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LETTER DATED 30 OCTOBER 1952 FROM THE CHIEF OF STAFF OF THE TRUCE
SUPERVISION ORGANIZATION TO THE SECRETARY-GENERAL TRANSMITTING
A REPORT ON THE DECISIONS MADE DURING THE PERIOD 1 NOVEMBER 1951
TO 30 OCTOBER 1952 BY THE MIXED ARMISTICE COMMISSIONS

I have the honour to communicate to you for transmission to the President
of the Security Council the attached report on the decisions made during the
period 1 November 1951 to 30 October 1952 by the Mixed Armistice Commissions.

I have the honour to be,

Sir,

Yours respectfully,

William E. Riley
Lieut. General, USMC (Retd.)
Chief of Staff

REPORT ON THE DECISIONS MADE BY THE MIXED ARMISTICE COMMISSIONS
DURING THE PERIOD 1 NOVEMBER 1951 TO 30 OCTOBER 1952

In compliance with the request contained in the last paragraph of the Security Council resolution of 17 November 1950 (document S/1907), I have the honour to submit the following report on the decisions made during the period 1 November 1951 to 30 October 1952 by the Egyptian-Israeli, Jordan-Israeli, Lebanese-Israeli, and Syrian-Israeli Mixed Armistice Commissions.

I. EGYPTIAN-ISRAELI MIXED ARMISTICE COMMISSION

1. A total of four hundred and twenty-nine complaints alleging violations of the Egyptian-Israeli General Armistice Agreement was lodged with the Mixed Armistice Commission during the period from 1 November 1951 to 15 October 1952. Of this total 246 were submitted by Israel and 183 by Egypt. Nearly all complaints alleged violations of the Agreement committed in the proximity of the Armistice Demarcation Line which delimits the Egyptian controlled territory known as the "Gaza strip". This strip is about 4 kilometres wide and 50 kilometres long, and has a population of approximately 250,000 of which 200,000 are Palestinian refugees.

2. Over half the total number of complaints concerned alleged infiltrations and thefts committed by civilians in the area of the Gaza strip. Only a few complaints concerned major incidents. These alleged crossing of the Armistice Demarcation Line by armed forces attacking civilian dwellings; clashes between military patrols along the Armistice Demarcation Line; an attack on fishing boats by military aircraft; the laying of mines on roads bordering the Armistice Demarcation Line; sporadic firing across the Armistice Demarcation Line; and violations of territorial air and waters.

3. During the period covered by this report the Egyptian-Israeli Mixed Armistice Commission held one emergency meeting and three formal meetings.

4. The emergency meeting, held on 4 May 1952, was convened by the Chairman of the Mixed Armistice Commission in order to discuss ways for improving the general situation along the Armistice Demarcation Line which had deteriorated seriously during the previous months. The Mixed Armistice Commission had not functioned since its 38th formal meeting held on 3 October 1951. Although contact was

maintained through weekly meetings of a Sub-Committee composed of delegates of each party and a United Nations representative, the failure to hold formal meetings was one of the causes of deterioration in the situation.

5. At the emergency meeting on 4 May 1952, proposals for action to be taken by both parties to prevent the recurrence of incidents were considered. An understanding was also concluded on the principle of reinstating mixed patrols along the Armistice Demarcation Line. The manner in which this last agreement should be carried out was referred to the Sub-Committee for discussion. Up to the present date, however, no practical arrangement has been reached for its implementation.

6. The 39th formal meeting was held in two sessions, on 26 August and 9 September, 1952. Three hundred and fourteen complaints had accumulated on the agenda of this first formal meeting held by the Mixed Armistice Commission in over ten months. After discussion at the first session of the meeting of a proposal made by the Israel Delegation that all complaints on the agenda should be filed without further deliberations, it was agreed unanimously at the second session that all complaints on the agenda, which by then totalled 324, were "to be considered as acted upon by the Mixed Armistice Commission and to be filed". These included all the complaints mentioned in paragraph one which the parties had desired to place on the agenda (295), together with twenty-nine outstanding complaints submitted prior to 1 November 1951.

7. An informal agreement was also concluded that no further complaints would be brought before the Mixed Armistice Commission by either party and that direct and frequent contacts between representatives of both sides would be established.

8. One complaint has been submitted to the Mixed Armistice Commission since that time. The Israel Delegation alleged that a mine had damaged an Israeli civilian truck on 4 October 1952. At its meeting on 7 October, the Mixed Armistice Commission, by majority vote (Israeli Delegation and Chairman in favour; Egyptian Delegation against), condemned the placing of a mine in Israeli territory by persons coming from Egyptian controlled territory and called upon the Egyptian authorities to exercise a more stringent control.

9. The Egyptian Delegation has appealed against this decision to the Special Committee provided for under Article X, paragraph 4, of the Egyptian-Israeli General Armistice Agreement. The appeal has been placed on the draft agenda of

the Special Committee, after the ten appeals (seven by Egypt and three by Israel) referred to in my previous report (S/2388, Part I, paragraphs 4 and following).

10. Repeated efforts have been made to convene a meeting of the Special Committee to consider these appeals, which are from decisions taken by the Mixed Armistice Commission between May and October 1951, but no date has been found mutually acceptable to the parties.

II. HASHEMITE JORDAN KINGDOM-ISRAEL MIXED ARMISTICE COMMISSION

11. During the year ending 30 September 1952 a total of 506 complaints were submitted to the Jordan-Israel Mixed Armistice Commission. Of these, 243 were settled individually after investigation; 157 were cleared from the agenda of the Commission after agreement that the passage of time had reduced their original importance; and 106 remained on the agenda.

12. Of the above complaints 152 were submitted by Jordan. One hundred and twenty-three of these alleged military activity along the Demarcation Line, including crossing of the line by patrols or other elements of Israel military forces, firing across the line by Israel military forces, and overflying of the line, while twenty-nine alleged violations involving civilians crossing the Demarcation Line. Of the 354 complaints submitted by Israel, thirty-three alleged military activity on the part of Jordanian military forces and 321 alleged infiltration and other illegal crossing of the Demarcation Line by civilians.

13. The numerous instances of civilian infiltration for smuggling, theft or other purposes have presented a serious problem in the relations between the parties. Clashes between Israel frontier guards or patrols and armed Arab groups have frequently occurred, followed in some cases by retaliatory raids by Israelis into Jordan controlled territory.

14. Efforts to solve this problem of civilian infiltration have continued throughout the period of this report. An agreement on measures to curb infiltration and unauthorized crossing of the Demarcation Line by civilians was concluded by representatives of the two parties on 30 January 1952 and has subsequently been amended and extended for varying periods. On 13 May this agreement was extended in a modified form for an indefinite period, with the proviso that it could be cancelled only after two-weeks advance notice given by

either party. The terms of this agreement called for:

- (a) Weekly or semi-weekly meetings of Israel and Jordan local commanders at agreed times and places on the demarcation line;
- (b) The exchange of information in regard to stolen property and other matters leading to unrest along the line;
- (c) Incidents to be dealt with, insofar as possible, on a basis of unanimity between local commanders;
- (d) Infiltrators to be handed over for trial to their own governments, with the proviso that sentences passed on them will be reported to the party in whose territory they were captured;
- (e) Stolen property to be returned immediately, without waiting for equivalent returns from the other side;
- (f) All flocks found grazing on the wrong side of the line to be handed back minus a fine of two per cent, and immediate payment to be made for any damage caused by the flock. Previously agreed rates for expenses incurred while flocks are held pending return to their owners to be paid by both sides in Jordan currency.

15. The most effective of these measures is the schedule of weekly or semi-weekly conferences of local commanders representing both military and police agencies, to be held at specified points along the Demarcation Line. United Nations military observers usually attend these meetings. Complaints are discussed before being brought to the Mixed Armistice Commission and, whenever possible, settled on the spot by agreement between the local commanders. During the period from 31 January to 4 May after the adoption of this scheme, the majority of complaints were settled on this local level. On 4 May 1952, following the occurrence of a series of particularly serious incidents, it was agreed that complaints would, as heretofore, be referred to the Mixed Armistice Commission for discussion, as well as to the local commanders. The effectiveness of the local commanders' meetings continued, however, as a means of securing increased co-operation on the local enforcement level. Measures so agreed upon have been responsible for a significant drop in both the number and seriousness of cases of infiltration, border crossings and smuggling.

16. Jordan authorities have also reported the following measures in effect from 1 November 1951 to curb infiltration:

- (a) National guards and village authorities have been instructed to point out the location of the demarcation line to villagers, and to warn them of the danger they face in making illegal crossings; shepherds are instructed to keep their flocks as far as practicable from the line, to prevent accidental crossing and consequent confiscation by Israeli authorities; guards are stationed along the demarcation line, and a list of people owning or cultivating lands along the line has been established;

(b) In areas difficult to control (particularly along the Wadi Araba), Bedouin tribes have been ordered to move back from the demarcation line to areas deeper inside Jordan.

17. Another cause of frequent incidents along the Demarcation Line is the cultivation of land by residents of one party in the territory controlled by the other or in no-man's-land. As in previous years, the grain harvest months, April through July, were marked by numerous clashes which resulted in the loss of life in many instances. During this period, joint surveying teams accompanied by United Nations observers determined the exact location of the Demarcation Line on the ground in certain difficult areas, and pointed it out to village officials and local cultivators in an effort to minimize accidental encroachments. Only plough furrows in certain critical, highly-cultivated areas have been used to mark the line, since Jordan authorities have been unwilling to agree to any "permanent" scheme for the marking of the Demarcation Line. Clashes also occurred during the first weeks of the olive harvest in September. Observers with joint surveying teams again pointed out the Demarcation Line to local officials and cultivators, and in one area in the vicinity of Qaffin-Baqa el Gharbiya the line was more permanently marked with white markers.

18. The programme of surveys of the Demarcation Line and its description was carried out over most of the distance between Baqa el Gharbiya (MR. 156-202) and Rantis (MR. 150-161), as well as in other scattered localities where cultivation is intense and natural border delineations are few. While no markers were placed on the ground by the agreement of the parties, Israel announced its intention to mark the Demarcation Line on its own side of the line in accordance with the signed maps in its possession. The marking of a line by one party instead of by common agreement is likely - particularly in view of the thickness of the Demarcation Line as drawn on the original maps - to raise questions which will be brought to the Mixed Armistice Commission.

19. On 18 September 1952, an Israel surveying team engaged in marking the border was fired on from Jordan controlled territory. Major Nutov, an Israel delegate to the Mixed Armistice Commission and officer in charge of the surveying team, was seriously wounded. The Mixed Armistice Commission considered this incident at its 93rd meeting on 24 September 1952 and by majority vote (the Israel Delegation and the Chairman in favour, the Jordan Delegation against) decided that the firing

by Jordanians at an Israeli survey team which they knew to be in the area, describing the armistice line and which resulted in the wounding of Major Nutov, was a most serious breach of article III, paragraph 3 of the General Armistice Agreement by Jordan. By the same majority vote, the Commission also decided that the cultivation of Israel territory by Arab residents in Jordan controlled territory was a breach of article IV, paragraph 3 of the General Armistice Agreement; condemned the attempt to mislead the Mixed Armistice Commission by the Jordan witnesses; and called upon Jordan to implement the Mixed Armistice Commission agreement on the joint description and marking of the line, so as to prevent innocent people on both sides being wounded, maimed and killed in quite unnecessary border incidents, which caused tension along the border and endangered the smooth functioning of the Armistice Agreement.

20. During the period covered by this report two incidents occurred which momentarily jeopardized the cease-fire between Israel and the Hashemite Jordan Kingdom. The first of these occurred on 4 June 1952, following failure to agree on the application of an informal "status quo" arrangement regarding certain cultivated lands under dispute in the Qalqilya area. Further attempt at settlement by United Nations observers present having failed, an engagement ensued between the regular forces of the two parties which lasted for several hours. One Israeli soldier was killed and a number of Jordanian soldiers and civilians were wounded.

21. A meeting of the Mixed Armistice Commission was called by the Chairman on 7 June 1952 to deal with that incident. The Commission decided by majority vote (the Israel Delegation and the Chairman in favour; the Jordan Delegation against) that the shooting of an Israel soldier inside Israel territory by Jordan fire from over the armistice line in the Qalqilya area on 4 June was a breach of article III, paragraph 3 of the General Armistice Agreement. The Commission also decided by majority vote (the Jordan Delegation and the Chairman in favour; the Israel Delegation against) that the shooting from the Israeli side by Israeli security forces into Jordan territory, which resulted in the wounding of two villagers, was a breach of article III, paragraph 3 of the General Armistice Agreement.

22. In a further series of resolutions relating to this same incident, the Mixed Armistice Commission by majority vote took three decisions against Israel and three

decisions against Jordan for violations of article III, paragraph 3 of the General Armistice Agreement. In an effort to prevent further misunderstandings in the area, the parties agreed to mark the Demarcation Line in this sector by a plough furrow.

23. The second incident which threatened the cease-fire occurred on 17 September 1952 when Israeli olive pickers were fired on by Jordanians in the Qaffin area. Both sides admitted participation of regular military forces during the ensuing two-day engagement, and the use of mortar as well as small-arms fire. The incident was the subject of a number of complaints from both parties which are on the agenda awaiting consideration by the Commission.

24. In addition to the above decisions, the Mixed Armistice Commission adopted resolutions in two other cases of particular seriousness. With regard to the first of these the Jordan Delegation reported that, on the night of 6/7 January 1952, a group of armed Israelis penetrated several kilometres into Jordan controlled territory and blew up a number of houses in the outskirts of Beit Jala village, in the Bethlehem area. Six Jordanians were killed, and three seriously wounded. Mimeographed leaflets scattered on the scene indicated that the perpetrators of the crime were Israelis, and linked it with the as yet unsolved rape and murder of an Israeli girl near Malha. At an emergency meeting called by the Chairman on 8 January 1952, the Mixed Armistice Commission unanimously considered that the incidents were a serious breach of article III, paragraph 2, of the General Armistice Agreement. The Commission expressed its horror at these crimes and called upon the Israeli Delegation to take the necessary steps to stop the recurrence of such regrettable incidents.

25. On 28 May 1952, the Commission met to consider a similar charge brought before it by the Jordan Delegation, alleging the blowing-up of a house near Qaffin village, apparently as a reprisal for the slaying, allegedly by infiltrators, of an Israeli woman some days before. Once again, leaflets were found on the scene and, as at Beit Jala, the perpetrators had penetrated far into Jordan controlled territory - in this case, approximately five kilometres. The victims were a woman and four children, ranging from one to fifteen years of age. The Commission (the Jordan Delegation and the Chairman in favour; one Israel delegate abstaining) expressed regret at this tragic incident and considered it a breach of article IV, paragraph 3 of the General Armistice Agreement. The Commission called upon the Israeli authorities to take measures

to prevent such acts which resulted in the loss of life of innocent people.

26. On 21 September 1952, Jordan brought complaints before the Mixed Armistice Commission alleging the expulsion from the Beersheba area into Jordan controlled territory of approximately 800 Beduins of the Es Sani tribe. The Chairman called an emergency meeting of the Commission, and an investigation was arranged. This investigation indicated that the group had crossed into Jordan controlled territory to escape a forced transfer to less desirable lands in another area in Israel controlled territory. At the request of Jordan, agreement in principle was reached that all members of the Es Sani tribe who had crossed into Jordan controlled territory would be returned to Israel. After some difficulties concerning the time and place of crossing had been settled, detailed arrangements were worked out by the local commanders. With the carrying out of these arrangements, the matter appears today to be closed.

27. During the latter part of the period covered by this report, several events interfered with the normal functioning of the Mixed Armistice Commission. Regular activity of the Commission was disrupted on 20 June 1952 when armed Israel military police under the direction of officers on the Israel Delegation to the Commission entered and remained in the offices of the Commission despite protests by the Chairman and United Nations observers. The purpose of this action was to prevent United Nations observers from carrying out the inspection of a barrel which appeared to contain other matter besides the fuel oil listed on the manifest. That barrel had been taken, on 4 June, from the fortnightly supply convoy to the Israeli personnel on Mount Scopus, during the routine inspection of the convoy in the presence of Israeli and Jordanian representatives.

28. Israeli representatives had demanded on 4 June that the barrel be returned to them without being opened and, to prevent United Nations observers from carrying out their inspection, armed Israeli soldiers had at a certain moment been ordered by an Israeli representative into no-man's-land, where the inspection was taking place. This action might have had very grave consequences if the Jordanians, who were watching developments, had tried to oppose it by force. However, the Israeli soldiers were ordered to go back and, pending a decision by me (I was then at the United Nations Headquarters in New York), the barrel was, by mutual agreement, removed to the Mixed Armistice Commission

Headquarters. Israeli military police who, as indicated in the preceding paragraph, entered these offices on 20 June were not withdrawn until 10 July, when I inspected the barrel, confirmed the fact that it contained matter other than fuel oil, and returned it to the Israelis. (At no time had there been a question of ownership of the barrel, or of not returning it to Israel upon completion of its inspection.)

29. After 20 June, the Jordanian Delegation refused to enter the headquarters of the Mixed Armistice Commission so long as Israeli military police remained in it. On 27 June, the Senior Israeli Delegate proposed that the Commission find other quarters. He stated that the building which had been used and which was in the part of Jerusalem controlled by Israel, "must at all times be subject to the unfettered control of the Israel Defence Authorities, being situated at a highly strategic and exposed point on the border, facing Arab Legion positions".

30. For nearly three months, the few meetings held by the Mixed Armistice Commission took place in the open air in the no-man's-land at Mandelbaum Gate close to its former headquarters. Finally on 17 September, agreement was reached on the use of a new headquarters building situated between the demarcation lines in the immediate vicinity of Mandelbaum Gate.

31. Coincidental with the difficulties over the Commission headquarters, another series of events contributed to the interruption of meetings. On 9 June 1952, two Israel soldiers were captured by a Jordanian patrol, within Jordan controlled territory in the vicinity of the Latrun monastery. In a sub-committee meeting held on 12 August, a member of the Jordanian Delegation agreed to the return of the two soldiers to Israel within two days. On the following day, however, he informed the Chairman that he had received orders from his superiors that the two men could not be returned until they had been tried by a Jordanian court on charges of infiltration and possession of arms in Jordanian territory. It was explained that a precedent for this action existed in the recent report contained in the Israeli newspapers that two infiltrators from Jordan had been tried by Israel courts and sentenced to ten years in prison for similar offences.

32. The Israel Delegation refused to attend any meetings of the Mixed Armistice Commission until the two men had been returned. For a short period after 7 September, Israel representatives also failed to appear for sub-committee and local commanders meetings.

33. On 4 September 1952, the Jordanian Delegation submitted a complaint against the kidnapping of two Arab Legionnaires during what it alleged to have been a prearranged meeting in Israeli controlled territory in the northern sector (Jiar esh Sheikh Hussein). Because of this incident, and in order to guard against a recurrence, the Jordanian Delegation informed the Chairman that from 10 September orders had been issued that no local commander from Jordan would attend scheduled meetings on the Demarcation Line. However, partial agreement was reached shortly thereafter for a resumption of these meetings.

34. The Chairman brought both delegations together at a formal Mixed Armistice Commission meeting on 17 September 1952 for the express purpose of discussing ways to end the impasse. At this meeting, it was agreed that the prisoners whose detention had brought about the existing deadlock would be exchanged by the local commanders at Mandelbaum Gate, and that a meeting of the Mixed Armistice Commission would be held on 24 September 1952 at which outstanding complaints would be considered.

35. On 18 September, the prisoner exchange was carried out according to agreement, occupation of the new Mixed Armistice Commission offices followed, and normal functioning of the Commission has been in effect since that date.

36. As pointed out in my last report (S/2388, paragraphs 27-30), pending action by the parties in the Special Committee provided by article VIII of the General Armistice Agreement, I continue to administer, on behalf of the United Nations, the Agreement of 7 July 1948 for the demilitarization of Mount Scopus. Jordan has declined thus far to meet in the Special Committee.

37. Several incidents connected with the Mount Scopus Agreement have contributed to the embittering of relations between the parties. I have already referred to the incident of 4 June 1952 and to its developments (see paragraphs 27 and following). A second incident resulted from the establishment of various installations by the police of the "Jewish Section" of Mount Scopus, against the express requests of my representative.

38. Under the terms of the Agreement of 7 July 1948, the Arab and Jewish civilian police on Mount Scopus are "placed on duty under the United Nations Commander". As I considered that the installations in question were not in accordance with the terms of the Agreement for the demilitarization of the area, I requested, by memorandum of 17 August 1952 addressed to the Israeli

Civilian Police Inspector in charge of the "Jewish Section" of Mount Scopus, that these installations be removed. I also took the matter up with the office of the Chief of Staff of the Israel Defence Forces and the Ministry for Foreign Affairs. On 20 October 1952, I was officially informed by the Ministry for Foreign Affairs that instructions had been issued to the Israeli Civilian Police Inspector to conform with my requests, on the understanding that this action did not prejudice in any manner Israel's rights in the Mount Scopus area, nor did it affect the interpretation to be given to any of the provisions of the 7 July 1948 Agreement, or the validity to be attached to the map annexed thereto or to any other map referring to that area. The requests to which Israel undertook to conform on 20 October 1952 included the withdrawal of the post and shelter located at MR. 173.05-133.28 to which I had objected, the re-establishment of the post at its original position, the filling in of the semi fox-holes and slit trenches and the restoration of the area to its state of 4 April 1952. The observation post on the top of one of the hospital buildings was also to be eliminated and the sandbag emplacements removed. Moreover should any mines be found in the area, they should be destroyed on the spot as soon as possible. With the exception of the removal of the post and shelter located at MR. 173.05-133.28, no other action has been taken to date to comply with my request.

III. LEBANESE-ISRAELI MIXED ARMISTICE COMMISSION

39. The Lebanese-Israeli Mixed Armistice Commission held twenty-five formal meetings from 1 November 1951 to 15 October 1952. It also held two meetings on Chief of Staff level and a number of unofficial or special meetings. In addition there were frequent meetings of the Sub-Committee for Border Incidents and of the Sub-Committee for Staking of the Border. Constabulary officers are now included in the delegations of both parties, and their participation in meetings of the Commission has facilitated the handling of border incidents relating to police matters.
40. With regard to the marking of the Armistice Demarcation Line (see document S/2388, paragraph 31), the existing markings have been improved by the construction of supplementary markers, the repair of damaged markers, and the correction of errors. The line has been marked on the ground for its entire length, with the exception of one section in the east of approximately five kilometres between boundary pillar 38 and the Hasbani River. The Mixed Armistice Commission is endeavouring to find a temporary solution permitting normal life in this area where the boundary is in dispute. It is proposed that a temporary line referred to as the "civilian line" should be surveyed following the boundaries of properties owned by nationals of the respective countries. Lands of Palestinian refugees would be included on the Israel side. The Sub-Committee for the Staking of the Border is at present studying documents which would enable the tracing of this civilian line on a large scale map acceptable to both parties. The line would then be materialized on the ground, and at the same time two other lines corresponding to the respective interpretations of Israel and of Lebanon concerning the border in this area would also be marked pending final agreement by the parties on a single line.
41. During the period of this report there was one series of events which caused tension between the parties (seizure by the Lebanese customs on 20 January 1952 of a cargo of beans destined for Israel; seizure in retaliation by representatives of the Government of Israel of several flocks of sheep, goats and some cattle). As a result of these actions the functioning of the Mixed Armistice Commission was disrupted for a period of about one month. Meetings of

the Commission were only resumed following special meetings of the Chiefs of Staff or their representatives under my chairmanship. Agreement was reached between the parties, the co-operative spirit existing prior to these difficulties was re-established and the Mixed Armistice Commission again began to function. Other incidents involving herds that stray across the demarcation line are now being promptly settled on the basis of the return of the animals against payment of moderate indemnification and the reserve of claims for damage to cultivation.

42. The Commission has continued to effect the repatriation to Israel of some former Palestinian refugees in Lebanon and the crossing of certain persons to Israel on the basis of the principle of the reunion of families. During the period under review, 129 persons crossed to Israel and 25 persons crossed to Lebanon. A number of persons who had infiltrated across the Demarcation Line were returned to their respective countries in accordance with a procedure supervised by the Commission's Sub-Committee for Border Incidents.

43. Complaints concerning overflying of the Demarcation Line have been received throughout the period of this report on an average of about three per month. Approximately three-fourths of these complaints have come from Lebanon whose delegation continues to express concern (see document S/2388, paragraph 35). In one instance an illegal flight was admitted by Israel and the pilot was punished. In all other cases the parties have denied responsibility. No instance of alleged overflying has had the character of a serious incident and efforts are being made to improve the situation.

44. The Commission has also dealt with a large number of matters having a penal, administrative, or civil character. These included smuggling and illegal fishing; crimes and offences in the border region; return of property, documents and money confiscated or abandoned; collaboration of judicial and police authorities in conducting investigations and procuring testimony; requests for information or news concerning relatives and missing persons; and collaboration of the parties in combating locusts. In general, these questions may be considered as having little connexion with the normal work of an Armistice Commission. They are, however, matters on which co-operation is desirable, and their solution is possible through the instrumentality of the Mixed Armistice Commission, which is the only regular contact available.

IV. SYRIAN-ISRAELI MIXED ARMISTICE COMMISSION

45. During the period under review, four emergency meetings were called by the Chairman at the request of one or the other of the parties to discuss serious incidents which had occurred. No other formal meetings of the Commission were held, and as of 15 September 1952, 112 complaints were pending before it.

Informal meetings have, however, been conducted with considerable regularity and have served to settle many minor disputes before they assumed a serious character.

46. Failure of the Mixed Armistice Commission to meet regularly in formal session has resulted from conflicting attitudes regarding the status of the Demilitarized Zone and the interpretation of the provisions of article V of the General Armistice Agreement which deal with the Demilitarized Zone. The Israel Delegation has repeatedly stated that it is not ready to discuss with the Syrian Delegation any subjects relating to the Demilitarized Zone which, with the exception of the small sector to the East of the international boundary between Syria and Palestine, is considered by Israel as under Israel sovereignty. On the other hand, a number of the 112 complaints pending before the Mixed Armistice Commission are Syrian complaints relating to the Demilitarized Zone and Syria has insisted that these complaints be discussed in their regular order on the agenda. The Syrian Delegation has also continued to insist upon "full implementation by Israel of the Security Council resolution of 18 May 1951", adhering to the view that this resolution has not been fully implemented.

47. During two of the emergency meetings, the Chairman, without success, requested either or both parties to bring their differences regarding interpretation of the General Armistice Agreement before the Mixed Armistice Commission. Until such time as a decision regarding interpretation is taken by the Commission, or until the parties agree on a practical solution to the main items in dispute, the Mixed Armistice Commission is likely to remain in its present state of semi-paralysis.

48. The responsibilities of the Chairman in connexion with the Demilitarized Zone were assigned him by mutual consent of the contracting parties. As set forth in the foregoing paragraphs, the Chairman has been unable to obtain the guidance of the Mixed Armistice Commission relative to his responsibilities in the Demilitarized Zone. Therefore the Chairman has had to rely upon his own interpretation of his responsibilities in the Zone.

49. Regarding the question of compliance with the Security Council resolution of 18 May 1951, the following information may be added to that submitted to the Security Council in my last report (document S/2389).

50. Seventy of the approximately 409 former inhabitants of the Arab villages of Baqqara and Ghanamme who remained in Sha'ab in Israeli controlled territory after 9 July 1951 were, at their own request and by mutual agreement of the parties, permitted to enter Syria on 22 January 1952. (These Arabs had, through their representatives, signified to the Chairman during the interrogations of June and July 1951 their desire to remain in Israel.) Further, approximately 35 Arabs have fled from Sha'ab to Syria. (Israel has to date refused to agree that this latter group may return to their homes in the Demilitarized Zone.) Five Arabs from Baqqara who were in Syria at the end of March 1951, when the Israelis removed the inhabitants of their village to Sha'ab, have been returned to Baqqara and reunited with their families. The Israel Government has agreed that approximately 115 other Arabs from Baqqara and Ghanamme who had fled to Syria during the troubles of March-April 1951 might return to their former homes, on the understanding that once in the Demilitarized Zone they could not pass again into Syria. These Arabs have refused to return, unless they were permitted access to Syria. Since the troubles of March-April 1951, the Israelis have not agreed that the Arabs who live in the Demilitarized Zone may have access to Syria. Israeli instructions are carried out by the Israeli police who exercise control over the larger part of the Demilitarized Zone.

51. A further complication relative to the village of Baqqara arose when the Haifa office of the United Nations Relief and Works Agency (UNRWA) was closed on or about 1 September 1952, and the functions of UNRWA in Israel were taken over by the Israel Government. At that time, it was the stated position of UNRWA that the UNRWA functions assumed by the Israel Government did not apply to the Demilitarized Zone. Since 1949, the UNRWA Haifa office had been supporting the village of Baqqara. Through the efforts of the Chairman and of UNRWA, the village sowed twenty tons of wheat in 1952, and realized a harvest of about 120 tons from this planting. The twenty tons of wheat were purchased by UNRWA, after being made available by the Syrian Government. In addition, individuals in the village planted certain other crops, primarily tobacco and corn. On 15 July 1952, the

UNRWA Haifa office made a final monthly issue of rations to the village of Baqqara. As a final gesture, and in order to assist in establishing Baqqara on a self-sufficient basis, UNRWA offered to issue one full year's ration of foodstuffs (less flour) to the village. Initially the villagers refused such offer. At a later date they reconsidered, and the Chairman attempted to obtain clearance from the Senior Israeli Delegate to bring into the village the one year issue of food referred to above. The requests of the Chairman were refused. The Israeli Delegate informed the Chairman that the Israeli refusal was based upon the fact that the UNRWA had informed them that Baqqara was self-sufficient and not in need of further assistance. On 1 October 1952, the Chairman was informed by UNRWA that the agency still felt that Baqqara might be considered as completely self-sufficient, provided that the year's supply of rations in question was issued to the village. The Chairman so informed the Senior Israeli Delegate, and requested that such steps be taken as were necessary to ensure the prompt delivery of the rations provided by UNRWA for Baqqara village which, since 10 September 1952, have been in the possession of the Israel Government. As of current date, no official reply has been received. The Israel Government has, however, suggested that Baqqara sell excess products to Israel in return for necessities of life. The only product owned jointly by the village is a portion of the wheat crop and the village needs all of this for its own use. The villagers have informed the Chairman that their situation was becoming desperate, and that they envisaged leaving their homes and lands and taking refuge where they can unless access to Syria is granted them.

52. The Arabs (about 300) who in 1951 fled from Samra in the Southern Sector of the Demilitarized Zone, remain in the vicinity of Kahn and El Hamma. As previously reported their lands, which they had cultivated for many years on a share-cropping basis, have been sold or leased by the Iranian owners to the Jewish National Fund. Although Israel has stated willingness to consider payment of compensation to these people for their homes which were completely destroyed by the Israelis, the Arabs have refused to accept such compensation in the hope of being granted the right of returning to their former home sites. The Chairman is endeavouring to locate lands within the Demilitarized Zone upon which, with the concurrence of the two parties, these Arabs could be settled.

53. Approximately 400 Arab refugees from the village of Samakh in Israel controlled territory and from neighbouring parts of the Southern Sector of the Demilitarized Zone are living in El Hamma and vicinity (300 in El Hamma - 100 in Tawafiq). About 20 of the Samakh Arabs living in El Hamma, and about 7 of those living in Tawafiq own approximately 3,000 dunams of land located in the Southern Sector of the Demilitarized Zone. Much of this land is or has been under cultivation by Israelis, who refuse to permit the Samakh Arabs to return to their lands unless and until such Arabs agree to hold no intercourse with Syrians or Syria. The Arabs do not agree with this, and are still prevented from returning to their lands by Israeli police in the Demilitarized Zone, as well as by Israeli civilians who are cultivating the Arab lands.

54. The situation in the Arab village of Nuqeib has remained quiet. No Israeli police are in or enter the village. UNRWA has prepared an extensive plan for the rehabilitation of Nuqeib. This plan envisages the reconstruction of homes, the installation of an irrigation system, the provision of agricultural animals and equipment, and agricultural assistance. By agreement with UNRWA, it was decided in 1949 that the UNRWA office in Haifa would provide assistance for the refugees in the Central Sector of the Demilitarized Zone and the Damascus office of UNRWA in the Southern Sector of the Demilitarized Zone in which Nuqeib is situated. On 6 December 1951, a representative of Israel informed the Chairman that, although Israel considered the UNRWA project most worthy, it would not agree to its execution unless the personnel employed as technical directors, technical assistants etc. came from Israel. The Israeli representative would not agree to permit the UNRWA office in Damascus to provide, from among its Palestinian employees, the necessary assistance. The project has since been dormant.

55. The village of El Hamma, to which I referred in paragraphs 23 and 24 of my report of 6 November 1951 (document S/2389) has been quiet. All road blocks have been removed with the exception of one blown culvert in the El Hamma-Ein Gev road at the extreme Western exit of El Hamma. About 800 refugees live in El Hamma, and some of them can observe their lands in the Demilitarized Zone being cultivated by Israelis.

56. Khoury Farm on Lake Huleh in the Central Sector of the Demilitarized Zone has run to weeds. The Israelis state that Mr. Khoury may return to his farm and work

it, but that if he returns he will not again be allowed to cross the Jordan River into Syria, and will be permitted no intercourse with Syria. Mr. Khoury has not returned to his farm.

57. As regards the question of compensation, the Israel Government, while maintaining the position that they are not legally responsible, have agreed to pay compensation for the demolished Arab homes in the village of Samra (see paragraph 52). They have not, insofar as is known, indicated willingness to pay compensation in other cases.

58. With the exception of Nuqeib, El Hamma and Shamalne, Israeli police acting under orders from police headquarters outside the Demilitarized Zone, exercise control over practically the entire Demilitarized Zone. The Chairman has maintained that the provisions of article V of the General Armistice Agreement and the Explanatory Note of Dr. Bunche quoted in the Security Council resolution of 18 May 1951 call for police of a local character within the Demilitarized Zone. Israeli authorities, however, have not agreed to remove their non-local police from the Demilitarized Zone and no arrangement has been worked out. Furthermore, Israeli police continue to maintain a check-post on the main road at Mishmar Hay Yarden in the Central Sector of the Demilitarized Zone. Although removal of this check-post has been requested by the Chairman, it has not yet been removed.

59. The work of the Palestine Land Development Company has continued throughout the period covered. As reported in document S/2389, paragraph 22, a test, in October 1951, of the checking-gates of the Jordan River just south of Lake Huleh showed that a reduction in the flow of the Jordan sufficient to permit the operation of equipment in the river bed would result in a considerable loss of water in the irrigation system of Buteiha Farm which lies in Syrian territory, East of the Jordan River and immediately North-East of Lake Tiberias. On 22 January 1952, the Chairman reached an agreement with both parties whereby the checking-gates could be operated for a period of about three weeks in order to effect emergency repairs to the Banat Yacoub Bridge. On 9 April 1952, emergency repairs to the bridge having been effected, and in view of strong representations on the part of the owners of Buteiha Farm, the Chairman withdrew his concurrence to further use of the checking-gates until another agreement should be reached by the two parties. Use of the checking-gates, except in minor instances and for very short periods, has been discontinued.

60. In a further effort to arrange for the operation of the checking-gates, a conference was held between representatives of the Palestine Land Development Company and the owners of Buteiha Farm, the delegations to the Mixed Armistice Commission of both parties and the Chairman. At this conference, the farm owners pointed out that the estimated value of the 1952 crop was approximately US\$750,000 and that about 18,000 dunams of land would be under irrigation during the season. Loss of irrigation water in Buteiha Farm would result in a serious financial loss to the farm owners, and indirectly, to the Syrian Government. The owners of Buteiha Farm, with the concurrence of the Senior Syrian Delegate, offered to agree to controlled use of the checking-gates if prompt payment for resulting damage was made by Israel. This offer was not accepted.

61. As stated in paragraph 45 of this report, four emergency meetings were held during the period under review at the request of either of the parties which alleged that a serious incident has occurred. The following are the decisions taken by the Mixed Armistice Commission during the emergency meetings.

(a) On 27 December 1951, the Commission, by a majority vote (Israeli Delegation and Chairman in favour; Syrian Delegation against) decided that the act of the Syrian Army Outpost of El Koursi on 16 December 1951 which resulted in the killing of two Israeli fishermen constituted a serious violation of article I, paragraph 2 and article III, paragraphs 2 and 3 of the General Armistice Agreement.

(b) On 3 January 1952, the Mixed Armistice Commission by a majority vote (Syrian Delegation and Chairman in favour; Israeli Delegation against) found that on 28 December 1951, an armed Israeli patrol of three men illegally entered Syrian territory and engaged in a contact with a Syrian Army outpost in the immediate vicinity of MR. 2135-2950, said contact resulting in the death of one Israeli. The Mixed Armistice Commission found the above Israeli action to be a grave violation of article I, paragraph 2 and article III, paragraphs 2 and 3 of the General Armistice Agreement and, accordingly, strongly condemned the aforesaid Israeli action.

(c) On 19 February 1952, the Mixed Armistice Commission, by a majority vote (Israeli Delegation in favour; Syrian Delegation and Chairman against) rejected an Israeli draft resolution according to which the opening of rifle fire and automatic rifle fire at two Israeli boats in Lake Huleh, carrying a United Nations observer, accompanied by an Israeli Delegate to the Mixed Armistice Commission, and several Israeli civilians, on 2 February 1952, was the act of Syrian para-military forces which had penetrated into the Central Sector of the Demilitarized Zone and constituted a deliberate and flagrant violation of article III, paragraph 2 and article V, paragraphs 5a and 5b of the General Armistice Agreement, by the Syrian Army.

(d) On 18 March 1952, the Mixed Armistice Commission voted without decision, the Chairman abstaining in both cases, on two draft resolutions. According to the draft resolution proposed by the Israeli Delegation, the Syrian Army outpost near Zaki River had, on 28 February 1952, at approximately 23.55 hours local time, opened unprovoked rifle and automatic fire on Israeli fishing boats working in Lake Tiberias. According to the draft resolution proposed by the Syrian Delegation, fire was opened during the night of 28 February 1952, towards 24 hours, from an Israeli armoured boat which was stationed at a distance of approximately 80 metres in Lake Tiberias opposite the mouth of the Zaki River on a Syrian patrol which was operating in Syrian territory.

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Chief of Staff
