate to investigate allegations concerning Israel's violations of the fourth Geneva Convention and endorsed the conclusions of the Special Working Group (see E/CN.4/1016/Add.2) in its resolution 10 (XXVI).

22. The question of the return of displaced persons who had fled the occupied territories has also been dealt with by the General Assembly in conjunction with the problem of Palestine refugees (see paragraph 41 below).

### C. Question of Jerusalem

23. Following the June 1967 hostilities the question of Jerusalem was first considered by the General Assembly at its fifth emergency special session. By its resolution 2253 (ES-V) of 4 July 1967 and resolution 2254 (ES-V) of 14 July 1967, the Assembly considered that the measures taken by Israel to change the status of the city were invalid, called upon Israel to rescind all measures already taken and to desist forthwith from taking any action which would alter the status of Jerusalem, and requested the Secretary-General to report to it and to the Security Council on the situation.

24. In pursuance of General Assembly resolution 2253 (ES-V) the Secretary-General submitted a report

(A/6753-S/8052) on 10 July 1967 based on the information he had obtained from the Israeli Government. In his message to the Secretary-General the Israeli Foreign Minister indicated that the measures referred to in the General Assembly's resolution related to the integration of Jerusalem in the administrative and municipal spheres and furnished a legal basis for the protection of the Holy Places in Jerusalem.

25. After the adoption of Assembly resolution 2254 (ES-V), the Secretary-General appointed Ambassador A. Thalmann of Switzerland as his Personal Representative in Jerusalem in order to obtain information on the situation in the city. The Secretary-General's report on the activities of the Thalmann mission was submitted on 12 September 1967 (A/6793-S/8146). The report contained a description of the measures taken by the Israeli Government in order to integrate the parts of the city which had not been under Israeli control before June 1967. In particular, it referred to a law passed on 27 June 1967 providing that the law, jurisdiction and administration of the State should apply in any area of the State of Israel designated by the Government by order, as well as to an order issued by the Government on 28 June declaring the law, jurisdiction and administration of the State of Israel to be in force in the Old City and certain surrounding areas previously under Jordanian control.

26. On 27 April 1968 the Security Council adopted resolution 250 (1968) in which it called upon Israel to refrain from holding the military parade in Jerusalem which was contemplated for 2 May 1968. When the military parade was held as scheduled, the Security Council, on 2 May 1968, adopted resolution 251 (1968) in which the Council "deeply deplores the holding by Israel of the military parade in Jerusalem on 2 May 1968 in disregard of the unanimous decision adopted by the Council on 27 April 1968".

27. On 21 May the Security Council adopted resolution 252 (1968) in which it considered that all legislative and administrative measures and actions taken by Israel, including expropriation of land and properties thereon, which tended to change the legal status of Jerusalem were invalid and could not change that status. It also urgently called on Israel to rescind all such measures already taken and to desist forthwith from taking any further action which tended to change the status of Jerusalem and requested the Secretary-General to report to the Security Council on the implementation of the resolution. On 11 April 1969 the Secretary-General submitted a report (S/9149) in pursuance of Security Council resolution 252 (1968), which indicated that the Israeli Government's position in the matter remained the same. In this and a subsequent report dated 30 June 1969 (S/9149/Add.1) the Secretary-General circulated an unofficial translation of certain Israeli legislative and regulatory texts published in the Israel Official Gazette, which are relevant to the situation in Jerusalem.

28. At the request of Jordan the Council met on 30 June 1969 and adopted on 3 July resolution 267 (1969) in which it censured all measures taken to change the status of the city of Jerusalem, confirmed that all legislative and administrative measures and actions taken by Israel which purported to alter the status of Jerusalem, including expropriation of land and properties thereon, were invalid and urgently called once more upon Israel to rescind forthwith all measures taken by it which might tend to change the status of the city and to refrain from all actions likely to have such an effect. The Council also requested Israel to inform it without any further delay of its intentions with regard to the implementation of the provisions of the resolution and requested the Secretary-General to report to it on the matter. In pursuance of resolution 267 (1969) the Secretary-General submitted a report on 5 December 1969 (S/9537) in which he transmitted the information he had obtained from the Israeli Government. Israel took the position that it was inconceivable that Jerusalem should be torn apart again or that any international interest could be served by pressing for the dismemberment of the city.

29. On 21 August 1969 a fire occurred at the Al Aqsa Mosque in the Old City of Jerusalem and caused extensive damage to the building. At the request of the Arab Governments and others, the Security Council met to discuss the matter. In its resolution 271 (1969) of 15 September 1969, the Council recognized that any act of destruction or profanation of the Holy Places, religious buildings and sites in Jerusalem or any encouragement of, or connivance at, any such act might seriously endanger international peace and security. It determined that the execrable act of desecration and profanation of the Holy Al Aqsa Mosque emphasized the immediate necessity of Israel's desisting from acting in violation of United Nations resolutions and rescinding forthwith all measures and actions taken by it designed to alter the status of Jerusalem, and it called upon Israel scrupulously to observe the provisions of the Geneva Conventions and international law governing military occupation and to refrain from causing any hindrance to the discharge of the established functions of the Supreme Muslim Council of Jerusalem, including any co-operation that that Council might desire from countries with predominantly Muslim populations and from Muslim communities in relation to its plans for the maintenance and repair of the Islamic Holy Places in Jerusalem. The Council further condemned the failure of Israel to comply with its resolutions on the question of Jerusalem and called upon it to implement them forthwith. It also requested the Secretary-General to follow the implementation of the resolution and report thereon to the Council.

30. In compliance with this request, the Secretary-General submitted a report (S/9559) on 16 December 1969 based on information obtained from Israel. The Israeli Government charged that the genesis of the Council's resolution was the attempt of Arab States to exploit the fire in the Al Aqsa Mosque for propaganda purposes and to excite religious passions throughout the Moslem World. It went on to say that the report of the Commission of Enquiry appointed by the President of the Israel Supreme Court was published on 23 September 1969 and that the trial of the person accused of arson in connexion with the fire was in progress. In the meantime the Mosque had been temporarily repaired and prayers were being conducted as usual.

31. In a report dated 18 February 1971 and subsequent addenda (A/8282-S/10124 and Add.1 and 2) the Secretary-General brought to the attention of the Security Council an exchange of correspondence between him and the Permanent Representative of Israel concerning a master plan for the construction of housing developments in an area within and outside the Old City walls.

32. At the request of Jordan, the Security Council met again on 16 September 1971 to consider the question of Jerusalem. By its resolution 298 (1971) of 25 September 1971 the Council reaffirmed its resolutions 252 (1968) and 267 (1969). It confirmed that all legislative and administrative actions taken by Israel to change the status of the city of Jerusalem, including expropriation of land and properties, transfer of populations

and legislation aimed at the incorporation of the occupied section, were totally invalid and could not change that status. The Council urgently called upon Israel to rescind all previous measures and actions and to take no further steps in the occupied section of Jerusalem which might purport to change the status of the city and requested the Secretary-General, in consultation with the President of the Council, to report to it within 60 days on the implementation of the resolution. In his report dated 19 December 1971 (S/10392), the Secretary-General stated that after consultation with the President of the Security Council, it had been agreed that the best way of fulfilling his responsibilities under resolution 298 (1971) was through a mission of three members of the Security Council. He had in mind as members of the mission the representatives of Argentina, Italy and Sierra Leone. However, an exchange of letters with the Government of Israel had provided no indication that Israel was willing to comply with the Council's resolution. Consequently, it was not possible for the Secretary-General to fulfil his mandate.

33. On 23 April 1973 the Permanent Representative of Jordan addressed a letter to the Secretary-General (A/9059-S/10919), in which he drew attention to reports that the Israeli Government intended to hold a large military parade in Jerusalem on 7 May 1973 to celebrate the twenty-fifth anniversary of the establishment of Israel and that the parade would extend to the Arab sector of Jerusalem. In that connexion, the President of the Security Council, after consulting all members of the Council, drew the attention of the Permanent Representative of Israel on 27 April 1973 to the provisions of Security Council resolutions 250 (1968) and 251 (1968) concerning the holding by Israel of a military parade in Jerusalem on 2 May 1968 (S/10922). In a second letter to the Secretary-General dated 8 May 1973 (A/9064-S/10924) the Permanent Representative of Jordan complained that the Israeli Government had held the parade, and he stated that this action was, "besides being an open defiance of the Security Council's most recent and direct pronouncement, a flagrant violation of the spirit and intent of the Council's unanimously adopted resolutions 250 (1968) of 27 April 1968 and 251 (1968) of 2 May 1968".

34. In connexion with the question of Jerusalem a reference should be made to the status of Government House, which serves as headquarters of UNTSO. A controversy on this matter has arisen between the Israeli Government and the United Nations after the hostilities of June 1967. In exchanges of correspondence with the Israeli Permanent Representative (S/7930/Add.27 and 29 and A/8282-S/10124 and Add.1 and 2), the Secretary-General has made clear his position that the United Nations had the right to the exclusive and undisturbed occupancy and possession of the full Government House compound as it was constituted on 5 June 1967.

#### D. Palestine refugee problem

35. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), established by the General Assembly in 1949, has continued to provide assistance to Palestine refugees in the form of food, shelter and health and educational services after the hostilities of June 1967, but as a result of those hostilities the Agency has been confronted with new responsibilities and new problems.

36. At the beginning of June 1967 there were 1,344,576 Palestine refugees registered with UNRWA. Of these 722,687 were living in Jordan, 144,390 in Syria, 160,723 in Lebanon and 316,776 in the Gaza Strip. As a result of the hostilities about 180,000 refugees and 200,000 newly displaced persons fled from the West Bank and the Gaza Strip to east Jordan, and about 17,000 refugees and 100,000 Syrians left the occupied Golan Heights for other parts of Syria. Many of the displaced persons were in dire need of assistance, and UNRWA provided them with emergency relief, mainly in the form of rations, blankets and temporary shelters. In occupied territories UNRWA has continued to provide assistance to the refugees who remained there, but adjustments have had to be made to deal with the new situation. While the Agency's relationship with the Governments in the Arab host countries has remained unchanged, its activities have been affected in some areas by the military and political situation arising from the intensification of the Middle East conflict.

37. In its resolution 2252 (ES-V) adopted on 4 July 1967 during the fifth emergency special session, the General Assembly commended the Commissioner-General of UNRWA for continuing the activities of the Agency in the prevailing situation and endorsed his efforts to provide temporary emergency assistance to the newly displaced persons. The Assembly also welcomed Security Council resolution 237 (1967) of 14 June 1967, in which the Council, among other things, called for the return of those inhabitants who had fled the areas of military operations since the outbreak of hostilities.

38. Since the fifth emergency special session, the General Assembly has periodically considered the annual reports of the Commissioner-General on the activities of UNRWA (A/6713, A/7213, A/7614, A/8013, A/8413 and A/8713 and Corr.1) and has invariably given its support to the Agency whose mandate has been extended until 30 June 1975 (resolutions 2341 A (XXII) of 19 December 1967, 2452 B (XXIII) of 19 December 1968, 2535 A (XXIV) of 10 December 1969, 2672 A (XXV) of 8 December 1970, 2792 A (XXVI) of 6 December 1971 and 2963 A (XXVII) of 13 December 1972). In this connexion the General Assembly has given special attention to the financial difficulties of UNRWA and has called for increased voluntary contributions to meet the needs of the Agency. When the financial situation became critical in 1970, the Assembly established a working group to study all aspects of the financing of UNRWA (resolution 2656 (XXV) of 7 December 1970). At the twenty-seventh session the Assembly endorsed the conclusion of the Working Group that further vigorous and constant fund-raising activities on behalf of UNRWA were essential and requested it to continue its efforts, in co-operation with the Secretary-General and the Commissioner-General, for the financing of the Agency for a further period of one-year (resolution 2964 (XXVII) of 13 December 1972).

39. When considering the refugee problem, the General Assembly has repeatedly noted with regret that the repatriation or compensation of the refugees as provided for by paragraph 11 of its resolution 194 (III) has not been effected, that no substantial progress has been made in the programme endorsed by its resolution 513 (VI) for the reintegration of refugees, either by repatriation or resettlement, and that therefore the situation of the refugees has continued to be a matter of serious concern. The Assembly has also noted with regret that the United Nations Conciliation Commission for Palestine was unable to find a means of achieving progress in the implementation of paragraph 11 of resolution 194 (III) and has requested the Commission to exert continued efforts towards this objective. In its last report to the Assembly, dated 29 September 1972

(A/8830), the Conciliation Commission indicated that the situation which had prevented all progress towards implementation of paragraph 11 of resolution 194 (III) remained essentially unchanged. The Commission expressed its determination to resume its endeavours as soon as it was possible to carry forward its work, while pointing out that its ability to do so would depend not only on an amelioration of the situation but also on the willingness of the parties to co-operate with it.

40. In conjunction with its consideration of the problem of the Palestine refugees the General Assembly has also adopted in 1969, 1970, 1971 and 1972 resolutions in which it recognizes that the problem arose from the denial of the inalienable rights of the Palestinian refugees under the United Nations Charter and the Universal Declaration of Human Rights and that the full respect for the inalienable rights of the people of Palestine is indispensable for the establishment of a just and lasting peace in the Middle East (resolutions 2535 B (XXIV), 2672 C (XXV), 2792 D (XXVI) and 2963 E (XXVII)).

41. The plight of the displaced persons who have fled from the occupied territories since June 1967 has also received the continued attention of the General Assembly. The Assembly has repeatedly called upon the Government of Israel to take effective and immediate steps for the return without delay of the displaced persons to their homes and camps (resolutions 2252 (ES-V), 2452 A (XXIII), 2672 D (XXV), 2792 E (XXVI) and 2963 D (XXVII)). In his reports to the Assembly on this subject (A/7665, A/8366 and A/8786) the Secretary-General has transmitted the information he has received from the Government of Israel. According to the latest information received, which was dated 8 August 1972 (A/8786), more than 40,000 displaced persons have returned to their homes since 1967. The Israeli Government also indicated that the conditions prevailing in the area did not permit a large-scale return of displaced persons and that the extent and rapidity with which the return could be facilitated was inevitably affected by political and security conditions. The Commissioner-General in his statement to the Special Political Committee during the twenty-seventh session of the General Assembly indicated that among the approximately 40,000 displaced persons who had returned some 3,000 were UNRWA refugees.

42. Another specific question considered by the General Assembly concerns the refugees in the Gaza Strip. In 1971 the Commissioner-General of UNRWA submitted a special report (A/8383 and Add.1) on operations carried out by the Israeli military authorities in the Gaza Strip that had resulted in the demolition of large numbers of shelters in refugee camps and the removal of approximately 15,000 refugees from those camps. The General Assembly has twice called upon Israel to desist from further destruction of refugee shelters and from further removal of refugees from their present places of residence and to take immediate and effective steps for the return of the refugees concerned to the camps from which they were removed and to provide adequate shelters for their accommodation (resolutions 2792 C (XXVI) and 2963 C (XXVII)). The Assembly has also called upon Israel to desist from all measures that affect the physical structure and the demographic composition of the Gaza Strip. On 15 September 1972 the Secretary-General submitted a report on the subject (A/8814) to the General Assembly, based on the information that he had received from the Israeli Government and the Commissioner-General of UNRWA. The Israeli Government indicated that the measures taken by the Israeli authorities were necessitated by security considerations and that where shelters had to be demolished all possible safeguards were taken to avoid undue hardship to the inhabitants of the affected shelters. The Commissioner-General of UNRWA reported that no further demolitions with their attendant removal of refugees had taken place since August 1971, although there had been some demolitions of individual shelters as a punitive or deterrent measure. The Commissioner-General also indicated that according to the Agency's information many refugees affected by the demolitions were still living in unsatisfactory conditions and that he was pursuing the matter with the Israeli authorities.

## II. THE SEARCH FOR A SETTLEMENT

### Adoption of Security Council resolution 242 (1967)

43. In the discussions in the Security Council and in the General Assembly at its fifth emergency special session following the hostilities of June 1967, the view was widely held that not only should the immediate effects of those hostilities be dealt with, but that the time had come for a peaceful settlement of all aspects of the Middle East situation. Several proposals giving recognition to that view in one form or another were put forward, but none obtained the necessary majority.

44. In November 1967, the Security Council considered several proposals relating to the establishment of a just and lasting peace in the Middle East and on 22 November 1967 adopted resolution 242 (1967), the text of which reads as follows

"The Security Council,

"Expressing its continuing concern with the grave situation in the Middle East,

"Emphasizing the inadmissibility of the acquisition of territory by war and the need to work for a just and lasting peace in which every State in the area can live in security,

"Emphasizing further that all Member States in their acceptance of the Charter of the United Nations have undertaken a commitment to act in accordance with Article 2 of the Charter,

"1. Affirms that the fulfilment of Charter principles requires the establishment of a just and lasting peace in the Middle East which should include the application of both the following principles:

(i) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(ii) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and their right to

live in peace within secure and recognized boundaries free from threats or acts of force;

"2. Affirms further the necessity (a) For guaranteeing freedom of navigation through international waterways in the area;

(b) For achieving a just settlement of the refugee problem;

(c) For guaranteeing the territorial inviolability and political independence of every State in the area, through measures including the establishment of demilitarized Zionist;

"3. Requests the Secretary-General to designate a Special Representative to proceed to the Middle East to establish and maintain contacts with the States concerned in order to promote agreement and assist efforts to achieve a peaceful and accepted settlement in accordance with the provisions and principles in this resolution;

"4. Requests the Secretary-General to report to the Security Council on the progress of the efforts of the Special Representative as soon as possible."

As I stated in the Security Council on 20 April 1973 (S/PV.1710, page 12), the activities of the Special Representative in pursuance of resolution 242 (1967) have been described in a series of reports by the Secretary-General, notably the detailed reports of my predecessor dated 4 January 1971 (S/10070) and 30 November 1971 (A/8541-S/10403). The information in the sections covering activities up to November 1971 has been taken from those reports, for the most part verbatim.

#### Activities of the Special Representative from December 1967 to May 1968

45. On 23 November 1967 the Secretary-General reported to the Council (S/8259) that he had invited Ambassador Gunnar Jarring of Sweden to accept the designation as the Special Representative mentioned in paragraph 3 of the Council's above-mentioned resolution. Ambassador Jarring accepted this designation and arrived at United Nations Headquarters on 26 November, where he entered into consultation with the representatives of Israel, Jordan, Lebanon and the United Arab Republic (Syria, the other State concerned, did not at that stage or later accept the Security Council resolution). After those consultations with the parties, Ambassador Jarring established the headquarters of the United Nations Middle East Mission in Cyprus.

46. When the Special Representative first met with the parties in December 1967, he found that the Israeli Government was of the firm view that a settlement of the Middle East question could be reached only through direct negotiations between the parties culminating in a peace treaty and that there could be no question of withdrawal of their forces prior to such a settlement. In a letter dated 27 December, the Minister for Foreign Affairs of Israel communicated to the Special Representative a proposal that Israel and the United Arab Republic representatives should, as a first step, discuss an agenda for peace. The Israeli proposals for such an agenda were:

"1. Political and juridical problems: The replacement of cease-fire arrangements by peace treaties ending the state of belligerency, ending all hostile acts and threats and embodying a permanent undertaking of mutual non-aggression.

"2. Territorial and security problems: The determination of agreed territorial boundaries and security arrangements. Agreement on this measure would determine the deployment of armed forces after the cease-fire.

"3. Navigation problems: Practical methods should be discussed for ensuring free navigation for all States including Israel in the Suez Canal and the Gulf of Aqaba when the cease-fire is replaced by peace. In the light of tragic experience, it is evident that international declarations cannot by themselves solve this problem. Concrete measures and guarantees are required.

"4. Economic problems: Proposals for terminating boycott practices and instituting normal economic relations."

47. The United Arab Republic and Jordan, for their part, insisted that there could be no question of discussions between the parties until the Israeli forces had been withdrawn to the positions occupied by them prior to 5 June 1967. Reacting specifically to the Israeli proposals for discussing an agenda for peace, the Minister for Foreign Affairs of the United Arab Republic, in an aide-mémoire presented on 30 December 1967, stated that the withdrawal of Israel's forces to the positions held prior to June 1967 was a basic and preliminary step to a peaceful settlement in the Middle East.

48. An Israeli proposal for discussions on an agenda for peace with Jordan was submitted to the Special Representative in a letter dated 7 January 1968. It followed the same general lines as the proposal for the United Arab Republic but contained more detailed suggestions for economic co-operation, as well as the following new topics:

Humanitarian problems: In the proposed negotiation, high priority should be given to a solution of the refugee problem with international and regional co-operation.

Religious and historical sites: Access to sites of special religious significance should be discussed. The Government of Israel clarified its views on this subject in several verbal and written communications to the United Nations."

It was also stated:

"In the meantime, it is urgent that breaches of the cease-fire and activities by El Fatah and other such organizations should be suppressed and every effort made on both sides to avoid exchanges of fire."

49. The proposals, when communicated to the Jordanian authorities by the Special representative, were objected to in the same way as the proposals to the United Arab Republic had been.

50. Faced with these conflicting positions, the Special Representative sought to obtain from the parties an assurance that they would implement Security Council resolution 242 (1967), in the hope that such a declaration would be regarded as a basis for subsequent discussions between the parties. The Special Representative received from the Israeli Foreign Minister a number of written formulations of Israel's position on the Security Council resolution, of which the last, dated 19 February 1968, read as follows:

"1. The Government of Israel, out of respect for the Security Council's resolution of 22 November 1967 and responding affirmatively thereto, assures you of its full co-operation in your efforts with the States concerned to promote agreement and to achieve an accepted settlement for the establishment of a just and lasting peace, in accordance with your mandate under the resolution.

"2. Israel's position has throughout been that the best way to achieve the objective of the Security Council resolution is through direct negotiations. However, as a further indication of Israel's co-operation, we are willing that this be done in a meeting convened by the Special Representative of the Secretary-General.

"3. On 12 February 1968, I informed you of Israel's acceptance of the Security Council's call in its resolution of 22 November 1967 for the promotion of agreement on the establishment of peace. The United Arab Republic is also aware of Israel's willingness as explained on 1 February to negotiate on all matters included in the Security Council's resolution. We accept the sponsor's view that the principles recommended for inclusion in the peace settlement are integrally linked and interdependent.

"4. We have noted the United Arab Republic's willingness to 'implement' the Security Council's resolution and fulfil its obligations thereunder. It is a matter of concern that the United Arab Republic statements, unlike those of Israel, do not specifically use the precise terms of the resolution in such crucial matters as 'agreement' and the 'establishment of a just and lasting peace', and that the United Arab Republic has not yet agreed to a process of negotiation without which, of course, a declaration of willingness to fulfil the resolution is of no substantive effect. The resolution is a framework for agreement. It cannot be fulfilled without a direct exchange of views and proposals leading to bilateral contractual commitments. The United Arab Republic position is, therefore, still deficient in important respects. We are, however, conscious of the importance of the fact that the United Arab Republic and Israel have both responded affirmatively to the call for co-operating with you in the mission laid upon you by the Security Council. At the same time, it would be unrealistic to ignore that there have been sharp differences of interpretation of what the resolution entails. To subscribe to similar declarations does not of itself solve practical issues at stake.

"5. It is accordingly urgent to move forward to a more substantive stage and to embark on a meaningful negotiation for achieving the just and lasting peace called for by the Security Council."

In discussions with the Special Representative on that date, the Foreign Minister stated that Israel would not object to an indirect approach to negotiations provided that it was designed to lead to a later stage of direct negotiations and agreement.

51. In a series of meetings with Ambassador Jarring over this period, the United Arab Republic Foreign Minister gave assurances that the United Arab Republic was ready to implement the Security Council resolution as a whole and to fulfil its obligations under it, but stated that it would not accept direct negotiations. As the Foreign Minister stated in a meeting held on 20 February 1968, the United Arab Republic accepted indirect negotiations; however, the first step must be an Israeli declaration "in clear language" that it would implement the Security Council resolution.

52. The Jordanian authorities expressed a similar point of view to the Special Representative.

53. The Special Representative then proceeded to United Nations Headquarters for consultations with the Secretary-General. Returning to the area at the beginning of March, he informally presented to the parties, to ascertain their reactions, a draft letter from himself to the Secretary-General, which would be worded as follows:

"The Governments of Israel and the United Arab Republic [Jordan] have both indicated to me that they accept Security Council resolution 242 (1967) of 22 November 1967 for achieving a peaceful and accepted settlement of the Middle East question and intend to devise arrangements, under my auspices, for the implementation of the provisions of the resolution.

"The two Governments have expressed their willingness to co-operate with me in my capacity as Special Representative of the Secretary-General in the discharge of my tasks of promoting agreement and achieving such a settlement.

"In view of the urgency of the situation and with a view to expediting efforts to reach settlement, I have invited the two Governments to meet with me, for conferences within the framework of the Security Council resolution, in Nicosia. I have pleasure in informing you that the two Governments have responded favourably to this invitation."

54. In the ensuing two months, Ambassador Jarring paid repeated further visits to the countries concerned with a view to obtaining their acceptance of the idea of meetings under his auspices. Israel eventually accepted, without conditions, the text proposed by the Special Representative. Jordan and the United Arab Republic continued to press for a more precise declaration by Israel of its willingness to implement the resolution.

55. Eventually the Jordanian authorities indicated that they would accept the text of the Special Representative's draft letter provided the invitation was to meetings in New York, a change of venue that was not acceptable to Israel. Finally, in a written statement dated 9 May, the United Arab Republic Foreign Minister reaffirmed the readiness of his country's Permanent Representative to the United Nations in New York to meet with the Special Representative to continue the contacts which the latter had been having with the parties for the implementation of resolution 242 (1967). In that connexion, he referred to previous suggestions for a time-table for the implementation of the resolution. The United Arab Republic Foreign Minister repeated that the United Arab Republic was ready to implement the resolution as a whole and as a "package deal". He insisted, however, that Israel should do likewise, including complete withdrawal.

56. Ambassador Jarring was faced with a position where there was agreement, though clearly with considerable differences of interpretation, on the first two paragraphs of his proposed invitation, but where there was disagreement on the third paragraph containing the actual invitation. Further journeying backwards and forwards between the various countries was unlikely to be productive. In consultation with the Secretary-General, Ambassador Jarring therefore decided that talks should take place in New York without a formal invitation.

57. During his stay in the Middle East from December 1967 to May 1968, the Special Representative also visited Beirut on three occasions. The Lebanese Government expressed its full support for a solution according to Security Council resolution 242 (1967). Lebanon, however, had no territory under occupation and therefore did not have the same detailed involvement in the settlement as the United Arab Republic and Jordan. The Special Representative did not visit Syria, whose Government, as noted above, had not accepted the Security Council resolution.

58. Ambassador Jarring left the area on 10 May 1968 and arrived at Headquarters on 15 May 1968.

#### Activities of the Special Representative from May 1968 to June 1970

59. Ambassador Jarring held inconclusive discussions with the Permanent Representatives in New York in May and June 1968, resumed direct contact with the parties in the Middle East in August and September and held discussions in New York with the Foreign Ministers of the parties during the 1968 session of the General Assembly. In the course of these discussions, the positions of the Governments of Israel and the United Arab Republic were set out in written statements, which made clear the essential differences between them. On the one hand, Israel regarded the Security Council resolution as a statement of principles in the light of which the parties should negotiate peace and, on the other hand, the United Arab Republic considered that the resolution provided a plan for settlement of the Middle East dispute to be implemented by the parties according to modalities to be established by the Special Representative. It was also abundantly clear that there was a crucial difference of opinion over the meaning to be attached to the withdrawal provisions of the Security Council resolution, which according to the Arab States applied to all territories occupied since 5 June 1967 and according to Israel applied only to the extent required when agreement had been reached between the parties on secure and recognized borders between them.

60. The Special Representative made two further visits to the Middle East; first in December 1968 and secondly in March and April 1969. On the latter occasion, he submitted a series of questions to the parties and received detailed replies giving their attitudes towards the various provisions of resolution 242 (1967).<sup>1</sup>

61. It had been the hope of Ambassador Jarring, in submitting his questions, that the replies might show certain encouraging features that might make it possible to invite the parties for a series of meetings between them and him at some mutually convenient place. However, the replies were in general a repetition of attitudes already expressed to Ambassador Jarring on numerous occasions from the beginning of his mission. They showed continued serious divergencies between the Arab States and Israel both as regards the interpretation to be given to the Security Council resolution and as to the procedures for putting its provisions into effect.

62. Ambassador Jarring returned to Headquarters from 12 September to 8 October 196 and from 10 to 26 March 1970, but found no new elements that would permit him to organize active discussions with the parties.

63. On 3 April 1969, the Permanent Representatives of France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America began a series of meetings on the Middle East question aimed at arriving at a common interpretation of Security Council resolution 242 (1967) and a common formulation of the general provisions of a peaceful settlement. The meetings continued at various intervals up to September 1971. After each such meeting, the Chairman conveyed the substance of the discussions to the Secretary-General, who kept Ambassador Jarring informed.

#### Attempt to hold discussions under the Special Representative's auspices (June-September 1970)

64. In June 1970, the Government of the United States of America proposed to the Governments of Israel, Jordan and the United Arab Republic that they should each advise Ambassador Jarring as follows:

"(a) that having accepted and indicated their willingness to carry out resolution 242 in all its parts, they will designate representatives to discussions to be held under his auspices, according to such procedure and at such places and times as he may recommend, taking into account as appropriate each side's preference

as to method of procedure and previous experience between the parties;

"(b) that the purpose of the aforementioned discussions is to reach agreement on the establishment of a just and lasting peace between them based on (1) mutual acknowledgement by the United Arab Republic, Jordan and Israel of each other's sovereignty, territorial integrity and political independence and (2) Israeli withdrawal from territories occupied in the 1967 conflict, both in accordance with resolution 242;

"(c) that, to facilitate his task of promoting agreement as set forth in resolution 242, the parties will strictly observe, effective 1 July at least until 1 October, the cease-fire resolutions of the Security Council."

65. Having been informed by the United States Government that the States concerned had accepted its peace initiative, the Secretary-General invited Ambassador Jarring to return immediately to Headquarters, where he arrived on 2 August. On 3 August 1970, the United States Secretary of State briefed the Secretary-General and the Special Representative on the initiative and communicated the text quoted above.

66. The Secretary-General informed the Security Council in a note dated 7 August (S/9902) that Ambassador Jarring had received confirmation from the Permanent Representatives of those States of their acceptance and that he had addressed to the Secretary-General a letter as described above. The Secretary-General was informed by the United States Representative that his Government had received the acceptance of the Governments of the United Arab Republic and Israel to a standstill cease-fire for a period of 90 days from 2200 GMT on the same day. The Secretary-General and Ambassador Jarring had previously been informed by the United States Secretary of State that his Government would take responsibility for organizing the standstill cease-fire.

67. Ambassador Jarring at once entered into contact with the parties and, after considering their views on the time and place of the discussions, on 21 August 1970 addressed to them invitations to take part in discussions opening at New York on 25 August 1970. He met on the appointed day with representatives of each of the parties. However, the Permanent Representative of Israel, who had been designated by Israel as its representative for the initial phase of the talks, then stated that he had been instructed by his Government to return to Israel for consultations. On his return on 8 September, he communicated to Ambassador Jarring the decision of his Government not to participate in the talks under Ambassador Jarring's auspices so long as the cease-fire standstill agreement was not observed in its entirety. Israel claimed that the Government of Egypt had gravely violated the agreement. The discussions were thus terminated for the time being.

#### The General Assembly debate of October-November 1970

68. On 26 October 1970, the General Assembly, which had had the situation in the Middle East on its agenda since 1967, but had not discussed it, resumed consideration of the question at the request of the United Arab Republic.

69. On 4 November 1970, the General Assembly adopted resolution 2628 (XXV), the operative part of which read as follows:

"1. Reaffirms that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

"2. Reaffirms that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

(a) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(b) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and its right to live in peace within secure and recognized boundaries free from threats or acts of force;

"3. Recognizes that respect for the rights of the Palestinians is an indispensable element in the establishment of a just and lasting peace in the Middle East;

"4. Urges the speedy implementation of Security Council resolution 242 (1967), which provides for the peaceful settlement of the situation in the Middle East, in all its parts;

"5. Calls upon the parties directly concerned to instruct their representatives to resume contact with the Special Representative of the Secretary-General in order to enable him to carry out, at the earliest possible date, his mandate for the implementation of the Security Council resolution in all its parts;

"6. Recommends to the parties that they extend the cease-fire for a period of three months in order that they may enter into talks under the auspices of the Special Representative of the Secretary-General with a view to giving effect to Security Council resolution 242 (1967);

"7. Requests the Secretary-General to report to the Security Council within a period of two months, and to the General Assembly as appropriate, on the efforts of the Special Representative and on the implementation of Security Council resolution 242 (1967);

"8. Requests the Security Council to consider, if necessary, making arrangements, under the relevant Articles of the Charter of the United Nations, to ensure the implementation of its resolution."

#### The resumption of the discussions

70. Immediately following the adoption of General Assembly resolution 2628 (XXV), Ambassador Jarring entered into contact with the representatives of the parties in order to invite them to re-enter into talks under his auspices for the purpose of reaching agreement on the establishment of a just and lasting peace. The representatives of Jordan and the United Arab Republic informed him that their Governments continued to be willing to do so; the representative of Israel stated that the matter was under consideration in the Israeli Cabinet.

71. On 30 December, Ambassador Jarring received in Moscow a message from the Foreign Minister of Israel in which the latter informed him of the readiness of the Government of Israel to resume its participation in the talks.

72. On 4 January 1971, the Secretary-General issued a comprehensive report (S/10070) covering the activities of his Special Representative up to that date.

The holding of discussions under the Special Representative's auspices  
(January-March 1971)

73. Ambassador Jarring resumed his discussions with the parties at Headquarters on 5 January 1971 and pursued them actively. He held a series of meetings with the representatives of Israel (including meetings with the Prime Minister and Foreign Minister during a brief visit to Israel made from 8 to 10 January 1971 at the request of that Government), of Jordan, and of the United Arab Republic. In addition, he held meetings with the Permanent Representative of Lebanon, which is also one of the States directly concerned with the Middle East settlement.

74. At an early stage in those meetings Israel presented to Ambassador Jarring, for transmission to the Governments concerned, papers containing its views on the "Essentials of Peace". Subsequently, the United Arab Republic and Jordan having received the respective Israeli papers, presented papers containing their own views concerning the implementation of the provisions of Security Council resolution 242 (1967).

75. During the remainder of January, Ambassador Jarring held further meetings with the representatives of Israel, Jordan and the United Arab Republic, in the course of which he received further memoranda elaborating the positions of the parties. The memoranda indicated that the parties held differing views on the order in which items should be discussed. More important, each side was insisting that the other should be ready to make certain commitments before being ready to proceed to the stage of formulating the provisions of a peace settlement.

76. On the Israeli side there was insistence that the United Arab Republic should give specific, direct and reciprocal commitments towards Israel that it would be ready to enter into a peace agreement with Israel and to make towards Israel the various undertakings referred to in paragraph 1 (ii) of Security Council resolution 242 (1967). When agreement was reached on those points, it would be possible to discuss others, including the refugee problem; such items as secure and recognized boundaries, withdrawal and additional arrangements for ensuring security should be discussed in due course.

77. The United Arab Republic continued to regard the Security Council resolution as containing provisions to be implemented by the parties and to express its readiness to carry out its obligations under the resolution in full, provided that Israel did likewise. However it held that Israel persisted in its refusal to implement the Security Council resolution, since it would not commit itself to withdraw from all Arab territories occupied in June 1967. Furthermore in the view of the United Arab Republic Israel had not committed itself to the implementation of the United Nations resolutions relevant to a just settlement to the refugee problem.

78. The papers received by Ambassador Jarring from Israel and Jordan relating to peace between those two countries showed a similar divergence of views. Israel stressed the importance of Jordan's giving an undertaking to enter into a peace agreement with it that would specify the direct and reciprocal obligations undertaken by each of them. Jordan emphasized the inadmissibility of the acquisition of territory by war and expressed the view that the essential first step towards peace lay in an Israeli commitment to evacuate all Arab territories.

79. Ambassador Jarring felt that at that stage of the talks he should make clear his views on what he believed to be the necessary steps to be taken in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles of Security Council resolution 242 (1967), which the parties had agreed to carry out in all its parts. He then reached the conclusion, which was shared by the Secretary-General, that the only possibility of breaking the imminent deadlock arising from the differing views of Israel and the United Arab Republic as to the priority to be given to commitments and undertakings - which seemed to him to be the real cause for the existing immobility in the talks - was for him to seek from each side the parallel and simultaneous commitments that seemed to be inevitable prerequisites of an eventual peace settlement between them. It should thereafter be possible to proceed at once to formulate the provisions and terms of a peace agreement not only for those topics covered by the commitments but with equal priority for other topics, in particular, the refugee question.

80. In identical aide-mémoires handed to the representatives of the United Arab Republic and Israel on 8 February 1971 Ambassador Jarring requested those Governments to make to him certain prior commitments. Ambassador Jarring's initiative was on the basis that the commitments should be made simultaneously and reciprocally and subject to the eventual satisfactory determination of all other aspects of a peace settlement, including in particular a just settlement of the refugee problem. Israel would give a commitment to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine. The United Arab Republic would give a commitment to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, various undertakings and acknowledgements arising directly or indirectly from paragraph 1 (ii) of Security Council

resolution 242 (1967). (For the full text of the aide-mémoires, see annex II.)

81. On 15 February, Ambassador Jarring received from the representative of the United Arab Republic an aide-mémoire in which it was indicated that the United Arab Republic would accept the specific commitments requested of it, as well as other commitments arising directly or indirectly from Security Council resolution 242 (1967). If Israel would likewise give commitments covering its own obligations under the Security Council resolution, including commitments for the withdrawal of its armed forces from Sinai and the Gaza Strip and for the achievement of a just settlement of the refugee problem in accordance with United Nations resolutions, the United Arab Republic would be ready to enter into a peace agreement with Israel. Finally the United Arab Republic expressed the view that a just and lasting peace could not be realized without the full and scrupulous implementation of Security Council resolution 242 (1967) and the withdrawal of the Israeli armed forces from all the territories occupied since 5 June 1967. (For the full text of the United Arab Republic reply, see annex III.)

82. On 17 February, Ambassador Jarring informed the Israeli representative of the contents of the United Arab Republic reply to his aide-mémoire.

83. On 26 February, Ambassador Jarring received a communication from the representative of Israel, in which, without specific reference to the commitment which he had sought from that Government, Israel stated that it viewed favourably "the expression by the United Arab Republic of its readiness to enter into a peace agreement with Israel" and reiterated that it was prepared for meaningful negotiations on all subjects relevant to a peace agreement between the two countries. Israel gave details of the undertakings which in its opinion should be given by the two countries in such a peace agreement, which should be expressed in a binding treaty in accordance with normal international law and precedent. Israel considered that both parties, having presented their basic positions, should now pursue the negotiations in a detailed and concrete manner without prior conditions.

84. On the crucial question of withdrawal on which Ambassador Jarring had sought a commitment from Israel, the Israeli position was that it would give an undertaking covering withdrawal of Israeli armed forces from "the Israeli-United Arab Republic cease-fire line" to the secure, recognized and agreed boundaries to be established in the peace agreement; Israel would not withdraw to the pre-5 June 1967 lines. (For the full text of the Israeli paper, see annex IV.)

85. On 28 February, Ambassador Jarring informed the United Arab Republic representative of the contents of the Israeli communication. The latter held that it was improper for the Israeli authorities to have responded to his Government's reply, which had been addressed to Ambassador Jarring and would have full effect only if the Israeli authorities would give the commitment requested of them by Ambassador Jarring.

86. In accepting the United States proposal for renewed discussions under Ambassador Jarring's auspices (see S/10070, paragraphs 33 and 34), the parties had agreed that they would observe strictly, for a period of 90 days from 7 August 1970, the cease-fire resolutions of the Security Council. In response to the recommendation of the General Assembly in resolution 2628 (XXV), the cease-fire had been extended for a further period of three months. In a report of 1 February submitted as that period was expiring, the Secretary-General appealed to the parties at that stage of the discussions to withhold fire, to exercise military restraint and to maintain the quiet that had prevailed in the area since August 1970.

87. In response to that appeal, the Foreign Ministry of Israel, in a communiqué released in Jerusalem on 2 February, announced that Israel would observe the cease-fire on a mutual basis; in a speech to the National Assembly on 4 February, the President of the United Arab Republic declared the decision of the United Arab Republic to refrain from opening fire for a period of 30 days ending on 7 March.

88. In a report dated 5 March 1971 (S/10070/Add.2), Secretary-General U Thant made the following statement:

"Ambassador Jarring has been very active over the past month and some further progress has been made towards a peaceful solution of the Middle East question. The problems to be settled have been more clearly identified and on some there is general agreement. I wish moreover to note with satisfaction the positive reply given by the United Arab Republic to Ambassador Jarring's initiative. However, the Government of Israel has so far not responded to the request of Ambassador Jarring that it should give a commitment on withdrawal to the international boundary of the United Arab Republic.

"While I still consider that the situation has considerable elements of promise, it is a matter for increasing concern that Ambassador Jarring's attempt to break the deadlock has not so far been successful. I appeal, therefore, to the Government of Israel to give further consideration to this question and to respond favourably to Ambassador Jarring's initiative.

"To give time for further consideration and in the hope that the way forward may be reopened, I once more appeal to the parties to withhold fire, to exercise military restraint and to maintain the quiet which has prevailed in the area since August 1970."

#### Further developments (March-November 1971)

89. In response to the Secretary-General's appeal, the Israeli Government once again made clear its willingness to continue to observe the cease-fire on a basis of reciprocity. The President of the United Arab Republic, in a statement to the nation on 7 March 1971, declared that his country no longer considered itself further committed to a cease-fire or to withholding fire. That, however, did not mean that political action would cease.

90. On 11 March, the Israeli representative informed Ambassador Jarring that his Government was awaiting the reaction of the United Arab Republic Government to the Israeli invitation in its reply of 26 February to enter into detailed and concrete discussions (see paragraph 83 above). When that statement of the Israeli

representative was brought to the attention of the United Arab Republic representative, he maintained that his Government was still awaiting an Israeli reply to Ambassador Jarring's aide-mémoire.

91. Subsequently, the talks under Ambassador Jarring's auspices lapsed. He therefore left Headquarters to resume his post as Ambassador of Sweden in Moscow on 25 March.

92. Although he returned to Headquarters from 5 to 12 May and from 21 September to 27 October 1971 and held certain consultations elsewhere, Ambassador Jarring found himself faced with the same deadlock and with no possibility of actively pursuing his mission.

93. Indeed, during much of that time the promotion of agreement between the parties was the object of two separate initiatives. The first was an effort by the United States of America to promote an interim agreement providing for the reopening of the Suez Canal, and the second a mission of inquiry conducted by certain African Heads of States on behalf of the Organization of African Unity. Both initiatives were described to Ambassador Jarring and the Secretary-General by the sponsors as designed to facilitate the resumption of Ambassador Jarring's mission. Nevertheless, while they were being pursued, they obviously constituted an additional reason for him not to take personal initiatives.

94. The Secretary-General and his Special Representative were briefed by the United States Secretary of State on his Government's initiative after his trip to the Middle East in April 1971. However, there has been no subsequent indication of positive results.

95. The Organization of African Unity mission of inquiry, consisting of the Heads of State of the Cameroon, the Democratic Republic of the Congo (Zaire), Nigeria and Senegal, under the chairmanship of the President of Senegal, visited Israel and Egypt on two occasions in November 1971. The report of that mission was communicated to the Secretary-General and to the Special Representative by the President of Mauritania, Chairman of the Committee of 10 African Heads of State to which the mission had reported.

96. The mission noted certain positive elements in the replies it had received from the two Governments. Both parties had renewed their acceptance of Security Council resolution 242 (1967) and were ready to resume indirect negotiations under the auspices of Ambassador Jarring. The mission came to the conclusion that the success of renewed negotiations could be regarded as assured, if the practical application of the concept of secure and recognized boundaries did not oblige Egypt to alienate part of its national territory and that it was necessary to obtain Israel's agreement to the putting into effect (without territorial annexation) of arrangements offering sufficient guarantees to ensure its security.

#### Discussion at the twenty-sixth session of the General Assembly

97. On 30 November 1971, the Secretary-General submitted to the Security Council and to the General Assembly a comprehensive report (A/8541-S/10403) on the activities of the Special Representative from 4 January 1971. This report contained, inter alia, a call by Secretary-General U Thant for the appropriate organs of the United Nations to review the situation once again and to find ways and means to enable the Jarring Mission to move forward.

98. The report was before the General Assembly when it debated the situation in the Middle East at its twenty-sixth session. On 13 December 1971, the General Assembly adopted resolution 2799 (XXVI), the operative part of which read as follows:

"1. Reaffirms that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

"2. Reaffirms that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

(a) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(b) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and its right to live in peace within secure and recognized boundaries free from threats or acts of force;

"3. Requests the Secretary-General to take the necessary measures to reactivate the mission of the Special Representative of the Secretary-General to the Middle East in order to promote agreement and assist efforts to reach a peace agreement as envisaged in the Special Representative's aide-mémoire of 8 February 1971;

"4. Expresses its full support for all the efforts of the Special Representative to implement Security Council resolution 242 (1967);

"5. Notes with appreciation the positive reply given by Egypt to the Special Representative's initiative for establishing a just and lasting peace in the Middle East;

"6. Calls upon Israel to respond favourably to the Special Representative's peace initiative;

"7. Further invites the parties to the Middle East conflict to give their full co-operation to the Special Representative in order to work out practical measures for:

(a) Guaranteeing freedom of navigation through international waterways in the area;

(b) Achieving a just settlement of the refugee problem;

(c) Guaranteeing the territorial inviolability and political independence of every State in the area;

"8. Requests the Secretary-General to report to the Security Council and to the General Assembly, as appropriate, on the progress made by the Special Representative in the implementation of Security Council resolution 242 (1967) and of the present resolution;

"9. Requests the Security Council to consider, if necessary, making arrangements, under the relevant Articles of the Charter of the United Nations, with regard to the implementation of its resolution."

Further attempts to reactivate the Jarring Mission

99. In consultation with my predecessor, Ambassador Jarring immediately after the adoption of Assembly resolution 2799 (XXVI) held meetings with the Foreign Ministers of Egypt and Israel, who were still in New York, and with the Permanent Representative of Jordan to discuss arrangements for the reactivation of his mission. On assuming office, I invited Ambassador Jarring to come to New York, where further talks took place from 10 to 27 January 1972. After extensive consultations with me, Ambassador Jarring went to west Africa on 28 January and met the President of Senegal, who had been the Chairman of the group of four African Heads of State which had visited Egypt and Israel towards the end of 1971. He also visited the President of Mauritania, who had been Chairman of the Committee of Ten, to which the group of four had reported, and received further information about the results of that visit.

100. After consulting further with me, Ambassador Jarring paid a visit to Cairo, where he met with the Egyptian Foreign Minister on 19 and 20 February 1972. He held discussions with the Jordanian authorities in Amman on 23 February and with the Israeli authorities in Jerusalem on 25 February. After reporting to me at Geneva on 27 February, Ambassador Jarring returned to New York, where he continued to see representatives of the parties.

101. In their initial contacts with Ambassador Jarring in New York, the Egyptian representatives took the view that in reactivating his mission, he should ask the Israeli authorities for a commitment to withdraw their troops from occupied Egyptian territory as requested by Ambassador Jarring in his aide-mémoire of 8 February 1971 and as called for in General Assembly resolution 2799 (XXVI). They were not prepared, in the absence of such a commitment, to take part in discussions with the Israeli authorities.

102. On the other hand, the Israeli authorities made it clear that they were not prepared to give the commitment requested or to give any other form of statement of equivalent effect on the question of withdrawal. They reiterated their public statements that they did not consider themselves bound by General Assembly resolution 2799 (XXVI). They stated that they continued to be ready to take part in negotiations with Egypt without prior conditions on all the points raised by each side, which on the Israeli side included the determination of secure and recognized boundaries. However, they held that before discussions could take place under Ambassador Jarring's auspices, he should give an assurance that he considered his mandate to be based solely on Security Council resolution 242 (1967) and that he did not consider himself bound by General Assembly resolution 2799 (XXVI) or by his aide-mémoire of 8 February 1971.

103. Despite this continuing deadlock, Ambassador Jarring persevered in his attempt to reactivate his mission. In the meetings in Cairo, the idea was put forward that, as a means of getting round the deadlock, the parties should exchange, through him, clarifications of their positions on the various subjects dealt with in resolution 242 (1967) with a view to formulating provisions for inclusion in a peace treaty. The Egyptian authorities continued to hold the view that progress towards a settlement lay through the acceptance by Israel of the principle of withdrawal according to Security Council resolution 242 (1967) and of General Assembly resolution 2799 (XXVI); nevertheless, in an effort to break the impasse, they were prepared to take part in the process of clarification.

104. Ambassador Jarring brought the same idea to the attention of the Israeli authorities in Jerusalem and they agreed to give the matter serious consideration. However, when he resumed his discussions with the Israeli representative in New York on 8 March, he was asked to give assurances, which he should also bring to the attention of the Egyptian authorities, that he would be guided solely by Security Council resolution 242 (1967) and that he did not consider himself bound by his aide-mémoire of 8 February 1971 and General Assembly resolution 2799 (XXVI).

105. Ambassador Jarring, after consulting with me, assured the Israeli Government that his mandate was defined in Security Council resolution 242 (1967). However, General Assembly resolution 2799 (XXVI), which endorsed Ambassador Jarring's aide-mémoire of 8 February 1971, represented the constitutionally adopted judgement of a major organ of the United Nations and had to be regarded as such. It was indicated to the Israeli authorities that their acceptance of the Assembly resolution was not a condition for the clarification procedure that had been suggested.

106. In the event, it was not possible to reactivate the mission of Ambassador Jarring with regard to Egypt and Israel.

107. In his discussions with the Jordanian authorities, Ambassador Jarring found them concerned about lack of progress. In their view, the withdrawal of Israeli forces in their sector was a highly important matter, inasmuch as it affected a very large population living under occupation or as refugees. If talks were reactivated with regard to Egypt and Israel, they were anxious that they should be carried out simultaneously as regards Israel and Jordan.

108. In view of the continuing deadlock, Ambassador Jarring returned to his post in Moscow on 24 March. Subsequently, he returned to Headquarters from 1 to 4 May and from 1 to 12 August for a further review of the positions of the parties and consultations with all concerned. He also had other contacts elsewhere with

representatives of the parties and met twice with me in July 1972 in Geneva to discuss what further useful action might be taken. He also returned to Headquarters at the beginning of the twenty-seventh session of the General Assembly and again just prior to the Assembly debate on the situation in the Middle East.

109. However, as I stated in my report dated 15 September 1972 on the activities of the Special Representative (A/8815-S/10792):

"In spite of our continued efforts, it has not been possible to make any substantial progress. As can be seen from published statements of the parties, an agreed basis for discussions under Ambassador Jarring's auspices does not seem to exist at the present time. Despite this situation, we shall continue our efforts."

#### Discussion at the twenty-seventh session of the General Assembly

110. The General Assembly held a further discussion of the situation in the Middle East from 29 November to 8 December 1972. (For the records of this discussion see documents A/PV.2092, 2094-2103 and 2105.) At the conclusion of the discussion, the General Assembly adopted resolution 2949 (XXVII), the operative part of which read as follows:

"1. Reaffirms its resolution 2799 (XXVI);

"2. Deplores the non-compliance by Israel with General Assembly resolution 2799 (XXVI), which in particular called upon Israel to respond favourably to the peace initiative of the Special Representative of the Secretary-General to the Middle East;

"3. Expresses its full support for the efforts of the Secretary-General and his Special Representative;

"4. Declares once more that the acquisition of territories by force is inadmissible and that, consequently, territories thus occupied must be restored;

"5. Reaffirms that the establishment of a just and lasting peace in the Middle East should include the application of both the following principles:

(a) Withdrawal of Israeli armed forces from territories occupied in the recent conflict;

(b) Termination of all claims or states of belligerency and respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area and its right to live in peace within secure and recognized boundaries free from threats or acts of force;

"6. Invites Israel to declare publicly its adherence to the principle of non-annexation of territories through the use of force;

"7. Declares that changes carried out by Israel in the occupied Arab territories in contravention of the Geneva Conventions of 1949 are null and void, and calls upon Israel to rescind forthwith all such measures and to desist from all policies and practices affecting the physical character or demographic composition of the occupied Arab territories;

"8. Calls upon all States not to recognize any such changes and measures carried out by Israel in the occupied Arab territories and invites them to avoid actions, including actions in the field of aid, that could constitute recognition of that occupation;

"9. Recognizes that respect for the rights of the Palestinians is an indispensable element in the establishment of a just and lasting peace in the Middle East;

"10. Requests the Security Council, in consultation with the Secretary-General and his Special Representative, to take all appropriate steps with a view to the full and speedy implementation of Security Council resolution 242 (1967), taking into account all the relevant resolutions and documents of the United Nations in this connexion;

"11. Requests the Secretary-General to report to the Security Council and the General Assembly on the progress made by him and his Special Representative in the implementation of Security Council resolution 242 (1967) and of the present resolution;

"12. Decides to transmit the present resolution to the Security Council for its appropriate action and requests the Council to keep the General Assembly informed."

#### Situation since the adoption of General Assembly resolution 2949 (XXVII)

111. The General Assembly in its resolution envisaged further action by the Secretary-General and his Special Representative, for whose efforts it expressed full support. However, the parties have continued to maintain their respective positions as previously explained.

112. Thus the basic deadlock remains. In the circumstances, Ambassador Jarring concluded, and I concurred, that there was no useful action that he could take following adoption of General Assembly resolution 2949 (XXVII), and he remained at his post as Swedish Ambassador in Moscow until after the adoption of Security Council resolution 331 (1973).

113. The problem of the Middle East has preoccupied me ever since I became Secretary-General. In an effort

to find any ways of making progress toward a settlement I have engaged in continuous discussions not only with the Foreign Ministers and representatives of the parties themselves, but also with numerous other Governments that are concerned with the problem. I have also been in continuous touch with the members of the Security Council on the question, and I have been alert to any changes of attitude or of procedures that might lead to progress in achieving a peaceful settlement.

### III. OBSERVATIONS

114. Although the Security Council has in the last six years dealt with a number of different aspects of the Middle East problem, it has not considered the problem as a whole since the adoption of resolution 242 (1967) on 22 November 1967. In its forthcoming meetings the Council will therefore, in a sense, be taking up the consideration of the Middle East question where it left off at that time.

115. For more than 25 years, the United Nations, and in particular the Security Council, has had a major and universally recognized responsibility in relation to the Middle East question. It should not be forgotten that although the United Nations has not proved able, in this very difficult situation, to bring about a just and lasting settlement, various instrumentalities of the United Nations set up by the Security Council and by the General Assembly have, throughout this period, played an important role in limiting conflict and in preserving the tenuous truce which has prevailed in the area for most of the time.

116. The problem before the Council is an extremely complex and difficult one, which no Government or group of Governments has been able to solve outside the framework of the United Nations. But the procedures of the Council still offer valuable possibilities for limiting conflict and also for assisting the countries of the region to find the way to a solution to their problems, if they so wish. The Security Council is, as far as I know, the only forum where all the parties to the conflict have been able to meet together in the same room. In the forthcoming debate it is to be hoped that this advantage may be used for constructive moves toward a settlement.

117. Five and a half years have passed since the adoption of resolution 242 (1967), and, after many and various attempts to pursue the aims of that resolution, the Council itself is now resuming the search for peace in the Middle East. It goes without saying that I as Secretary-General, my Special Representative, Ambassador Jarring, the Secretariat, and the various instrumentalities of the United Nations in the Middle East are at the disposal of the Governments concerned and of the Council itself to assist in whatever way we can in the Council's efforts. Obviously these efforts can only be useful if the parties concerned wish to avail themselves of them. But if that wish is present, the new effort to find a way to a settlement in the Middle East need not be futile. That effort should include a new appraisal of the possibilities and procedures of the Council itself for conciliation and an exploration of all of the means by which the framework of the United Nations might be used to assist the parties in reaching a just and lasting settlement.

118. Certainly both reason and self-interest indicate that such a settlement is long overdue. The tensions and conflicts of the Middle East are a heavy burden not only on the countries of the area, but also on the international community itself. It is my earnest hope that in embarking on this new effort all those concerned will find it possible to look to the future and to take advantage of the international instrumentalities at their disposal and of the general and fervent desire of the international community to open a new and more harmonious chapter in the history of the Middle East.

### ANNEX I

#### QUESTIONS SUBMITTED IN MARCH 1969 BY THE SPECIAL REPRESENTATIVE TO THE GOVERNMENTS CONCERNED AND THEIR REPLIES

Note: Ambassador Jarring submitted his questions to the States concerned in the form of separate lists specifically addressed to each Government. Those lists were, however, prepared from a general list applicable to all the parties and that list is, to save repetition, reproduced here. As some questions related to provisions of Security Council resolution 242 (1967) which applied to only one or some of the parties, the numbers of questions in the specific lists were not always the same as those in the general list. Where the number of the answer differs from that of the question in the general list, the latter number is added in square brackets. Specific lists of questions based on the following general list were submitted by Ambassador Jarring to the Governments of the United Arab Republic on 5 March, of Jordan on 8 March, of Israel on 9 March and of Lebanon on 14 March 1969.

#### A. QUESTIONS SUBMITTED BY THE SPECIAL REPRESENTATIVE

Security Council resolution 242 (1967) sets out provisions and principles in accordance with which a peaceful and accepted settlement of the Middle East Question should be achieved. Some of these provisions would impose obligations on both sides, some on one side, and some on the other. It has generally been accepted that they should be regarded as a whole. The following questions designed to elicit the attitude of the parties towards the provisions of the Security Council resolution are based on this assumption and are to be understood in the context that each provision is regarded as part of a "package deal".

1. Does Israel (Jordan, Lebanon, United Arab Republic) accept Security Council resolution 242 (1967) for implementation for achieving a peaceful and accepted settlement of the Middle East Question in accordance with the provisions and principles contained in the resolution?

2. Does Israel (Jordan, Lebanon, United Arab Republic) agree to pledge termination of all claims or states of belligerency with Jordan, Lebanon and the United Arab Republic (Israel)?

3. Does Israel (Jordan, Lebanon, United Arab Republic) agree to pledge respect for and acknowledgement of the sovereignty, territorial integrity and political independence of Jordan, Lebanon and the United Arab Republic (Israel)?
4. Does Israel (Jordan, Lebanon, United Arab Republic) accept the right of Jordan, Lebanon and the United Arab Republic (Israel) to live in peace within secure and recognized boundaries free from threats or acts of force?
5. If so, what is the conception of secure and recognized boundaries held by Israel (Jordan, Lebanon, United Arab Republic)?
6. Does Israel agree to withdraw its armed forces from territories occupied by it in the recent conflict?
7. Does the United Arab Republic agree to guarantee freedom of navigation for Israel through international water ways in the area, in particular:
  - (a) through the Straits of Tiran, and
  - (b) through the Suez Canal?
8. Does Israel (Jordan, Lebanon, United Arab Republic) agree that, if a plan for the just settlement of the refugee problem is worked out and presented to the parties for their consideration, the acceptance in principle of such a plan by the parties and the declaration of their intention to implement it in good faith constitute sufficient implementation of this provision of the Security Council resolution to justify the implementation of the other provisions?
9. Does Israel (Jordan, Lebanon, United Arab Republic) agree that the territorial inviolability and political independence of the States in the area should be guaranteed:
  - (a) by the establishment of demilitarized zones;
  - (b) through additional measures?
10. Does Israel agree that such demilitarized zones should include areas on its side of its boundaries?
11. Does Jordan agree that a demilitarized zone should be established in Jordanian territory from which Israel armed forces have been withdrawn?
12. Does the United Arab Republic agree that a demilitarized zone should be established:
  - (a) at Sharm-el-Sheikh;
  - (b) in other parts of the Sinai peninsula?
13. Does Israel (Jordan, Lebanon, United Arab Republic) agree that demilitarization of such zones should be supervised and maintained by the United Nations?
14. Would Israel (Jordan, Lebanon, United Arab Republic) accept as a final act of agreement on all provisions a mutually signed multilateral document which would incorporate the agreed conditions for a just and lasting peace?

#### B. REPLY OF THE GOVERNMENT OF ISRAEL

(Handed to Ambassador Jarring in Jerusalem by the Minister for Foreign Affairs on 2 April 1969)

Jerusalem, 2 April 1969

Dear Ambassador Jarring,

Israel's position on all the subjects raised in your eleven questions has been stated in detail in my address to the General Assembly of 8 October 1968, and in the memoranda presented to you on 15 October 1968 and 4 November 1968.

I now enclose specific replies in an affirmative spirit to the questions as formulated. It is my understanding that on the basis of the answers received from the three governments you propose to pursue further mutual clarifications in an effort to promote agreement on all the matters at issue in accordance with your mandate. We are ready to join in this process at any appropriate place.

Israel's statements of attitude, including her replies to these questions, has taken into account recent developments in Arab policy including the speeches recently delivered by President Nasser and other Arab leaders. We have noted the specific and emphatic reiteration of their refusal to make peace with Israel, to recognize Israel, to negotiate with Israel, to cease terrorist attacks on Israel or to admit the possibility of sovereign co-existence in any field. It would appear at this time that the effective negation by the UAR of the principles of the Charter and of the Security Council's Resolution is obvious and vehement. We hope that this policy, to which effect is given every day, will change; but these authoritative statements have caused deep concern and have intensified the tension which we would have wished to see relieved.

It is also our view that highly publicized encounters by four member States have weakened the attention which should have been concentrated on the efforts of the parties themselves to move towards agreement. They are causing a duplication and dispersal of effort. They have also encouraged a wrong impression in some

quarters that a solution can be sought outside the region and without its governments. Israel recognizes your mission as the authoritative international framework within which peace between the States in the Middle East should be promoted.

I recall the idea which we discussed some weeks ago that the Foreign Ministers of the three governments should meet with you soon at a suitable place to pursue the promotion of agreement. As you will remember, I reacted positively to this idea. I wish to reaffirm that Israel will continue to co-operate with you in the fulfilment of your mission.

Yours sincerely,

(Signed) Abba EBAN

Answer to Question One:

Israel accepts the Security Council resolution (242) for the promotion of agreement on the establishment of a just and lasting peace, to be reached by negotiation and agreements between the governments concerned. Implementation of agreements should begin when agreement has been concluded on all their provisions.

Answer to Question Two:

It is the Arab States, not Israel which claimed and originated states of belligerency. They declared themselves for two decades to be in a state of unilateral war with Israel. It is therefore primarily incumbent upon them to terminate the state of war with Israel.

On the establishment of peace with her Arab neighbours, Israel agrees to the termination, on a reciprocal basis, of all claims or states of belligerency with each State with which peace is established. A declaration specifying each State by name would be made by Israel in each case.

The corresponding statement by any Arab State must specifically renounce belligerency "with Israel" and not "with any state in the area". Legal obligations must be specific in regard to those by whom they are bound.

Renunciation of belligerency includes the cessation of all maritime interference, the cessation of boycott measures involving third parties; the annulment of reservations made by Arab States on the applicability to Israel of their obligations under international conventions to which they have adhered; non-adherence to political and military alliances and pacts directed against Israel or including States unwilling to renounce claims or states of belligerency with Israel and maintain peaceful relations with it; the non-stationing of armed forces of such other States on the territory of the contracting States and the prohibition and prevention in the territory of Arab States of all preparations, actions or expeditions by irregular or para-military groups or by individuals directed against the lives, security or property of Israel in any part of the world.

The last stipulation is without prejudice to the fact that the responsibility of Arab governments for preventing such activities is legally binding under the cease-fire established by the parties in June 1967.

Answer to Question Three:

Israel agrees to respect and acknowledge the sovereignty, territorial integrity and political independence of neighbouring Arab States; this principle would be embodied in peace treaties establishing agreed boundaries.

Answer to Question Four:

Israel accepts the right of Jordan, Lebanon, the United Arab Republic and other neighbouring States to live in peace within secure and recognized boundaries, free from threats or acts of force. Explicit and unequivocal reciprocity is Israel's only conditions for this acceptance. "Acts of force" include all preparations, actions or expeditions by irregular or para-military groups or by individuals directed against the life, security or property of Israel in any part of the world.

Answer to Question Five:

Secure and recognized boundaries have never yet existed between Israel and the Arab States; accordingly, they should now be established as part of the peace-making process. The cease-fire should be replaced by peace treaties establishing permanent, secure and recognized boundaries as agreed upon through negotiation between the governments concerned.

Answer to Question Six:

When permanent, secure and recognized boundaries are agreed upon and established between Israel and each of the neighbouring Arab States, the disposition of forces will be carried out in full accordance with the boundaries determined in the peace treaties.

Answer to Question Seven: [general question 8]

The refugee problem was caused by the wars launched against Israel by Arab States, and has been

perpetuated through the refusal of Arab States to establish peaceful relations with Israel. In view of the human problems involved in this issue Israel has expressed its willingness to give priority to the attainment of an agreement for the solution of this problem through regional and international co-operation. We believe that agreement could be sought even in advance of peace negotiations. We suggest that a conference of Middle Eastern States should be convened, together with the Governments contributing to refugee relief and the Specialized Agencies of the United Nations, in order to chart a five-year plan for the solution of the refugee problem in the framework of a lasting peace and the integration of refugees into productive life. This conference can be called in advance of peace negotiations.

Joint refugee integration and rehabilitation commissions should be established by the governments concerned in order to work out agreed projects for refugee integration on a regional basis with international assistance.

In view of the special humanitarian nature of this issue we do not make agreement on plans for a solution of the refugee problem contingent on agreement on any other aspect of the Middle Eastern problem. For the same reason it should not be invoked by Arab States to obstruct agreement on other problems.

Answer to Question Eight: [general question 9]

The effective guarantee for the territorial inviolability and political independence of States lies in the strict observance by the governments of their treaty obligations. In the context of peace providing for full respect for the sovereignty of States and the establishment of agreed boundaries, other security measures may be discussed by the contracting governments.

Answer to Questions Nine and Ten: [general questions 10 and 13]

Without prejudice to what is stated in answer to Question Eight, it is pointed out that experience has shown that the measures mentioned in Questions Nine and Ten have not prevented the preparation and carrying out of aggression against Israel.

Answer to Question Eleven: [general question 14]

Peace must be juridically expressed, contractually defined and reciprocally binding in accordance with established norms of international law and practice. Accordingly, Israel's position is that the peace should be embodied in bilateral peace treaties between Israel and each Arab State incorporating all the agreed conditions for a just and lasting peace. The treaties, once signed and ratified, should be registered with the Secretariat of the United Nations in accordance with Article 102 of the United Nations Charter.

2 April 1969

C. REPLY OF THE GOVERNMENT OF JORDAN

(Received by Ambassador Jarring in Nicosia on 24 March 1969)

23 March 1969

Your Excellency,

Following are the answers of my Government to the questions which you presented to us in Amman, on Saturday, 8 March 1969. The answers as numbered, hereunder, correspond to your questions.

These answers explain my Government's position, which position has repeatedly been stated to Your Excellency throughout our past meetings.

May I take this opportunity to express to you my continued sincere wishes for your success in the important mission with which you are entrusted.

Yours sincerely,

(Signed) Abdul Monem RIFA'I  
Minister of Foreign Affairs

His Excellency,  
Ambassador Gunnar Jarring  
Special Representative to  
The Secretary-General of

Answer (1)

Jordan, as it has declared before, accepts the Security Council resolution 242 (1967) and is ready to implement it in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles contained in the resolution.

Answer (2)

Jordan agrees to pledge termination of all claims or states of belligerency. Such a pledge becomes effective upon withdrawal of Israeli forces from all Arab territories which Israel occupied as a result of its aggression of 5 June 1967.

A pledge by Israel to terminate the state of belligerency would be meaningful only when Israel withdraws its forces from all Arab territories it occupied since 5 June 1967.

Answer (3)

On 5 June 1967 Israel launched its aggression against three Arab States, violating their sovereignty and territorial integrity. Agreement to pledge respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area requires the termination by Israel of its occupation and the withdrawal of its forces from all the Arab territories it occupied as a result of its aggression of 5 June.

Answer (4)

Jordan accepts the right of every State in the area to live in peace within secure and recognized boundaries free from threats or acts of force, provided that Israel withdraws its forces from all Arab territories it occupied since 5 June 1967, and implements the Security Council resolution of 22 November 1967.

Answer (5)

When the question of Palestine was brought before the United Nations in 1947, the General Assembly adopted its resolution 181 (II) of 29 November 1947 for the partition of Palestine and defined Israel's boundaries.

Answer (6) [general question 8]

It has always been our position that the just settlement of the refugee problem is embodied in paragraph 11 of the General Assembly resolution 194 of December 1948 which has been repeatedly reaffirmed by each and every General Assembly session ever since its adoption.

If a plan on the basis of that paragraph is presented for consideration to the parties concerned, its acceptance by the parties and the declaration of their intention to implement it in good faith, with adequate guarantees for its full implementation, would justify the implementation of the other provisions of the resolution.

Answer (7) (8) [general questions 9 and 11]

We do not believe that the establishment of demilitarized zones is a necessity. However, Jordan shall not oppose the establishment of such zones if they are astride the boundaries.

Answer (9) [general question 13]

In case demilitarized zones are established Jordan accepts that such zones be supervised and maintained by the United Nations.

Answer (10) [general question 14]

In view of our past experience with Israel and her denunciation of four agreements signed by her with Arab States we consider that the instrument to be signed by Jordan engaging her to carry out her obligations, would be addressed to the Security Council. Israel would likewise sign and address to the Security Council an instrument engaging her to carry out her obligations emanating from the Security Council resolution of 22 November 1967. The endorsement by the Security Council of these documents would constitute the final multilateral act of agreement.

D. REPLY OF THE GOVERNMENT OF LEBANON

(Received by Ambassador Jarring in Moscow on 21 April 1969)

[Translated from French]

...

In reply to the questionnaire which Your Excellency addressed to me on 14 March 1969, I have the

honour, on behalf of the Lebanese Government, to inform you of the following:

Lebanon is essentially involved in the general context of the Israeli-Arab conflict - and, therefore, in the consequences of the war launched by Israel on 5 June 1967 - because of its brotherly solidarity with the Arab States and of the threats which are constantly directed at it by Israel.

Lebanon is justified in considering, however, that the armistice agreement which it concluded with Israel on 23 March 1949 remains valid, as indicated in its message of 10 June 1967 to the Chairman of the Mixed Armistice Commission and as confirmed by U Thant, Secretary-General of the United Nations, in his report to the General Assembly of 19 September 1967. In that report, Mr. Thant, referring to the actual text of the agreement, said that it could be revised or suspended only by mutual consent. In view of Lebanon's circumstances, now and in the past, the armistice lines have, of course, never been changed. These lines, it should be noted, correspond to the frontiers of Lebanon which have always been internationally recognized in bilateral and multilateral diplomatic instruments as well as by the League of Nations and the United Nations. Lebanon participated actively in the drafting of the United Nations Charter and was admitted in its present form and structure to membership in the Organization. Its frontiers have not undergone any de facto or de jure alteration as a result of the cease-fire decisions taken by the Security Council after 5 June 1967.

It may be appropriate to state the above-mentioned facts, more particularly with a view to explaining the nature and character of the only reply which we are in a position to give to the questionnaire sent to us by Your Excellency on 14 March 1969.

In this reply, which reflects the position taken by Lebanon at inter-Arab conferences, we proclaim Lebanon's support of the position of the Arab States whose territory has been occupied by Israel and which have accepted the Security Council's decision of 22 November 1967.

The present note is consistent with the spirit of the talks which you have already held with various Lebanese officials.

Accept, Sir, the assurances of my highest consideration.

(Signed) Yousset SALEM  
Minister for Foreign Affairs

#### E. REPLY OF THE GOVERNMENT OF THE UNITED ARAB REPUBLIC

(Handed to Ambassador Jarring in Cairo by the Minister for Foreign Affairs of the United Arab Republic on 27 March 1969)

The memorandum handed to you on 5 March 1969 during your recent visit to Cairo clearly expresses the realities of the present situation. In its items 1 to 7 the memorandum gives a clear restatement of the position of the United Arab Republic which is based on the acceptance of the Security Council resolution 242 of 22 November 1967, and its readiness to carry out the obligations emanating therefrom.

The memorandum also clearly expounds Israel's persistence in rejecting the Security Council resolution and its refusal to carry out its obligations emanating from it as well as Israel's plans for annexation of Arab lands through war; a policy not only prohibited by the Charter of the United Nations but also violates the Security Council resolution which specifically emphasizes the inadmissibility of the acquisition of territory by war. It has become obvious that Israel, in its endeavour to realize its expansionist aims, is no longer satisfied with the actual rejection of the Security Council resolution but actively works against it.

The same memorandum also states Israel's expansion plan as revealed by the quoted statements of Israeli leaders. This plan aims at:

1. Annexation of Jerusalem;
2. Keeping the Syrian Heights under its occupation;
3. Occupation of the West Bank in Jordan and its complete domination, practically terminating Jordan's sovereignty in that part;
4. Economic and administrative integration of the Gaza strip into Israel and the systematic eviction of its inhabitants;
5. Occupation of Sharm El-Sheikh and the Gulf of Aqaba area as well as the continued military presence in eastern part of Sinai;
6. The establishment of Israeli settlements in occupied territories.

This Israeli position constitutes a flagrant violation and clear rejection of the Security Council resolution of 22 November 1967 and of the peaceful settlement for which it provides.

In the light of these undeniable facts, I find it incumbent upon me to state categorically, at the outset of the replies to the specific questions you addressed to the United Arab Republic on 5 March 1969, that all the answers of the United Arab Republic, which reaffirm its acceptance of the Security Council resolution and its readiness to carry out the obligations emanating from it require, likewise, that Israel accept the resolution and carry out all its obligations emanating from it and in particular withdrawal from all Arab territories it occupied as a result of its aggression of 5 June 1967.

#### Question (1)

The United Arab Republic, as it has declared before, accepts the Security Council resolution 242 (1967) and is ready to implement it in order to achieve a peaceful and accepted settlement in accordance with the

provisions and principles contained therein.

Question (2)

The United Arab Republic agrees to pledge termination of all claims or state of belligerency. Such a pledge becomes effective upon withdrawal of Israel's forces from all Arab territories occupied as a result of Israel's aggression of 5 June 1967.

A declaration by Israel terminating the state of belligerency would be meaningful only when Israel withdraws her forces from all Arab territories it occupied since 5 June 1967.

Question (3)

On 5 June 1967, Israel launched its aggression against three Arab States violating their sovereignty and territorial integrity. Acceptance by the United Arab Republic to pledge respect for and acknowledgement of the sovereignty, territorial integrity and political independence of every State in the area requires the termination by Israel of its occupation and the withdrawal of its forces from all the Arab territories it occupied as a result of its aggression of 5 June, and the full implementation of the Security Council resolution of 22 November 1967.

Question (4)

The United Arab Republic accepts the right of every State in the area to live in peace within secure and recognized boundaries free from threats or acts of force, provided that Israel withdraws its forces from all Arab territories occupied as a result of its aggression of 5 June 1967, and implements the Security Council resolution of 22 November 1967.

Question (5)

When the question of Palestine was brought before the United Nations in 1947, the General Assembly adopted its resolution 181 of 29 November 1947, for the partition of Palestine and defined Israel's boundaries.

Question (6) [General question 7]

We have declared our readiness to implement all the provisions of the Security Council resolution covering, inter alia, the freedom of navigation in international waterways in the area; provided that Israel, likewise, implements all provisions of the Security Council resolution.

Question (7) [General question 8]

It has always been our position that the just settlement of the refugee problem is embodied in paragraph 11 of the General Assembly resolution 194 of December 1948, which has been unfailingly reaffirmed by each and every General Assembly session ever since its adoption.

If a plan on the basis of that paragraph is presented for consideration to the parties concerned, its acceptance by the parties and the declaration of their intention to implement it in good faith, with adequate guarantees for its full implementation would justify the implementation of the other provisions of the Security Council resolution.

Questions (8), (9) [General questions 9 and 12]

We do not believe that the establishment of demilitarized zones is a necessity. However, the United Arab Republic will not oppose the establishment of such zones if they are astride the boundaries.

Question (10) [General question 13]

In case demilitarized zones are established the United Arab Republic accepts that such zones be supervised and maintained by the United Nations.

Question (11) [General question 14]

In view of our past experience with Israel and her denunciation of four agreements signed by her with Arab States, we consider that the instrument to be signed by the United Arab Republic engaging her to carry out her obligations, should be addressed to the Security Council. Israel should, likewise, sign and address to the Security Council an instrument engaging her to carry out her obligations emanating from the Security Council Resolution of 22 November 1967. The endorsement by the Security Council of these documents would constitute the final multilateral document.

Cairo, 27 March 1969

ANNEX II

I have been following with a mixture of restrained optimism and growing concern the resumed discussions under my auspices for the purpose of arriving at a peaceful settlement of the Middle East question. My restrained optimism arises from the fact that in my view the parties are seriously defining their positions and wish to move forward to a permanent peace. My growing concern is that each side unyieldingly insists that the other make certain commitments before being ready to proceed to the stage of formulating the provisions to be included in a final peace agreement. There is, as I see, a serious risk that we shall find ourselves in the same deadlock as existed during the first three years of my mission.

I therefore feel that I should at this stage make clear my views on what I believe to be the necessary steps to be taken in order to achieve a peaceful and accepted settlement in accordance with the provisions and principles of Security Council resolution 242 (1967), which the parties have agreed to carry out in all its parts.

I have come to the conclusion that the only possibility to break the imminent deadlock arising from the differing views of Israel and the United Arab Republic as to the priority to be given to commitments and undertakings - which seems to me to be the real cause for the present immobility - is for me to seek from each side the parallel and simultaneous commitments which seem to be inevitable prerequisites of an eventual peace settlement between them. It should thereafter be possible to proceed at once to formulate the provisions and terms of a peace agreement not only for those topics covered by the commitments, but with equal priority for other topics, and in particular the refugee question.

Specifically, I wish to request the Governments of Israel and the United Arab Republic to make to me at this stage the following prior commitments simultaneously and on condition that the other party makes its commitment and

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<sup>a</sup> In presenting the aide-mémoire, Ambassador Jarring added the following interpretation:

"I interpret practical security measures in the Sharm el Sheikh area for guaranteeing freedom of navigation through the Straits of

Tiran to mean arrangements for stationing a United Nations force in the area for this purpose."

subject to the eventual satisfactory determination of all other aspects of a peace settlement, including in particular a just settlement of the refugee problem:

Israel would give a commitment to withdraw its forces from occupied United Arab Republic territory to the former international boundary between Egypt and the British Mandate of Palestine on the understanding that satisfactory arrangements are made for:

(a) Establishing demilitarized zones;

(b) Practical security arrangements in the Sharm el Sheikh area for guaranteeing freedom of navigation through the Straits of Tiran; and

(c) Freedom of navigation through the Suez Canal.

The United Arab Republic would give a commitment to enter into a peace agreement with Israel and to make explicitly therein to Israel, on a reciprocal basis, undertakings and acknowledgements covering the following subjects:

(a) Termination of all claims or states of belligerency;

(b) Respect for and acknowledgement of each other's sovereignty, territorial integrity and political independence;

(c) Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries;

(d) Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are not committed from within their respective territories against the population, citizens or property of the other party; and

(e) Non-interference in each other's domestic affairs.

In making the above-mentioned suggestion I am conscious that I am requesting both sides to make serious commitments but I am convinced that the present situation requires me to take this step.

ANNEX III  
AIDE-MEMOIRE PRESENTED TO AMBASSADOR JARRING BY THE  
UNITED ARAB REPUBLIC ON 15 FEBRUARY 1971

The United Arab Republic has informed Your Excellency, that it accepts to carry out - on a reciprocal basis - all its obligations as provided for in Security Council resolution 242 (1967) with a view to achieving a peaceful settlement in the Middle East. On the same basis, Israel should carry out all its obligations contained in this resolution.

Referring to your aide-mémoire of 8 February 1971, the United Arab Republic would give a commitment

covering the following:

1. Termination of all claims or states of belligerency;
2. Respect for and acknowledgement of each other's sovereignty, territorial integrity and political independence;
3. Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries;
4. Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are committed from within the respective territories against the population, citizens or property of the other party; and

5. Non-interference in each other's domestic affairs.

The United Arab Republic would also give a commitment that:

6. It ensures the freedom of navigation in the Suez Canal in accordance with the 1888 Constantinople Convention;
7. It ensures the freedom of navigation in the Straits of Tiran in accordance with the principles of international law;
8. It accepts the stationing of a United Nations Peace-keeping Force in the Sharm el Sheikh; and
9. To guarantee the peaceful settlement and the territorial inviolability of every State in the area, the United Arab Republic would accept:

(a) The establishment of demilitarized zones astride the borders in equal distances;

(b) The establishment of a United Nations Peace-keeping Force in which the four permanent members of the Security Council would participate.

Israel should, likewise, give a commitment to implement all the provisions of Security Council resolution 242 (1967). Hence, Israel should give a commitment covering the following:

1. Withdrawal of its armed forces from Sinai and the Gaza Strip;
2. Achievement of a just settlement for the refugee problem in accordance with United Nations resolutions;
3. Termination of all claims of states of belligerency;
4. Respect for and acknowledgement of each other's sovereignty, territorial integrity and political independence;
5. Respect for and acknowledgement of each other's right to live in peace within secure and recognized boundaries;
6. Responsibility to do all in their power to ensure that acts of belligerency or hostility do not originate from or are committed from within the respective territories against the population, citizens or property of the other party; and
7. Non-interference in each other's domestic affairs; and
8. To guarantee the peaceful settlement and the territorial inviolability of every State in the area, Israel would accept:

(a) The establishment of demilitarized zones astride the borders in equal distances;

(b) The establishment of a United Nations Peace-keeping Force in which the four permanent members of the Security Council would participate.

When Israel gives these commitments, the United Arab Republic will be ready to enter into a peace agreement with Israel containing all the aforementioned obligations as provided for in Security Council resolution 242 (1967).

The United Arab Republic considers that the just and lasting peace cannot be realized without the full and scrupulous implementation of Security Council resolution 242 (1967) and the withdrawal of the Israeli armed forces from all the territories occupied since 5 June 1967.

#### ANNEX IV

Pursuant to our meetings on 8 February and 17 February, I am instructed to convey to you, and through you to the United Arab Republic, the following:

Israel views favourably the expression by the United Arab Republic of its readiness to enter into a peace agreement with Israel and reiterates that it is prepared for meaningful negotiations on all subjects relevant to a peace agreement between the two countries.

The Government of Israel wishes to state that the peace agreement to be concluded between Israel and the United Arab Republic should, inter alia, include the provisions set out below.

A. Israel would give undertakings covering the following:

1. Declared and explicit decision to regard the conflict between Israel and the United Arab Republic as finally ended, and termination of all claims and states of war and acts of hostility or belligerency between Israel and the United Arab Republic;

2. Respect for and acknowledgement of the sovereignty, territorial integrity and political independence of the United Arab Republic;

3. Respect for and acknowledgement of the right of the United Arab Republic to live in peace within secure and recognized boundaries;

4. Withdrawal of Israel armed forces from the Israel-United Arab Republic cease-fire line to the secure, recognized and agreed boundaries to be established in the peace agreement. Israel will not withdraw to the pre-5 June 1967 lines;

5. In the matter of the refugees and the claims of both parties in this connexion, Israel is prepared to negotiate with the Governments directly involved on:

(a) The payment of compensation for abandoned lands and property;

(b) Participation in the planning of the rehabilitation of the refugees in the region. Once the obligation of the parties towards the settlement of the refugee issue have been agreed neither party shall be under claims from the other inconsistent with its sovereignty;

6. The responsibility for ensuring that no war-like act, or act of violence, by any organization, group or individual originates from or is committed in the territory of Israel against the population, armed forces or property of the United Arab Republic;

7. Non-interference in the domestic affairs of the United Arab Republic;

8. Non-participation by Israel in hostile alliances against the United Arab Republic and the prohibition of stationing of troops of other parties which maintain a state of belligerency against the United Arab Republic.

B. The United Arab Republic undertakings in the peace agreement with Israel would include:

1. Declared and explicit decision to regard the conflict between the United Arab Republic and Israel as finally ended and termination of all claims and states of war and acts of hostility or belligerency between the United Arab Republic and Israel;

2. Respect for and acknowledgement of the sovereignty, territorial integrity and political independence of Israel;

3. Respect for and acknowledgement of the right of Israel to live in peace within secure and recognized boundaries to be determined in the peace agreement;

4. The responsibility for ensuring that no war-like act, or act of violence, by any organization, group or individual originates from or is committed in the territory of the United Arab Republic against the population, armed forces or property of Israel;

5. Non-interference in the domestic affairs of Israel;

6. An explicit undertaking to guarantee free passage for Israel ships and cargoes through the Suez Canal;

7. Termination of economic warfare in all its manifestations, including boycott, and of interference in the normal international relations of Israel;

8. Non-participation by the United Arab Republic in hostile alliances against Israel and the prohibition of stationing of troops of other parties which maintain a state of belligerency against Israel.

The United Arab Republic and Israel should enter into a peace agreement with each other to be expressed in a binding treaty in accordance with normal international law and precedent, and containing the above

undertakings.

The Government of Israel believes that now that the United Arab Republic has through Ambassador Jarring expressed its willingness to enter into a peace agreement with Israel, and both parties have presented their basic positions, they should now pursue their negotiations in a detailed and concrete manner without prior conditions so as to cover all the points listed in their respective documents with a view to concluding a peace agreement.

STATEMENT BY THE MINISTRY FOR FOREIGN AFFAIRS OF THE  
PEOPLE'S REPUBLIC OF BULGARIA

In connexion with the latest initiatives of the United Arab Republic for the peaceful settlement of the Middle East crisis, the position of Israel and the statement of the Soviet Government of 28 February 1971, a representative of the Ministry for Foreign Affairs of the People's Republic of Bulgaria stated to the BTA agency:

After the initiative of the cease-fire and the proposal to reopen the Suez Canal to navigation, the United Arab Republic stated, in reply to questions by the special representative of the Secretary-General of the United Nations, Dr. Jarring, that it was ready to conclude a peace treaty with Israel. The proposal of the United Arab Republic requires the ending of the state of war and respect for each other's sovereignty, territorial integrity and independence by all the countries in the region, on condition that Israel withdraws its troops from the Sinai peninsula and from all the occupied territories, and implements the resolutions which have been adopted concerning the Palestine refugees. These constructive proposals by the United Arab Republic in fact represent the implementation of the Security Council resolution of 22 November 1967, and thus provide a basis for a political settlement of the Middle East crisis. They were welcomed by the peoples of the whole world, including the people of the United States, who sincerely wish for peace in the Middle East. They received the full support of the Soviet countries. What was the response of Israel to this initiative? Persisting in its policy of aggression, Israel in its statement of 21 February 1971 in fact rejected the proposals of the United Arab Republic aimed at a peaceful solution to the crisis. It gave a negative reply to the question without a solution to which there can be no peace in the Middle East, namely the withdrawal of Israeli troops from the occupied Arab territories. Thus, Israel made Dr. Jarring's mission more difficult, demonstrated its scorn for all United Nations resolutions, and yet again afforded proof of its aggressive intentions.

Israel's reply may prevent an extension of the cease-fire along the Suez Canal and on other fronts, which expires on 7 March 1971.

At this crucial juncture, on 28 February 1971, the Soviet Government published a statement which unmasks the manoeuvres of the aggressors and their protectors,