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United Nations, 1948.

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Report
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United Nations

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14 October 1948

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SECURITY COUNCIL

VERBATIM RECORD OF THE THREE HUNDRED AND SIXTY-FIFTH MEETING

Held at the Palais de Chaillot, Paris
on Thursday, 14 October 1948, at 3.00 p.m.

President: Mr. Warren AUSTIN United States of America



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(Interpretations of speeches will be replaced in the official records by full translations from the originals.)

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The PRESIDENT: I declare open the three hundred and sixty-fifth meeting of the Security Council.

ADOPTION OF THE AGENDA

The PRESIDENT: If there is no objection I shall consider the agenda to be adopted.

Mr. el KHOURI (Syria): In fact I have only just now seen the agenda, and I would refer to rule of procedure 8, which states, "The Provisional Agenda for a meeting shall be communicated by the Secretary-General to the representatives on the Security Council at least three days before the meeting, but in urgent circumstances it may be communicated simultaneously with the notice of the meeting." We only received the notice of the meeting last night, and then without any agenda. I did not know that we were to deal with Palestine before and in any case, I do not consider that there is any emergency in this matter. I do not see why the meeting should be convened, without notice of the subject of discussion, in such a hurry, and I should like to know in more detail about the subjects, on the question of Palestine, to be discussed. It is a wide subject and we do not know what aspect we are to consider. We should therefore like to be prepared.

The PRESIDENT: I am very glad to answer the representative of Syria. The subject matter that is urgent is the report by the Acting Mediator, both the written report and an oral report. The Acting Mediator is in Paris today and it is my intention -- unless there is any objection -- to invite him to the Council table to support his written report by his oral statement.

Now, as to the surprise element, if there is any surprise. Ever since these urgent reports have appeared here -- and they have been published documents for some time -- it has been the intention of the President to call a meeting of the Security Council. The report I have before me is a cablegram dated 30 September 1948 and it is under No.S/1022, so that it has been with us now about two weeks. However, it has been inconvenient to call the Security Council to consider it before this time, even though the matter is urgent -- relating to life and death.

Yesterday in the First Committee at the earliest opportunity I had, when it appeared that there might be a suspension of that Committee's activities today, I made a public announcement -- which is included in the record, without doubt -- that if it were possible to hold this meeting today we would hold it. Subsequently during the meeting

events showed that it would be possible to hold this meeting of the Security Council today, and I announced that we would hold a meeting of the Security Council on this Palestine question, which is an old question which has been on the agenda for a long time.

Therefore, I feel that the calling of this meeting is fully in accordance with the letter and spirit of the last part of rule 8: "...but in urgent circumstances it may be communicated simultaneously with the notice of the meeting." I think it is right and proper, and unlikely to injure anyone, if we hold this meeting today, and I hope that the representative of Syria will find it convenient to proceed.



Mr. EL-KHOURI (Syria): I thank you, Mr President, for the explanation you have given, but I am not satisfied with it, because there is no urgency such as would comply with the second paragraph of Rule 8. These documents which are presented to us are not new. Nothing has come to us urgently last night to create the urgency which would comply with our rules of procedure and justify the convocation of this meeting in such urgency without the previous knowledge of the members. However, as you say it is simply for the report to be explained orally, we may hear that, but I do not think that any other subject should be discussed without due preparation.

The PRESIDENT: I assure the representative of Syria that I have no idea of departing from this subject. There may be someone who may try to depart from it, and, in that event, the rule of the chair will have to be accepted, or overruled in order to get away from it. That does not mean that we cannot act here.

Mr. MALIK (Union of Soviet Socialist Republics)

(interpretation from Russian): The representative of Syria has already pointed out that the agenda was not distributed in due time. I do not know about other members of the council but, so far as I am concerned, I did not receive the agenda in due time. Furthermore, the agenda includes one general heading - the Palestine question. Is not a provisional agenda supposed to indicate the documents which the Security Council ought to consider? Now, we have before us for consideration half a dozen documents. The first of these is dated 2 September and the last one is as late as October. I think it would be proper for the agenda to be distributed in advance, with a list of the documents to be considered by the Council at the meeting. If that were done members of the Council would have an opportunity of studying these documents in advance, thus being able to be well prepared for a discussion of all these questions. In view of the fact that this was not done, and I am not even touching upon the question of urgency, but making an exception of the question whether the matter is really urgent, I want to say that, without previous warning as to what documents were to be considered, it would be difficult to proceed to the consideration of such documents. I wish to reserve my right, at the beginning of the discussion, to express our point of view on this question at later^a meeting, after I have had an opportunity of studying the substance of these documents, which I have not yet had.

The PRESIDENT: The Security Council will vote on the adoption of the agenda.

The agenda was adopted by 8 votes to none, with 3 abstentions.

PALESTINIAN QUESTION

The PRESIDENT: We now come to the Palestinian question.

On this question, the Security Council has already invited the representatives of the Lebanon, Egypt, the Provisional Government of Israel and the Arab Higher Committee to sit, and I give those representatives an opportunity to come to the table now.

On the invitation of the President, Mr FAWZI ALI (Egypt), Mr. AUGHEY EBAN (Israel), and Mr FOUAD AMOUN (Lebanon), took their places at the Security Council table.

On the invitation of the President, Mr. RALPH BUNCHE, Acting Mediator, took his place at the Security Council table.

The PRESIDENT: Before calling upon Mr. Bunche, I will ask for the reading of the document S/1022, dated 30 September 1948.

Mr. SOBOLEV (Assistant Secretary General in charge of Security Council Affairs): This is a cablegram dated 30 September 1948 from Mr. Ralph Bunche to the Secretary General, and it reads as follows:

For PRESIDENT SECURITY COUNCIL:

"One. The assassinations of Count Bernadotte and Colonel Serot have thrown a tragic light on an increasingly serious situation in Palestine as regards the authority, prestige and even the safety of the personnel engaged in the truce supervision work.

Two. During the truce ordered by the Security Council in its resolution of 15 July 1948 (Document S/902), there has been a disturbing tendency on the part of both Arabs and Jews to withhold co operation from the Truce Supervision Organisation and to place obstacles in the way of its effective operation.

"Three. The following may be cited as illustrative of current practices and attitudes which greatly hamper the conduct of the truce supervision: A) Requiring advance clearance of twenty-four hours or longer for flights of United Nations aircraft, all of which are painted white with highly visible United Nations markings; B) Imposing conditions for access of United Nations observers to airfields or to be stationed there, which in practice have proved tantamount to refusal of access; C) Refusal to allow observers free access to certain ports and strategic areas; D) Reluctance and delay in extending essential co-operation to observers engaged in investigations of specific incidents, particularly as regards witnesses and vital testimony; E) Failure to implement, by issue of necessary orders to commanders in the field, agreements reached at the governmental level through the good offices of the Mediator and observers.

"Four. The evidences of this regard for the authority of the United Nations, its personnel, credentials flag and markings on vehicles, find most serious reflections in actual assaults upon truce supervision personnel. To date, six lives have been lost in the truce supervision work, including that of the Mediator himself, and seven men have been wounded. The unarmed United Nations personnel engaged in this work and their aircraft and vehicles have been frequently subjected to sniper and other types of fire, particularly in the Jerusalem area. and on two recent occasions individual observers have been waylaid and have had their cars and personal funds taken from them at gun-point. There is little evidence that up to now the authorities on either side have regarded incidents involving attacks on United Nations personnel as demanding any extraordinary effort toward apprehending the disciplining the guilty individuals. That the truce supervision personnel, civilian and military alike, all of whom are unarmed, carry on their hazardous work under these circumstances is eloquent testimony to their high sense of duty.

"Five. The current attitudes of both parties toward the truce supervision involve a serious tendency to disregard the provisions of the resolution of the Security Council of 29 May (Document S/801) and 15 July (Document S/902). The resolution of 29 May "Call upon all concerned to give the greatest possible assistance to the United Nations Mediator " while the resolution of 15 July "Calls upon all governments and authorities concerned to continue to co-operate with the Mediator with a view to the maintenance of peace in Palestine in conformity with the resolution adopted by the Security Council on 29 May 1948".

Six. There can be little doubt that appropriate action by the Security Council at this time would be helpful to the effort to ensure the maintenance and the effective supervision of the truce in Palestine. In this regard it might well be called to the attention of the disputing parties that the Security Council resolutions of 15 July and 19 August (Documents S/902 and S/983) remain firm, and that all of the obligations on the parties therein set forth with regard to the maintenance of peace in Palestine are to be fully discharged.

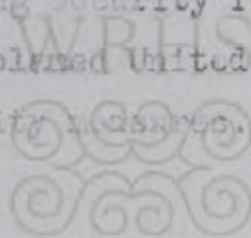
Seven. In particular it would seem desirable to give special emphasis to the following obligations and liabilities of the parties with regard to the truce supervision: A) The obligation to allow duly accredited United Nations observers and other truce supervision personnel bearing proper credentials on official notification CLA ready access to all places where their duties require them to go including airfields, ports, truce lines and strategic points and areas; B) The obligation to facilitate the freedom of movement of truce supervision personnel and transport by alleviation of burdensome flight clearance restrictions on United Nations aircraft now in effect, and by assurance of safe conduct for all United Nations aircraft and other means of transport; C) The obligation to co-operate fully with the truce supervisor personnel in their conduct of investigations into incidents involving alleged breaches of the truce, including the making available ^{of} witnesses, testimony and other evidence on request. D) The obligation to implement fully by appropriate and prompt instructions to the commanders in the field all agreements entered into through the good offices of the Mediator or his representatives; E) The obligation of each party to take all reasonable measures to ensure the safety and safe conduct of the truce supervision personnel and the representatives of the Mediator, their aircraft and vehicles, while in territory under its control; F) The liability of each party for any assault upon or other aggressive act against the truce supervision personnel or the representatives of the Mediator in territory under its control, including the obligation to make every effort to apprehend and promptly punish the guilty.

Eight. Since the question of reparations for injuries incurred in the service of the United Nations is now under consideration by the General Assembly it has not been included among the obligations and liabilities suggested in the preceding paragraph.

I will now read document S/1023 which is a cablegram from the Chairman of the Truce Commission dated 30 September 1948, addressed to the President of the Security Council.

"Deliberate Jewish campaign led by military governor Dr. Bernard Joseph to discredit Truce Commission and Acting Mediator Dr. Bunche now apparent developing along lines of attack launched against late Count Bernadotte prior to his assassination and marked by such deliberate discourtesies as release to press of communications sent to United Nations Organizations before their receipt by addressees. Obviously undertaken in effort to destroy public confidence in and arouse public animosity towards the two bodies now striving to enforce truce in Jerusalem and bring about demilitarization of Jerusalem in accordance with Security Council resolution of July fifteen. Coincides with Jewish effort before General Assembly to obtain incorporation of Jerusalem in the State of Israel and is calculated to prove both Jewish determination to keep Jerusalem and inability of United Nations to internationalize city in accordance with late Mediator's recommendations.

"In reply to Dr. Bunche's statement that Israel authorities were lax in providing security for Count Bernadotte, Dr. Joseph in a press release blamed United Nations authorities for negligence in security measures."



"He claimed United Nations had declined Jewish suggestion that United Nations personnel be accompanied by Israel military personnel. He maintained 'Jewish authorities, had they received slightest intimation that United Nations representatives wished to have special protection accorded to them, would have gladly complied with the request'. Truce Commission is writing to Dr. Joseph as follows: As long as Jewish officials pretend to exercise Governmental authority in Jerusalem for safety United Nations personnel: will hold him personally and Israel army Jerusalem command responsible for acts by Jewish terrorists; however restrictions on freedom of movement of United Nations personnel under pretext of 'safety reasons' will not be tolerated; if safe, free movement throughout Jewish area cannot be guaranteed, Dr. Joseph should acknowledge inability to maintain law and order.

"In a second press release a proposal by the Truce Commission that a zone comprising the King David Hotel, YMCA, French and American Consulates General be considered a neutral area was declared unacceptable by the Israel army. Dr. Joseph claimed the Truce Commission had no authority to designate neutral zones and reserved freedom of action. He stated no Jewish troops were now in the area. In accordance with instructions from the late Mediator to implement the Security Council resolution of July fifteen with respect to the demilitarization of Jerusalem and in an effort to assure the safety of United Nations personnel, the Truce Commission on August thirty proposed to both military Commanders the creation of zone as demilitarized area. The Arab Commander accepted in principle but the Jewish Commander ignored the letter until the press release of yesterday. Truce Commission and United Nations observers here consider such a zone not only as logical first step towards demilitarization but necessary for the safety of United Nations personnel here. The Truce Commission consider it essential to bring to the Security Council's attention the actions of the military Governor and the local Israel army command in view of the grave consequences which may result from malicious and distorted attacks on United Nations bodies. The attitude adopted appears to be expressly designed to hinder the carrying out of the Security Council resolution of July fifteen. The Truce Commission believes that the non-co-operativeness towards United Nations exhibited by local Jewish authorities is diametrically opposed to the statements of responsible spokesmen of the Provisional Government of Israel pledging utmost co-operation with the efforts of United Nations.

"JOHN J MACDONALD
"CHAIRMAN TRUCE COMMISSION"

"organizations continued their activities after termination of Mandate, and the Provisional Government of Israel found it necessary to take measures designed to circumscribe their independent military activities. Until 20 September, however, when the new ordinance aimed at the prevention of terrorism was enacted following the Jerusalem assassinations, they continued to function openly, and without effective restriction or application of available legal sanctions against them in Jewish-controlled area of Jerusalem.

"4. At the very beginning of the first truce, one of these organizations, the Stern Group (Fighters for the Freedom of Israel), had issued general threats against United Nations observers. On that occasion, representative of the Secretary-General of United Nations and of Mediator in Tel Aviv immediately sought an interview with the Foreign Minister of the Provisional Government and asked for assurance that his Government would deal vigorously with any such threats against United Nations personnel and operations in territory under its control. The Foreign Minister stated that such threats were contrary to the policy of the Provisional Government, which would take view of any threats of this nature or any infringement of the truce. The Stern Group, he explained, then existed within Israel only as a political organization, having disbanded itself as a military organization, and its members were being absorbed into the army as individuals.

"5. Nevertheless, as late as 6 September 1948 Fighters for the Freedom of Israel, in their daily press bulletins issued in Tel Aviv, vigorously attacked both the United Nations Mediator and mediation effort, concluding with the words "The task of the moment is tooust Bernadotte and his observers. Blessed be the hand that does it." Particular significance should have been attributed to a statement of this kind precisely because it came from a group which had operated for a number of years as an underground force ruthlessly and notoriously employing assassination, kidnapping and other forms of violence, as a means to its ends."

"Incidental development which had given concern to the Mediator and his staff was the fact that in local Jewish press in recent weeks there had been steadily intensified attack against the Mediator, mediation effort, truce supervision and the United Nations itself to the effect that the Mediator was arbitrarily opposed to Jewish claims, and that supervision of truce deliberately discriminated against the interest of Israel. The Provisional Government of Israel in its official pronouncements did nothing to counteract these unfounded attacks on good faith of the United Nations and on the efforts of the Mediator as its representative. On the contrary, public statements were made by responsible officials in the Government which cast reflection particularly upon truce supervision. On several occasions, representations were made on behalf of the Mediator to officials of the Provisional Government regarding potentially dangerous situation which might thus be created. This situation appeared all the more ominous by virtue of existence of organized groups of extremists which continued their campaign of agitation against the presence of truce supervision personnel.

"7. It is not suggested that there was any cause and effect relationship between this unfortunate development and the specific crime in Jerusalem. But it was inevitable that the attitude of press and public pronouncements of high Government officials would have an important bearing upon climate of Jewish public opinion as regards the mediation and truce supervision efforts. By the time of Jerusalem assassinations, widespread atmosphere of public suspicion toward motivations and objectives of mediation and truce supervision work had developed. This public suspicion, growing out of an assumption that a policy of discrimination between the two parties was being deliberately pursued, was entirely unjustified.

"8. At the time of the fatal attack in Jerusalem, Count Bernadotte and his party had no armed protection of any kind. Official recognition of his presence in the Jewish area of Jerusalem was extended by Israel authorities in assignment of official liaison officer, who was travelling with Mediator's party, in lead car, at time of the assault. This liaison officer however was unarmed.

"9. Count Bernadotte's attitude toward armed protection on his numerous visits to Arab and Jewish territories was at all times clear and consistent, namely that provision unarmed escort

for him and party was a matter entirely at discretion of local authorities in whose territory he was travelling. He, like the United Nations observers who served under his direction, was always unarmed. He considered that his protection and safe conduct, and theirs, were responsibility of local authorities who were best situated to know the extent of protection necessary. He never requested an armed escort, and lacking armed men at his disposal could provide none for himself. But whenever local authorities saw fit to provide an armed escort, it was accepted by him without question. In his visits to Arab countries and in Rhodes, such protection was often afforded him, as it had been on some of his earlier visits to territory under Israeli control.

"10. At the time of the murders, responsibility for the safety of Count Bernadotte and his party rested upon the Provisional Government of Israel and immediately upon the military Governor of Jewish-occupied area of Jerusalem. Prior notification of the visit was given to Israeli authorities. In fact, the Mediator at the moment of attack was returning to YMCA Building accompanied by an Israeli liaison officer preparatory to an appointment with Dr. Bernard Joseph, Military Governor of Jewish occupied area of Jerusalem. According to the testimony of some members of Count Bernadotte's party, Dr. Joseph himself had been recognized, by the liaison officer, riding in an armoured car in the vicinity of the outrage a few minutes before it occurred. The failure on this occasion to provide the Mediator and his party with armed protection would therefore appear the more pronounced. In the light of all the circumstances, the conclusion seems inescapable that there was negligence on the part of authorities in Jewish-occupied area of Jerusalem with respect to security precautions affecting the safety of the Mediator.

"11. By a proclamation issued in Tel Aviv on 2 August 1948, the Provisional Government of Israel, defined as an "Occupied Area", the "major part of the City of Jerusalem, part of its environs and its western approaches", and declared that the "Law of the State of Israel applies to this occupied area". Area thus defined includes place at which assassinations occurred.

"12. Resolution of Security Council of 19 August (Document S/983) definitely places the responsibility upon each party for the actions of any irregular forces in its midst and obligates each party to use all means at its disposal to prevent violations of the truce by individuals or groups under its authority or in territory under its control. It is quite clear, therefore, that Provisional Government

of Israel must assume the full responsibility for the action of these assassinations, involving a breach of the truce of utmost gravity. Official statements issued by the Provisional Government immediately after outrage, and previously communicated to Security Council (Documents S/1005, S/1007) would seem to indicate that Provisional Government accepts responsibility for these assassinations within an area under its control.

"13. Essential facts of assassinations are clearly established by several corroborative eyewitness accounts. They are the following: at approximately 5 p.m. (Israeli time) Mediator and his party left Government House area in Jerusalem to return to YMCA prior to his appointment at 6.30 p.m. with Dr. Joseph. Party travelled in three cars proceeding in line. The first car which carried United Nations and white flags was driven by United Nations observer, and carried as passengers two Swedish officers attached to Mediator's personal staff, his Secretary, and Jewish liaison officer. Second car painted with red cross insignia and flying red cross flag was driven by medical officer of International Red Cross Committee, who was alone in car. Third car, flying both United Nations and white flags was driven by an officer of United Nations Secretariat, with United Nations observer seated in front seat beside him. In rear seat of this car Count Bernadotte was sitting on right, Colonel Serot in centre, and General Lundstrom on left. About five zero five PM in Qatamon Quarter of Jerusalem, well within Jewish lines, convoy was stopped by a jeep which blocked the road. This jeep was similar in colour to those used by Israeli army. As the convoy stopped, two men dressed in Israeli army uniforms and armed with automatic weapons of sten or tommygun type, approached left side of car in which Mediator was riding. Carefully scrutinizing passengers, one of them thrust his gun through rear left window and fired several bursts directly at Mediator, killing him and Colonel Serot. Two other men armed with similar guns approached Mediator's car from right and fired, apparently for purpose of covering assault and preventing pursuit. Subsequent examination of car showed ten certain and two possible bullet perforations in back seat upholstery and right side of chassis, and in addition one bullet perforation through front of chassis and another through top of radiator grill.

"14. Assassinations are now under investigations by authorities of Provisional Government, but to date no official report on progress or results of this investigation has been communicated to me. Provisional Government has vigorously condemned this brutal act and

has declared its intention to exert every effort to apprehend criminals and bring them to justice. Considerable number of arrests have been made in Jerusalem Tel Aviv and other places. Emergency measures outlawing all terrorist organizations have also been enacted.

"15. These assassinations constitute a critical challenge from an unbridled band of Jewish terrorists to the very effort of United Nations to achieve, by means of mediation, a peaceful adjustment of the dispute in Palestine. In a broader sense, they give evidence not only of contempt for the actions of the Security Council, but also of a cynical disregard for the United Nations as a whole. It is clearly imperative that urgent measures be taken to ensure that the aims of the United Nations in Palestine should not be frustrated by criminal bands or by any individuals or groups who might hope to profit from acts of such bands."



The PRESIDENT: I shall now call upon the Acting Mediator, Mr. Ralph Bunche, who will supply the Security Council with information concerning those matters within the competence of the Council which are referred to in the documents just read.

Mr. BUNCHE (Acting United Nations Mediator in Palestine): There are no words available to me which could express the sorrow I experience in appearing before the Security Council on this occasion in the place of the late Mediator, Count Folke Bernadotte, with whom I had the privilege of collaborating over a period of some four months in his valiant and untiring effort to bring peace to Palestine. I may say to this Council that a great international servant of peace was lost to the world when Count Bernadotte was struck down by assassins' bullets in Jerusalem on 17 September. Count Bernadotte was a thoroughly honest, impartial, independent and fearless man who drove himself relentlessly in his determination to rescue the Holy Land from its tragic plight. I earnestly hope that his life and the lives of the five other gallant men which have been sacrificed in the service of the United Nations in Palestine have not been given in vain.

I particularly wish to make some brief remarks in explanation and elaboration of the substance contained in my report to the Council of 26 September, document S/1018, regarding the assassination of Count Bernadotte and Colonel Serot, and my report of 1 October, document S/1022, regarding certain aspects of the truce supervision.

I should like first to outline the essential facts in the assassinations in Jerusalem. The assassinations were unquestionably well-planned and carefully timed. They were unquestionably aimed directly at the life of the Mediator. They occurred in territory which was controlled and administered by the armed forces and officials of the Provisional Government of Israel. I have been officially informed that the crime was acknowledged by an auxiliary of the notorious terrorists known as the Stern Group, the Fighters for the Freedom of Israel. This organization had, from the beginning of the truce supervision in Palestine, carried on a campaign against the Mediator, ~~against the mediation effort~~ and the truce supervision work in general. This had been done through the medium of daily bulletins issued by the Group.

On the Mediator's visit to Jerusalem on 9, 10 and 11 August, his last visit to Jerusalem prior to the fatal visit, the Stern Group members had conducted an open demonstration against him. On that visit, as he entered the Belgian Consulate, a number of young Jewish

men and women were sitting in front of the Consulate in jeeps. They were carrying posters which read:

"Stockholm is yours; Jerusalem is ours. Your work is in vain; we are here."

These posters were signed "Fighters for the Freedom of Israel", that is, the Stern Group.

What the political motivation behind the crime may have been, I do not know and I do not care to speculate. It came as a terrific shock to the truce supervision and mediation personnel in Palestine and the Arab States. But, I am happy to say that the work has gone on, the truce supervision continues and the morale of the organization remains high. If it was the purpose of this effort to demoralize the work and destroy the truce supervision, then, indeed, that purpose failed.

On the occasion of the Mediator's last visit to Jerusalem, no protection whatsoever was provided for him and his party, despite the demonstration against him on his previous visit and public attacks by the Stern Group, a group especially strong and active in Jerusalem. I may say that this was in contrast to the treatment which had generally been accorded him elsewhere.



At Rhodes, his headquarters, an escort was always provided and he was under twenty-four hour guard in the hotel. In visits to Arab states escorts were usually provided and, indeed, on some earlier visits to Israel escorts had been provided also. At the time of his death Count Bernadotte was in Jerusalem on official business. He had just made a visit to Government House for the purpose of inspecting that structure with a view to determining its possibilities as a future headquarters for the truce supervision and mediation work. His visit to Jerusalem and to Government House had been notified through official channels in Jerusalem well in advance.

On the subject of protection I may inform the Security Council that the attitude of the Mediator had always and consistently been that he would not shirk going to any place in Palestine or in the Arab states to which members of his staff, military and civilian alike, had to go, though members of his staff on occasion had attempted to induce him not to go because of the possibility of danger in this or that visit. Not once did he ever refuse to go or accept the advice not to go.

At the time of his death the route he was following to the Y.M.C.A. building in Jerusalem on his return from the visit to Government House was the same as that which he had traversed on the outward journey to Government House. The route followed was determined by the lead car in the three-car convoy in which rode the liaison officer assigned to the party by the Jerusalem authorities, Captain Hillman. In this regard I have seen an unofficial allegation that Count Bernadotte had deliberately invaded the Stern Group's stronghold in Jerusalem, and I must say that any such insinuation can be described only as maliciously untrue. As regards his attitude towards protection, Count Bernadotte never asked for protection at any place, but on no occasion did he ever refuse it once it was offered. As I have noted, the usual practice was that such protection would be given to him. He considered the protection of himself and his party to be the exclusive responsibility of the local authorities wherever he went, and it was for them to determine whether the situation locally was such as to require protection to be assigned to him. I think that this must be made clear in order that it shall not be confused with some suggestions which have been made in more than one place with regard to United Nations personnel generally, and with regard to military observers in the truce supervision work particularly, which would require them to move about only when in the company of guards assigned to them, and only if such

guards were available. This sort of protection had been declined because had it been accepted it would have made the truce supervision work utterly impossible.

Count Bernadotte, of course, knew that there was always danger in this work, but it was a danger which, in his mind and in ours, related to sniping attacks and, perhaps, to crackpots, but there had been no specific warning given about this kind of danger in Jerusalem, and the lack of any armed escort made the crime relatively easy to commit.

In the work up there the members of the staff and Count Bernadotte himself were stopped several times daily at road blocks, and at check points armed guards would move along the sides of the car, look in for purposes of identification and, sometimes, call for identification papers. In this instance it was thought to be another such check, the difference being that the assassin put the gun in the window of the car and fired.

In all frankness, and expressing my purely personal view, I find inescapable the conclusion that in this instance there was negligence on the part of the local Jewish authorities in Jerusalem, and that had minimum precautions been taken this crime could not and would not have been committed.

With regard to the matter of responsibility, I think that that is adequately covered in the resolution of the Security Council dated 20 August, Document S/983, on the Palestine question submitted jointly by the representatives of Canada, France, the United Kingdom, and the United States of America. In sub-paragraphs (a) and (b) of that resolution it is stated that:

"Each party is responsible for the actions of both regular, and irregular forces operating under its authority or in territory under its control;"

and that:

"Each party has the obligation to use all means at its disposal to prevent action violating the Truce by individuals or groups who are subject to its authority or who are in territory under its control."

At this stage I have no official information as to the progress of the investigation. I was informed on 19 September by the Foreign Minister in Tel Aviv that it was already under way and that a considerable number of arrests -- at that time in the neighbourhood of 200 to 300 -- had been made. Since that date I have received a

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communication which I have transmitted to the Security Council setting forth the measures which had been taken by the Government of Israel to stamp out the terrorist groups in Palestine. Other than that I have no knowledge of the official progress of the investigation, or of the extent to which suspects may have been arrested and efforts made to identify them. On this subject I have nothing further to add to my reports already submitted, except to say that it would seem to me highly desirable for the United Nations to have available to it a full and official report on the progress of the investigation into the murders, the steps taken thus far to apprehend the assassins, and the appraisal of any possible individual responsibility in the official family for permitting the crime.



The second report to which I was to address myself is document S/1022, dated 1 October 1948, which has to do with certain difficulties now being encountered out there in connexion with the truce supervision.

Before discussing the substance of that report, I would feel remiss if I did not say to this Council that the courage and the loyalty to the United Nations of the military observers and the Secretariat personnel, in the truce supervision operation, is a real inspiration. These people are in daily danger. They are frequently ducking snipers' bullets and mines in the roads. They are often in areas which are, to say the least, not cordial to them. In many cases they live under very difficult conditions, and they carry on with no complaint and with a full loyalty to the United Nations and a thorough comprehension of the great objective which the United Nations is pursuing in Palestine, in this effort to stop the war and keep it stopped. They are unarmed; their only protection is the United Nations arm band and the United Nations flag, often augmented by a white flag. The fact that we have not had more than thirteen casualties -- six deaths and seven wounded men -- since 11 June, is attributable only to very good fortune, because the narrow escapes have been many.

In connexion with the truce supervision, there is inevitably a great deal of local irritation and impatience with the operation generally -- an understandable impatience and irritation -- because there is an inevitably unpleasant impact from the restrictions which must apply in order to do all possible to ensure against any military advantage accruing to either side as a result of the application of the truce.

We make no claim that the truce supervision machinery does not make mistakes or that it is not sometimes unduly slow in reaching decisions on allegations of truce violations submitted to it. This is freely admitted. That this is so, however, is not infrequently, owing to circumstances quite beyond our control. But the real basis for this report is to be found in the fact that what is disturbing is the increasing tendency, especially of late, for the parties concerned to ignore their responsibilities under the truce resolutions. This tendency expresses itself in the various ways mentioned in the report.

Attempts are made to place unnecessary and, at times, arbitrary restrictions on the movements of United Nations truce supervision personnel, which makes their task of observation much more difficult and less efficient. There is an increasing tendency, on the part of local commanders and other responsible local officers, to put obstacles in the way of observers, which not only hamper their movement but

adversely affects their prestige in the areas in which they operate. This all helps to create an atmosphere in which less disciplined and irregular elements -- and of these there are an abundance on both sides -- are encouraged to take matters into their own hands in disregard of authority. In these circumstances, the work of the observers has not only become more difficult but it has also become increasingly dangerous. The responsibility of the authorities concerned to prevent the obstruction of observers in the conduct of their work and to prevent attacks on them, needs to be unequivocally reaffirmed.

If I may, I shall briefly point to certain specific aspects of this problem, and, in doing so, I shall not attempt to say that one side is more responsible than the other with regard to specific incidents of obstruction to the truce supervision. These incidents, I may say, are fairly epidemic in Palestine today. Specifically, they fall into the following general categories: There are restrictions on movements of observers, unreasonably long notice being required on flights of aircraft, such as twenty-four hours in one place and thirty-six hours in another. There are severe restrictions on routes and on air corridors to be followed, with the threat of being shot down if the planes stray from such course. There is refusal of access to ports, except on a limited basis, in the case of at least one of the parties. There is the lack of co-ordination with observers in the field; first, the requirement that there shall be liaison officers, and then the lack of the availability of liaison officers, making the movements of observers at the fronts impossible or so long delayed as to be ineffective.

A second category is that of attacks on observers, physical assaults on observers. Six of them have lost their lives, including the Mediator; others have been wounded, and others have had fortunate escapes. It is clear that there is insufficient control maintained in this respect, over the local troops and other elements, by the responsible Governments and commanders. There is an increasing tendency for these assaults to take place and to pass by with only casual notice, despite the fact that each one is promptly called to the attention of the Government concerned by the truce supervision organization.

Another category is the failure to carry out agreements reached at top level. Agreements, often after arduous negotiations, will be concluded at Government level and then held up in their implementation by the failure of local commanders and officials to carry out the terms of the agreement, sometimes on the ground that they have not been informed that the agreements have been concluded; other times on the ground that they are not bound by them. A typical example of this was the long negotiations which took place over the Red Cross area in Jerusalem, a very vital area in connection with maintaining the truce in Jerusalem which was threatened with being broken down by this lack of co-ordination between the Government level and the local commanders. There are still unsettled questions -- as for instance, in the Negeb -- in this connection.

Finally, there is often a striking contrast between the expressions of co-operation given by high Government officials in response to direct approaches -- assurance of full co-operation in connection with the observation of the truce -- and the direct contradiction at the operational level in the field. If time permitted, I could document each of these points at considerable length.

In my view, an expression by the Security Council at this time of its firm expectation that all of the obligations resting on the disputing parties as a result of the Council's truce resolutions of 28 May, 15 July and 19 August would be very helpful to the situation indeed, and would be of immeasurable assistance to the work and the morale of the men in the truce supervision operation. In my opinion, the truce can be effective and can be fair to both sides only if the truce supervision machinery is afforded a reasonable degree of co-operation, and I fear that if the present tendency continues, a reasonable minimum of co-operation will soon be lacking, with consequences of utmost seriousness to the preservation of the truce and its continued supervision.

The PRESIDENT: I am going to propose the following course: to give the opportunity to the representatives to make remarks if they wish to do so. I intend to close this session at 5.30, which means that the representatives will probably not have as much time as the occasion seems to require for full statements, but there will be another session of the Security Council at a date to be fixed later. At the present moment it is quite impossible to foresee when the Security Council will be able to consider this subject again

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because of being possessed of the Berlin question, and it is also difficult to adapt ourselves to other work that the holding of a session of the General Assembly requires to be done.

Mr. EL KHOURI (Syria): I do not intend to make a long speech about this subject at this time. I wish simply to express my appreciation of the report given by Mr. Bunche, both in writing and verbally. I appreciate his impartiality in this matter and his wisdom and good judgment on many of the points which he mentions, which points were very useful in enlightening the Security Council concerning the development of the situation in Palestine during the assassination and later.

At the same time I wish to refer to a point which Mr. Bunche mentioned about the tendency to negligence or carelessness in connexion with the United Nations and its observers and the regulations made by the Security Council. He referred to both parties without distinction as to whether one was more responsible than the other. I am not going to verify these things nor try to find out the details, but I wish to declare here that according to the information which I have from my Government and from Syria, observers of the United Nations are very respectfully received and access given to them for investigation, study and observation in any department, any port, or any place. They are able to move through the country without escort. Everyone receives them in a pleasant and friendly manner; people are glad to see representatives of the United Nations among them. They consider it an assurance of peace and security. This is the case in Syria as far as I know.

With reference to the casualties which Mr. Bunche mentioned -- six deaths and seven wounded -- we know the details of the last two, and according to our information, the other four were caused by snipers and those who committed the crimes were not known and not discovered. The Arabs in Palestine could confirm that these casualties were never intended by Arabs or caused by lack of precaution on their side. The last crime, the assassination of the Mediator, was a deliberate one, not committed by a group of three or four persons, but by a large group which has at its disposal ten thousand fighters who have been acting all the time in the past under the supervision of the Jewish Agency in Palestine and under the Zionist Organization. Even the smuggling of arms and other things into Palestine was achieved through the efforts of these groups and others with them.

It is a wonder that until now, in spite of a month having passed, no real investigation has been made in an effort to discover and arrest

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those criminals who committed this crime. It is difficult to understand why a crime committed in the street, where there were perhaps hundreds of people, could not be testified by some of the observers. It is known that when a community or a village agrees on a certain crime to be committed, the Government fails to discover the real criminal because it is impossible to find a witness who will testify.



This is proof that was not done just by individuals. Although I wish to say that the Arabs are not gratified by the activities of the late Mediator in Palestine. We know that he was not doing things according to principles of justice, that he did not ^{endeavour to} obtain results on a basis of law or justice. He simply treated the matter as an accomplished fact. Seeing the situation as it existed there; he merely wanted to establish and confirm it disregarding the background. His report states that the Jews are there, that they have organized themselves, and it is necessary to consolidate the situation. The late Mediator did not care to examine why they are there and how they came there and what justification there is for their being there. He did not go into the core of the matter, and only looked at it in a superficial way and came to this conclusion. We do not favour it, but certainly that would not permit us to have any hatred towards him personally. We regret his death and condemn the way in which it was brought about, and we condemn those who did it to such a messenger of peace. I believe the late Mediator acted in good faith, and that he had no intention of being partial or unjust. He might have committed mistakes just as any other person might have done.

He was assassinated in this manner while serving the Jewish cause and establishing for them what they wanted, and perhaps even more than they wanted at the beginning. And yet their ingratitude was directed at him as it was also directed before to the United Kingdom Government, the Government which brought them to Palestine and protected them with their weapons, with the Balfour Declaration, with the Mandate and by sacrificing the friendship of millions of Arabs who have always been friendly towards the United Kingdom. The United Kingdom Government did this in order to establish the Jews in Palestine, at a sacrifice not only of money but of the lives of their soldiers and the interests of the United Kingdom -- they did this for the sake of the Jews, and in spite of all that, all the world knows what compensation the United Kingdom Government received from the Jews.

The Arabs received the Jews, to some extent, as guests in their homes, and now see how they ^{being} are ~~being~~ treated. The Jews are retaliating in Palestine at the Arabs with methods which the Nazis used on the Jews, and even with worse methods ~~at the~~ present time. They are massacring them and expelling them from their homes. They are using atrocities and outrages which even the Nazis did not use on them -- as if the Arabs had been their persecutors. They are coming from eastern and central Europe to retaliate at the Arabs.

These are the things which ought to be taken into consideration when the Security Council takes any decision in this matter. The Security Council should not overlook the present situation and its background. It should find some method of arrangement in the manner in which it ought to be concluded so that the decision will be a peaceful and just solution which will establish peace and security in the country.

The Mediator was nominated by the General Assembly and the Security Council and was given a certain mission to accomplish in Palestine. The terms of reference were given to him to find a readjustment of the future situation of Palestine, with the condition that it must be peaceful. The report which he presented, after his study, does not offer a solution which is peaceful. I am sorry that it is not to be accepted. It contains no elements which are inviting for acceptance.

During the exercise of his office in Palestine, Mr Bunche stated today that he had tried hard not to let any side obtain military advantages during the truce. I assure the Security Council that the Arabs have obtained no advantages. However, I am sure -- and Mr. Bunche, his friends and collaborators know this -- that the Jews have obtained considerable advantage by smuggling arms and fighters from eastern Europe daily and weekly into Palestine.

Mr. Bunche stated that the observers were not given access to the ports. It should be understood by reading between the lines just what this means. Why do they not give access to the ports if there is nothing to hide? The water of the sea is not suspicious in any way. The ships which are incessantly coming to their shores are loaded with ammunition, and different kinds of armaments and fighters who enter without the observation of or inspection by the observers of the United Nations.

Concerning the Arab countries, there is no way of strengthening their position or of obtaining any advantage as the ports are well observed. Access to the ports has always been available. It is known that there is no state in Europe or in America that allows any export of arms of any sort to the Arab states, while the Jews, with the hundreds of millions of dollars which they collect from the people of the United States, are placing orders for arms in central and eastern Europe. They are obtaining arms from the United States which are smuggled and which are going either directly from the ports of the United States or from ports in Europe. This process is continuous; the observers know it very well, but they are unable to stop it. They have no means of stopping this according to the instructions of the Security Council and the truce agreement.

You said there would ^{be} another meeting on the subject when further discussion would be possible and since you have said you intend to call this meeting at 5.0 or 5.30p.m. I do not wish to take up more time on this.

Sir ALEXANDER CADOGAN (United Kingdom): I am sure all the members of the Council have listened with interest and sympathy to the report made to us this afternoon by the Acting Mediator, Mr. Bunche. I am sure that the members of the Council would like to express, through him, to all the services of the United Nations who are engaged on this difficult and dangerous task in Palestine their appreciation of the devotion and courage which they have shown.

I think the members of the Council will also have listened to Mr. Bunche's report with considerable concern. It reveals indeed a rather amazing situation. I do not think probably here and now the Council can attempt to apportion blame to one side more than the other. At present it seems to me that what is urgent is that the Council should do what ever it can to assert its authority to uphold the authority of those who are working on the spot. That, it seems to me, is the first thing that the Council has to do.

You will all remember that the Political Committee of the General Assembly has now to consider the report of the late Count Bernadotte on his work in Palestine. It is of the highest importance that the Assembly and its Palestine Committee should feel confident that the truce will be maintained in Palestine both during their discussion and until whatever recommendation they make can be put into effect. Unfortunately it cannot be said that the recent telegraphic reports from Palestine, to which you have drawn our attention, or the statement which we have heard this afternoon from the Acting Mediator, are calculated to inspire that confidence.

We are told by the Truce Commission that there ^{is} a deliberate campaign to discredit the Commission and the Acting Mediator in the eyes of the Jewish community, that this campaign led by Dr. Joseph, Military Governor of the parts of Jerusalem ^{under Jewish control} and that it is intended to arouse animosity against the late Count Bernadotte.

~~The Truce Commission have~~ found it necessary to call our attention to such an organization in Palestine. The Acting Mediator in his telegram of September 30 made a similar assessment of the situation. He informs us that the authority, prestige and even the personal safety of the representatives of the United Nations are imperilled. Both Arabs and Jews were placing obstacles in the way of the effective supervision of the truce. Disregard for the authority of the United Nations has found its most serious expression in acts of violence committed against the servants of the organization itself.

Already, Mr Bunche reminds us, six representatives of the Organization have lost their lives in Palestine and seven others have been wounded. This is a very grave picture. We have grown accustomed during the period of the truce to the allegations by each party that the other party has been guilty of disregarding the resolutions of May 29 and July 15. What we are now confronted with is something different, and something rather more serious. It is no longer a question of an isolated infringement of the truce by Arabs or Jews but rather a threat to the foundation of the truce and to the authority of the Security Council by which it is maintained. It is evident that there are groups in Palestine which are seeking to eliminate the influence of the United Nations from that country altogether. It seems to me that the Council should do all in its power to arrest this process and to re-assert the Council's authority.

That is one matter. At the beginning of our Meeting this afternoon the urgency of this matter was questioned and it was pleaded that these documents now before us had been received many days ago, some of them. I think that every day that has passed since the receipt of the first of these documents has added urgency to the situation. It is high time that the Council should, at the earliest possible opportunity, do something to re-assert its authority and assist those on the spot.

But I fear the most serious manifestation against the influence of United Nations in Palestine was the carefully organized murder of Count Bernadotte. We now have before us, in document S/1022, which has been read, the Acting Mediator's report. This report shows that terrorists groups in Palestine were able to operate freely and openly before 17 September. On the date of the murder they published statements which can only be interpreted as incitements to murder Count Bernadotte and his staff of observers. Nevertheless, despite the available evidence of the attitude of the terrorists, and despite the Security Council's resolution of 19 August, placing upon each party the responsibility for the actions of irregular forces, neither the Jewish authorities in Jerusalem nor their superiors in Tel-Aviv took any security measures for the protection of Count Bernadotte in the areas under their control in Jerusalem.

What has happened since September 17? I should have expected a vigorous interrogation of the criminals and a thorough investigation into the measures taken for the security of Count Bernadotte in the central part of Jerusalem. The Acting Mediator tells us he has not yet received any report saying that these measures have been taken, we are dependent

in the main from what we learn from the Press and it there appears that some members of the Stern Gang have been arrested and are now in prison. The recent episode in Jaffa when these prisoners entertained their jailers to cups of coffee and gave a further demonstration of their good relations by returning voluntarily to their prison at night, is not calculated to impress the authorities with the seriousness of the Jewish authorities in this matter. It may^{be}, of course, that Mr. Eban will be able to tell us this afternoon that the leaders of the Stern Gang have been arrested or that an enquiry is proceeding into the failure to provide any protection for Count Bernadotte on the day of his murder. If he is not in a position to give us this information now, then it is the view of my Government that the Security Council should call for it as soon as possible. The Council owes this to the staff of officials and observers who are continuing loyally to carry out their duties in Palestine. Unless energetic measures are taken by the Jewish authorities to prevent a repetition of the events of 17 September, the terrorists gangs will feel they can operate with impunity against the servants of United Nations.

Attempts have been made in some quarters to suggest that Count Bernadotte had been prejudiced against one of the parties in Palestine and that this while not indeed justifying the crime, provides some explanation of its author's motives. Of course nothing be further from the truth. One of Count Bernadotte's most admired and outstanding characteristics during his period of duty in Palestine was his unwavering impartiality, and it is well known how he strove dispassionately first to bring about a political agreement and then, having failed in that, to determine at what point the most equitable balance could be struck between the conflicting parties. It is the view of my Government that not only did he try to do that, but further, that he succeeded so far as was humanly possible. It would not be appropriate to enter into a discussion on his political proposals today but the point I wish to make is that the assassination of the Mediator cannot be possibly be regarded as a protest against the character of the influence of the United Nations in Palestine. It was a challenge to the whole United Nations participation in efforts to achieve peace and justice in Palestine. It is the duty of this Council to take up that challenge and to insist on the maintenance of respect for its authority and for those who exercise it on the spot.

The Acting Mediator outlined in the telegram to which I have already referred the detailed measures which he considered to be necessary in the light of experience in order to increase the efficiency of the machinery for supervising the truce in Palestine. I think we ought pay great attention to those recommendations. After a study of the papers that have been before us for sometime, my delegation have reached the conclusion that it would be well if the Council could see fit to adopt a resolution on this matter, a text for which I have prepared and which can be distributed

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immediately. I have consulted one or two of my colleagues, about it, and in particular I have shown it to my Chinese colleague, who expressed approval of its terms and his willingness to join with us in sponsoring this resolution, which therefore now appears as a joint Anglo- Chinese draft resolution. I commend its consideration to my colleagues. I beg them to reflect upon it and I hope that you will wish to adopt it at the earliest possible moment.



THE PRESIDENT: The draft resolution referred to will be found in Document 1032.

Mr PARODI (France) (Interpretation from French): I agree with the general lines of the observations made by the representative of the United Kingdom. I think it would be just and equitable for us to thank Mr. Bunche for the courage he has shown in acting as Mediator, a job which was proved by events to be most dangerous, and also for the clarity and conciseness of his statement. The situation which he has described is far from satisfactory. It caused the sacrifice of the life of persons representing the authority of the United Nations as a whole. It caused the loss of many helpers, including four French officers, who were observers. I am sure that the representatives of the Jewish State realize the damaging effect of the continuation of such a situation in the eyes of world public opinion, and I hope that the Jewish representatives will remember what their State owes to the intervention of the United Nations.

We would be disappointed, to say the least, if the representatives of the Jewish State did not report to us that their government had taken measures more energetic than those which have been reported to us so far.

I reserve the right of examining the draft resolution of the United Kingdom representative once it is before me. It will be necessary, however, for the representative of the State of Israel to give us as early as possible the assurances for which we are entitled to ask even now. When the assassination of Count Bernadotte was made public, we heard that the Jewish Government had announced a series of arrests. We would like to know what has been the effect of the stringent measures which they have taken and whether they have met with any results. We want to know also what the Jewish authorities proposed to do to facilitate the task of observers in future. I hope that a sufficient explanation will be given as early as possible. Once we have heard from the Jewish representative, we shall be able to take a decision and vote on the specific text of the draft resolution.

Mr. AUBREY EBAN (Israel): I should like to comment, within the brief limits of time available, on three of the reports which

lie before the Security Council, and which have been eloquently supported by Mr. Bunche in his oral statement. I have been asked to render information on the basis of Document S/1018, in which the details of the assassination of the United Nations Mediator are set forth. On the 17 September, the date on which this hideous and cowardly assassination of a servant of the United Nations took place, the Foreign Minister of Israel conveyed to the Security Council Document S/L007, indicating the steps taken by the Provisional Government in its efforts to apprehend the culprit and those responsible for the planning of the assassination. Over two hundred members of the organization believed to be responsible were hunted out and arrested, and the government adopted special emergency regulations giving it special powers to take action against terrorist organizations and their members and accomplices. A summary of this legislation was conveyed to the Security Council by Mr. Bunche on 27 September in Document S/1008.

These immediate measures, drastic as they were, fell short of effectiveness, however, in one vital respect. It is quite obvious that the primary responsibility for this crime does not rest solely with the insensate men who actually fired the shots. The planning and volition of the crime might well have been the responsibility of other minds which, according to evidence at our disposal, planned the assassination in advance.

An important stage in the investigations of the Government of Israel was reached by the arrest of the leader and commander of the suspected organization. He had eluded arrest successfully for years under the mandatory regime, and, having been once captured, the mandatory authorities were unable to prevent his escape and that of his principle Lieutenant from a prison at Latrun. The Government of Israel and the world at large have inherited the consequences of this escape, but will endeavour to repair them.

It is not for me to comment in the course of these proceedings now on the further steps we may take under the emergency regulations to ascertain and visit the responsibility for the actual crime, and, perhaps the graver responsibility, for its direction and planning, but the Security Council will be kept fully informed of all that is done in these judicial proceedings.

In his address to the Council of State on 15 September, the Prime Minister of Israel expressed the view that nothing would fully meet this tragic situation but the complete and final eradication of this
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vicious movement, which grew up in the exploitation of public bitterness and frustration and has bequeathed to the Government of Israel a most unenviable legacy. All the measures taken by the Government of Israel have this object of eradication in mind. As a result of strong action, the organization Irgun Zvai Leumi has surrendered its arms to the Provisional Government and has ceased to exist as a military movement. The Stern group is also effectively broken up and we believe that it can be said that the days of organized terrorism are over.

The Government of Israel has been in existence for five months. It was called upon to establish itself under a semicircle of fire after the administrative chaos which it had inherited. The mark of imperfection is written on all human achievement and on the performance of the Government of Israel as well, but, when we compare these swift assertions of governmental authority with the conditions of aggression out of which it grew, the performances which it has accomplished and the background of disorder which preceded it, we think that, taking the picture as a whole, we can come to this table without any feeling of shame. In particular, I never cease to be surprised at hearing the Government of Israel being repeatedly enjoined to exercise its governmental authority by those who deny that any Government of Israel exists. Nevertheless, it will exercise that authority, irrespective of all attempts at subversion from without or within, and will move forward to exercise its authority throughout the entire area of the State of Israel, as well as in areas which, as a result of Arab aggression, have come under Jewish military control. It will, in particular, co-operate with the Security Council and the United Nations Mediator for the maintenance of order and peace throughout the country.

I understand that the Security Council has assembled to survey the situation of the truce, and all parties must be concerned to correct the faults in its application. These faults derive from the objective conditions of the truce and they exist now, in spite of the efforts of Mr. Bunche and his colleagues to establish ~~with all the parties interested in this~~ dispute. On that understanding, my delegation will carefully study the proposals of Mr. Bunche in Document 1022, many of which questions are embodied in the draft resolution submitted by the
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representative of the United Kingdom. In this connection, Mr. Bunche draws attention to the obligations and liabilities of the parties in regard to truce supervision.

I should like to comment on paragraphs 1, 3 and 4. The first of them is set out in paragraph 9 of the United Kingdom draft resolution.



It cannot be doubted that there does exist an obligation by both parties to allow accredited United Nations representatives ready access to airfields, ports and truce lines. The Government of Israel, however, considers that there exists a corresponding obligation on the part of the United Nations representatives to ensure that their controls are distributed equitably on both sides. It is, I think, a generally accepted fact that there has not been any such equitable distribution of controls at any period of the truce. In the progress report of the Mediator it is acknowledged^{that}-- in his own words -- "There is force in the complaint of the Provisional Government of Israel that, during both the first and second truces, the truce supervision work was confined almost exclusively to Palestine, and that it was inadequate in the Arab States." In the same section of that Report it gives the numbers of observers in Arab and Jewish areas respectively, in regard to each of the truce periods. We find that whereas there are twenty-six observers stationed in Haifa, and twenty-eight in Tel Aviv, there are only eighteen in the Transjordan area and fourteen in the whole of Egypt, although they are the two countries on which the major Arab war effort is based. Unless the balance can somehow be restricted, it is obviously inequitable, in practice and in principle, that the close and vigilant scrutiny of the Israel territories should be still further tightened.

It is clear, if the Mediator's mission now has facilities for widening the scope of its mission, it must begin by extending supervision to Arab ports and airports which are, at the moment, relatively untouched by controls. It is especially incongruous that the invading forces, which took the whole initiative for this conflict, are unobserved in their preparations, while United Nations efforts are devoted to the control and supervision of the defending party, which has repeatedly declared willingness to declare the entire war and truce situation ended by negotiations for peace.

The third point mentioned by Dr. Bunche is the obligation on the parties to co-operate with truce supervisor personnel in their conduction of investigations into incidents involving alleged breaches of the truce. That is referred to in similar language in sub-paragraph c of the United Kingdom draft resolution. While fully accepting this principle, I must urge that there is a corresponding duty on the part of the supervisor personnel to associate with the parties within investigations bearing upon their alleged responsibility. Public sentiment in Israel has been considerably aggravated by the decision based upon no other evidence than the Arabs unilateral assertion. Some of these instances have been set out in correspondence with the Mediator, with the details of which I shall not weary the Council, but one concerns an Egyptian complaint on

6 August, that the Israeli army fired on Egyptian ambulances at Beersheba. I will now quote the evidence of the Mediator:

"An Egyptian ambulance car was viewed by the military observers of the United Nations, and on the same day it was proved that it did have bullet marks in the rear. On the strength of this evidence the Chief of Staff decided that the Egyptian complaint was substantiated that the Israeli army was guilty."

Neither in the case of this incident, nor in the case of many others, was the party charged with violation, given any opportunity to comment upon the evidence, nor to give its own version of the incidents -- if indeed they took place. We therefore feel that the matter should not be put solely by obligation to the truce supervisory personnel, but we think it should rather be a matter of mutual co-operation between the parties and the United Nations representatives, by way of reciprocity in which arbitrary judgments have no place.

In document S/1030, the Provisional Government of Israel drew attention to six violations of the truce, certified as such by United Nations representatives, and still remaining without remedy. These violations should be considered against the background of the resolution adopted by the Security Council on 19 August, which reads in part -- and I quote -- "No party is entitled to gain military or political advantage through violation of the truce." Yet in all the six instances enumerated in my letter of 9 October, Arab forces still enjoy military advantage as a direct result of the violation of the truce. The water supply of Jerusalem is still reduced to inadequate proportions, and the Jewish population is immune to pestilence and death solely due to the sacrifice of Israeli forces who worked amid the brunt and peril of war. None of the consequences of the explosion of the pumping station have been remedied, despite the clear injunctions of the Security Council on 13 August. Arab forces occupy advantageous ^{and menacing} positions in several places including Galilee, and Mount Zion in Jerusalem; and they hold those positions as the fruits of certified truce violations. Taken together, these positions constitute a tangible all round improvement in the general balance of military advance from the Arab point of view. Some of them, such as Karatia have recently served as springboards for new military operations against Israeli territory and communications.

It seems to us that the situation today in the Neguev is of special importance. Arab action in that area is clearly related to considerations of political, as well as military, advantage. During the first ten days of October, numerous incidents of bombardment by guns and aircraft took
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took place, some of them in the presence of United Nations observers. It is impossible, in our view, to isolate the affect and purpose of these events in that area from certain far-reaching and ill-judged proposals for awarding to the Arab Government the greater part of the territory of Israel. There is every reason to confirm that the purpose of Egyptian activity in the Neguev was accurately described by the correspondent of the Times on 12 October, when we wrote: "The Egyptian Army is the only Arab force deployed in the Neguev, and the recent offensive may have been planned to clear the Northern areas of Israeli troops and settlers before the problems are brought before the United Nations."

The invasion which began on 15 May failed to make any substantial inroad into Israeli territories in the South. It failed in that part of the Neguev on the coast allotted to the Arab State in the General Assembly's resolution of last year. The invading forces, however, established a line along part of the road from Elfalla to Farouda, but Jewish communications ^{to Karatia,} which maintain part of the Neguev were still possible. It is this line of communication which Arab forces are now able to bring under fire, solely through their violations of the truce between 18 and 25 July. The position is, therefore, such that such limited Arab control as exists in any part of the Neguev as the result of such a truce violation, is derived from an aggression of an international character. It is this truce violation within an aggression which certain proposals, about to be discussed elsewhere, would have the United Nations ratify and stabilize. The Security Council is doubtless aware that this attempt to secure crucial and political advantage by violation of the truce, has caused heavy fighting in recent days in Karatia. The Government of Israel has every right, under the terms of the truce, to resist this attempt, in violation of the truce, to cut off communications of the Neguev, which will remain an integral part of the State of Israel.

The thoughtful document prepared by Mr. Bunche stands out, we are afraid, in welcome contrast to Document S/1023 which presents over the signature of Mr. John J. MacDonald a series of personal attacks on a distinguished public official, Dr. Bernard Joseph in intemperate language seldom seen in public communications. We regret to state that in our view most of these charges have no substance. There is no Jewish campaign to discredit the Truce Commission or Mr. Bunche. Dr. Joseph has never published or written or spoken a word against the Truce Commission. If he had, the Security Council could have been sure that those words would have been reproduced in Mr. MacDonald's communication. Nor has he uttered a single word of criticism of Mr. Bunche. Further, if the Government of Israel considers that the Jewish parts of Jerusalem should be incorporated in Israel and makes an effort to persuade the General Assembly to that effect, there is nothing wrong in holding or in advocating that view. And it can scarcely be a prerogative of the Truce Commission to censor this forthcoming international discussion. It is not true that Dr. Joseph in a press release blamed the United Nations authorities for negligence in security measures. The statement made by Dr. Joseph quoted here was:

"Jewish Authorities, had they received slightest intimation that United Nations representatives wished to have special protection accorded to them, would have gladly complied with the request."

The above quotation is a statement of fact and a reasonable statement of fact. It was not, however, quoted in extenuation of any responsibility which the Military Governor of Jerusalem might nevertheless feel for those tragic events. The statement that:

"As long as Jewish officials pretend to exercise governmental authority in Jerusalem, and so on," seems to us to be an unfortunate attempt to ridicule established authority in Jerusalem.

I cannot conceal that, without being too sensitive to legitimate criticism, we do regard this as a deplorable letter. You cannot walk in the streets of Jerusalem these days without a sense of haunting tragedy over the place. And with all their imperfections on their heads, Dr. Joseph and his colleagues have made a bigger contribution than any one else towards restoring the peace and ordinary life which would have otherwise been chaotic.

In conclusion I will offer one word about the general situation of the truce. When this matter was under discussion in the Security Council during its sessions in New York, it was my duty on behalf of

the Provisional Government of Israel to express two basic ideas:

1. It was becoming evident that the truce by its very nature, as well as through its defects in its operation, could not long endure even as a temporary substitute for formal peace.
2. It was manifest that the road to peace could only lie through direct negotiations between the Government of Israel and the neighbouring Arab States. And as a contribution to that purpose, the Foreign Minister of Israel indicated willingness to institute such negotiations at once.

Everything that has happened since then has confirmed us in our conviction that these two basic ideas -- little approved or applauded at the time -- were solid and valid. The Government of Israel is gratified to find a general sentiment in all quarters that the truce must now be replaced by a formal peace involving the withdrawal of invading armies, thereby enabling a corresponding relaxation of defence. We believe that events have also proved that direct negotiations between Israel and its neighbours furnish the only chance of a stable adjustment. We hold that the United Nations can play a great part in the task of pacification by securing the replacement of the truce and its machinery by the declaration of a formal peace and by insisting, as the international community has a right to insist, that the parties meet together to adjust their differences by peaceful means. We are persuaded that exercise of international pressure to these two ends can contribute to a peaceful settlement, whereas territorial improvisations at the expense of the integrity of an existing state can do little but harm.

The PRESIDENT: The last speaker on my list is the representative of China. There are now five minutes left to us, and the representative of China may use them if he wishes, with the understanding that he will have permission to continue to speak at the opening of the next meeting.

Mr. TSIANG (China): I think that all I shall need are the five minutes that are left. My delegation gladly associates itself with the delegation of the United Kingdom in placing before the Security Council the draft resolution which appears in document S/1032. I must say that the credit, and I will say the good credit, for the careful preparation of this draft resolution should be given to the delegation of my British colleague.

We have just heard the representative of the Provisional Government of Israel state that the truce must be replaced by a formal peace. I am afraid that that formal peace cannot be achieved if, in the meantime, the truce is not observed. Up to the present time in this arduous task which we have undertaken in Palestine, it appears to my delegation that the most substantial achievement has been the truce, and it is on the truce that we must build what we hope to build; that is, the rock on which we really must build the final peace. It is for this reason that my delegation hopes that all the other delegations will accept this draft resolution.

It is not a controversial resolution; it is not a political resolution at all. Its aim is to make easier and more effective in the future this work of preserving the truce. That is the only purpose of this resolution.

It seems to my delegation that we owe it to the work we have already done to strengthen these safeguards which we have asked for in this resolution. We owe it also to the men who have worked for us in Palestine amidst difficulties and dangers, and I wish to take advantage of this occasion to express the gratitude of my delegation for the good work which our fellow workers in Palestine have done.

When we take up matters of this kind, my delegation always thinks about the eventual development of the Security Council. We hope that in the future there will not be many occasions when we have to send out observers, but it is likely that there will be several occasions when a similar technique will be developed. It is always the hope of my delegation that we will perfect that technique and, more important, that we will build up a body with an international tradition which all the civilized governments and peoples will respect in regard to the safety of the representatives of this organization and as with regard to the facilities which their work requires.

It is for these reasons that my delegation gladly associates itself with the delegation of the United Kingdom in submitting this resolution.

The PRESIDENT: It would be only on the basis of unanimous consent that I would undertake to pass this resolution today, but I assume that that is utterly impossible. Therefore, I will adjourn this meeting, subject to call.

The meeting rose at 5.30 p.m.



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S/1044
19 October 1948

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RESOLUTION ON THE PALESTINIAN QUESTION

ADOPTED BY THE SECURITY COUNCIL AT THE 367TH MEETING

ON 19 OCTOBER 1948 ENDORSING CONCLUSIONS OF THE ACTING MEDIATOR'S
REPORT (S/1042) AS AMENDED

THE PRESENT SITUATION in the Negev is complicated by the fluid nature of military dispositions making the demarcation of truce lines difficult, the problem of the convoys to the Jewish settlements, as well as the problems of the dislocation of large numbers of Arabs and their inability to harvest their crops. In the circumstances, the indispensable condition to a restoration of the situation is an immediate and effective cease fire. After the cease fire, the following conditions might well be considered as the basis for further negotiations looking toward insurance that similar outbreaks will not again occur and that the truce will be fully observed in this area:

- (a) Withdrawal of both parties from any positions not occupied at the time of the outbreak;
- (b) Acceptance by both parties of the conditions set forth in the Central Truce Supervision Board decision number twelve affecting convoys;
- (c) Agreement by both parties to undertake negotiation through United Nations intermediaries or directly as regards outstanding problems in the Negev and the permanent stationing of United Nations Observers throughout the area.
