CABINET

PALESTINE

Memorandum by the Secretary of State for Foreign Affairs

The present position in Palestine is as follows.

(a) The Jews have developed an organisation and morale superior to that of the Arabs and now have better armament. While in public statements the Jews claim that the General Assembly Resolution of November, 1947, is still their main objective, they evidently also wish to expand that decision to take Western Galilee and Jaffa as well into the Jewish State and they would also like to have Jerusalem. The continuation of the war is imposing a considerable strain on their financial and economic structure but there is no clear evidence that this is likely to prove decisive in the near future. Their political orientation will be shown in elections due to take place on 25th January. It seems unlikely on present information that there will be any large immediate swing to the extreme Left, but it is clear that, with the strong international support which Russia has given, the dependence of the Jews on satellite war material and the large number of immigrants from Eastern Europe, that Russian chances of establishing influence in the Jewish State are very considerable. But there is, of course, strong American influence pulling the other way and there are also strong trading and economic links with the United Kingdom and Western Europe.

(b) The Arab States, with the exception in most respects of Transjordan, are passing through a difficult period. They are thoroughly disillusioned about the prospects of international collaboration through the United Nations and have been bitterly disappointed by American policy. In spite of this, however, the position of the United Kingdom in the Arab world is still good. Although the Arab Governments have given us no support in reaching a satisfactory settlement, our efforts in this direction have nevertheless been respected.

(c) Egyptian-Jewish conversations are being carried on at Rhodes. Intermittent conversations between the Jews and Transjordan are being carried on in Jerusalem.

(d) The Conciliation Commission, composed of United States, French and Turkish representatives, after a preliminary meeting to take place at Geneva, was due to set itself up in Jerusalem about the end of January, but there has been a last minute hitch over the United States representative. The Commission's efforts will no doubt be confined, at least initially, to an attempt to bring the parties together in direct negotiations to seek a permanent settlement.

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(e) The United States Government will probably continue to use its influence with both sides with a view to maintaining a cease-fire and bringing about discussions, and they hope for a successful outcome of the negotiations to be undertaken by the Conciliation Commission.

As regards British policy —

(a) Our policy is to support the decisions of the Security Council and other organs of the United Nations and to use our influence to secure their observance and execution by both sides.

(b) We have not opposed the creation of a Jewish State and, by supporting the Bernadotte proposals, we recognised that the existence of such a state was an accomplished fact. Our policy has been based on the desire that the state should be set up as soon as possible in a reasonably homogeneous territory and in such a way as not to cause a continuation of chaos in the Middle East, i.e. we have sought a settlement including the existence of a Jewish state in which the Arabs could reasonably acquiesce and which they would not bend all their energies to undo. We have made it clear that we will recognise and establish normal relations with the Jewish State as soon as it is properly set up with defined frontiers. We suggested informally to the Jews that as a step towards recognition a British Consular Office might be set up in Tel Aviv. The Jews replied that this was unacceptable to them unless accompanied by de facto recognition.

(c) If there is no fresh disturbance of the peace and the present sets of discussions continue and are eventually taken over by the Conciliation Commission, no new major British initiative will probably be required, but useful work can be done behind the scenes, particularly with the Arab countries, towards the attainment of a settlement in which they can properly acquiesce. Efforts are already being made to encourage Egypt, Trans-Jordan and Iraq, the three Arab states principally concerned, to concert their policy with regard to negotiations for a final settlement.

(d) Meanwhile, however, we cannot neglect taking the necessary precautions to safeguard vital British interests in the Middle East should fighting break out again contrary to our hopes.

E.B.

Foreign Office, S.W.1.

HISTORICAL MEMORANDUM ON THE SITUATION IN PALESTINE SINCE 1945

The Coalition Government gave consideration to the problem of post-war policy in Palestine, but no decision was reached at that time. When the present Government took office, and at the moment when they were considering their Palestine policy, the problem was further complicated by the intervention of President Truman, who wrote to the Prime Minister in August, 1945, suggesting the early admission into Palestine of 100,000 Jewish displaced persons.

2. It was impossible for His Majesty's Government to accede to this request, which caused disquiet throughout the Arab world and which would have involved taking a major decision on policy in Palestine before the future of that country had been fully reconsidered in the light of post-war circumstances. The situation in the Middle East at the end of the war was such that at any moment there might have been a flare up. The Palestine problem could not therefore be considered in isolation from the problems of the whole Arab world, as has too often been assumed. At the same time it seemed desirable to associate the Americans with ourselves, so far as possible, in the examination of the problem, in the hope that this would lead to agreement between the two Governments on the policy to be pursued. Accordingly I proposed to the Cabinet, on the 4th October, 1945, that we should invite the United States Government to join us in appointing an Anglo-American Committee of Enquiry. Agreement was reached on this course, and the Committee presented their report to the two Governments in April, 1946.

3. The Cabinet decided that no public comment should be made on the report by His Majesty's Government until we had consulted the United States Government. On the 30th April, however, President Truman issued a statement in which he called for immediate action on one of the Committee's ten recommendations, that which provided for the immediate authorisation of 100,000 immigration certificates, while announcing that he would give "careful study" to the major political recommendations. It thus became necessary for the Prime Minister to state, in the House of Commons on 1st May, 1946, that His Majesty's Government could not agree to decide upon the Committee's recommendations concerning immigration in advance of their general decision on the report. He also stated the Government's conclusions that they were not in a position to give effect to the Report with their own financial and military resources alone, and that the disbandment and disarmament of illegal military formations in Palestine would be an essential precondition to the admission of the 100,000 immigrants.

4. A few days later, during a conversation with Mr. Byrnes in Paris, I suggested that American and British experts should meet to study the implications of the Committee's report, and if possible to make joint recommendations. This suggestion was approved by the Cabinet, and the United States Government sent a delegation of officials under the chairmanship of Mr. Henry Grady to London, where they negotiated during June and July, 1946, with a British group led by Sir Norman Brook. This conference reached full agreement on a plan for provincial autonomy in Palestine, the original draft of which had been prepared in the Colonial Office and submitted with Cabinet approval to the American officials.
5. The officials also recommended that their proposals, if endorsed by the two Governments, "should be presented to Arab and Jewish representatives as a basis for negotiations at a Conference to be convened by the United Kingdom Government".

6. These recommendations were at once approved in principle by His Majesty's Government. President Truman declined to associate the United States Government with them. Nevertheless His Majesty's Government announced that they would put forward the plan for provincial autonomy as a basis for discussion with Arabs and Jews.

7. The States members of the Arab League sent delegations to a conference in London which opened on the 9th September, 1946. The Jewish Agency for Palestine refused to participate except upon unacceptable conditions, the most important of which was that the basis for discussion should be "the establishment of a viable Jewish State in an adequate area of Palestine". Negotiations with the Arabs were interrupted at the beginning of October, in order to permit certain of the delegates to attend the United Nations General Assembly, and to give time for His Majesty's Government to try again to secure Jewish participation. When the Anglo-Arab Conference resumed its work in January, 1947, representatives of the Jewish Agency engaged in parallel but informal conversations with His Majesty's Government.

8. The plan for provincial autonomy was emphatically rejected by both sides. The Arabs made counter-proposals for a unitary independent State in Palestine, with a permanent Arab majority but providing guarantees for the position of the Jewish minority. The Jewish representatives indicated that, if we were not prepared to place the whole of Palestine under Jewish sovereignty, their preference would be for a prolongation of the Mandate, provided that all restrictions were removed from Jewish immigration and settlement. Failing that, they would consider partition.

9. Each of the solutions proposed by Arabs or Jews would have involved the use of British forces to impose the will of one people in Palestine upon the other, and was consequently unacceptable to His Majesty's Government. It seemed, in fact, that there was no prospect that His Majesty's Government could bring about a settlement in Palestine except by the use of force on a scale which they were not prepared to contemplate. Together with the Colonial Secretary, therefore, I began to consider the alternative course of submitting the problem to the United Nations. Before this step was taken, however, I thought a final effort should be made to induce both Arabs and Jews to adopt a more conciliatory attitude, and with this object I prepared a new set of proposals as a basis for further discussion with their representatives. Briefly, this plan provided for a five-year period of trusteeship, to be administered with the declared object of preparing Palestine for independence. The trusteeship agreement would have contained provision for the entry of 96,000 Jewish immigrants during the first two years of its operation. Thereafter, if the High Commissioner was unable to determine the rate of immigration by agreement, the final decision would rest with an arbitration tribunal appointed by the United Nations.

10. On 7th February, 1947 (C.M.47 18th Conclusions, Minute 2), the Cabinet authorised the presentation of these proposals to the Arab and Jewish representatives. They were immediately rejected by both.
11. It was in these circumstances that the Cabinet took the decision which I announced, in the House of Commons on the 18th February, in the following terms:

"The discussions of the last month have clearly shown that there is no prospect of resolving this conflict by any settlement negotiated between the parties. But if the conflict has to be resolved by an arbitrary decision, that is not a decision which His Majesty's Government are empowered, as mandatory, to take. ... We have therefore reached the conclusion that the only course now open to us is to submit the problem to the judgment of the United Nations.... We do not ourselves intend to recommend any particular solution."

12. The General Assembly, meeting in special session in April-May, 1947, appointed the United Nations Special Committee on Palestine, with instructions to submit a report before the beginning of the regular session in September. Seven members of this Committee (representing Canada, Czechoslovakia, Guatemala, the Netherlands, Peru, Sweden and Uruguay) signed a majority report recommending a form of partition generally favourable to the Zionists. A minority report, advocating a Federal State in which the territorial division would be more satisfactory to the Arabs, was signed by the representatives of India, Iran and Yugoslavia. The Australian member did not associate himself with either proposal.

13. When the recommendations of the Special Committee were laid before the Assembly in the autumn of 1947, the United Kingdom Delegation were instructed to refrain from expressing any opinion as to the merits of either plan and to confine themselves to defining the limits of British participation in implementing any policy which the Assembly might decide to recommend. Accordingly, on the 16th October, the Colonial Secretary told the Palestine Committee of the Assembly that "if the Assembly should recommend a policy which is not acceptable to the Jews and Arabs, some authority alternative to the United Kingdom must be provided in order to implement the United Nations policy". Subsequently, on the 13th November, Sir Alexander Cadogan announced that the British military authorities had been instructed to plan for the evacuation of troops to be completed by the 1st August, 1948. Despite these unequivocal warnings, the Assembly endorsed a modified version of the UNSCOP majority plan on the 29th November without recommending any means for its enforcement.

14. The failure of the Assembly to heed either British warnings or Arab threats was fatal to the Commission which it appointed with the task of giving effect to the resolution of the 29th November. Even before the termination of the mandate and the withdrawal of British civil administration, which was to take place on the 15th May, 1948, civil war was developing in Palestine. The Commission, which never left New York, reported to the Security Council on the 16th February that unless it was provided with means of enforcement it would not be able to discharge its responsibilities in Palestine after the termination of the mandate. The Council's response to this report was to adopt a resolution, on the 1st April, requesting the Secretary General to convene another special session of the General Assembly.

15. The Assembly finished its work on the 14th May by New York time, a few hours after the termination of British rule in Palestine. It resolved upon the appointment of a Mediator, who was authorised to use his good offices in order
to bring about a peaceful settlement. The resolution of the previous November was neither repealed nor amended, but the Mediator was not instructed to conform with its terms or even with its general principles in his search for a settlement. The five permanent members of the Security Council, to whom the nomination of the Mediator was entrusted by the Assembly, agreed on the name of Count Bernadotte.

16. Meanwhile, on the termination of the mandate, the armies of the Arab States crossed the frontier of Palestine and came into conflict with Jewish resistance. On the 29th May, the Security Council called upon the Governments and authorities concerned "to order a cessation of all acts of armed force for a period of four weeks", and decided that, if its resolution was rejected or subsequently violated by either party, action would be considered under Chapter VII of the Charter. In the circumstances this resolution, which was sponsored by the United Kingdom Delegation, amounted to a threat of sanctions against the Arab States. (The text of the resolution is at Annex A).

17. The truce came into effect on the 11th June. Before that date, His Majesty's Government had already complied with one of its provisions by placing a complete embargo on the supply of military material to Palestine and to all the Arab countries, despite the fact that this embargo involved the suspension of important obligations arising from our treaties with Egypt, Iraq and Transjordan.

18. When the truce expired early in July, the Arab States declined to renew it and fighting was resumed. The truce was re-established, however, by a resolution which the Security Council adopted on the 15th July (text at Annex A), and which contained the threat of sanctions against any party failing to issue a cease-fire order within three days. This threat also was in practice directed against the Arab. The United Kingdom supported the resolution, and we brought strong pressure to bear upon the Arab States in order to secure their acquiescence. The fighting ceased; it was now provided that the truce should remain in force until a definitive settlement was reached; and there were in fact no serious hostilities between July and October.

19. The Mediator, who was charged by the Security Council with the supervision of the truce, was at the same time endeavouring to find a basis for a political settlement in accordance with the Assembly's resolution of the 14th May. The general nature of his ideas was known from certain preliminary proposals which he had unsuccessfully submitted to Arabs and Jews in June. Discussions between the Foreign Office and the State Department, carried on in the light of this knowledge, revealed a large measure of agreement on the outlines of a reasonable solution. The main feature of this informal agreement, as of the Mediator's tentative proposals, was the partition of Palestine into two geographically compact territories without enclaves and corridors instead of along the complicated lines recommended by the Assembly in November, 1947. This involved the inclusion of the whole of Galilee in the Jewish State, in exchange for the allocation of the Negeb to the Arabs. On the 26th August the Cabinet approved these suggestions and decided that, if an agreement on these lines could be reached both with the United States Government and with the Mediator, the influence of His Majesty's Government should be used to obtain the support of the United Nations as a whole for the resulting proposals (C.P. (48) 207 and C.M. (48) 57th Conclusions).
20. In September, just before the opening of the General Assembly in Paris, Count Bernadotte submitted a report containing suggestions for a settlement on the lines which had been anticipated. It was agreed that Mr. Marshall and I, in that order, would declare the support of our Governments for what came to be known as the Bernadotte plan. (The text of Mr. Marshall's statement is at Annex B.) Thereafter, the United Kingdom Delegation did their utmost to persuade the General Assembly to endorse the plan. We were faced, however, not only by the determined opposition of both Arabs and Jews but also, after Mr. Truman's re-election, by the withdrawal of the United States Government from the position previously taken, I understood with the President's approval, by Mr. Marshall. It now appeared that the United States Government, while recognising that there should be some compensation to the Arabs for the territory which the Jews had occupied over and above that awarded to them in November, 1947, were not prepared to support any resolution which would involve a modification of the November frontiers without Jewish consent. In the end the Assembly's action was confined to the appointment, on the 11th December, of a Conciliation Commission consisting of representatives of France, Turkey and the United States. The Commission is to hold its first meeting in Geneva on the 17th January, 1949.

21. Meanwhile, on the 15th October, 1948, the Jewish Army launched an offensive against the Egyptians in southern Palestine. Strengthened by the considerable quantities of military material, including aeroplanes, which they had imported from Czechoslovakia and elsewhere in contravention of the truce, the Jews advanced rapidly and succeeded in isolating various Egyptian detachments from their bases. On the 4th November the Security Council adopted a resolution (text at Annex A), introduced by the Delegates of China and the United Kingdom, which called upon the combatants to withdraw their forces and authorised Dr. Bunch, who had been acting as Mediator since the assassination of Count Bernadotte, to establish lines beyond which no movement of troops should take place. By the same resolution the Council appointed a Committee which was instructed, in the event of either party or both failing to comply with the resolution, "to study as a matter of urgency and to report to the Council on further measures it would be appropriate to take under Chapter VII of the Charter".

22. The resolution of the 4th November was followed by another resolution which the Council adopted on the 16th (text at Annex A), calling upon the parties to enter into armistice negotiations. After this resolution, adopted on American initiative, the Jews demanded Egyptian agreement to armistice talks as a condition for their own compliance with the earlier resolution of the 4th November. This to some extent confused the issues.

23. In accordance with the resolution of the 4th November, the Acting Mediator issued instructions to the combatants on the 13th. Under these instructions the Egyptian forces were to be confined to a small area along the coast from the Egyptian frontier to a point north of Gaza, and the Jewish forces (apart from their settlement garrisons) were to withdraw behind the lines they had occupied on the 14th October.
These decisions were accepted by the Egyptian Government. The Jewish authorities did not comply with them, but retained their new positions and launched a second offensive against the Egyptians on the 22nd December. There had also been a renewal of fighting in the north at the end of October, as a result of which Jewish forces established themselves on Lebanese territory, from which they have not yet withdrawn.

The Acting Mediator sent a report on the outbreak of fighting in December to the Security Council in which for the first time he made a definite attribution of blame to one party alone - the Jews - and said that there had not been any acts of provocation on the Egyptian side. The Jews claimed that they had started fighting because the Egyptians refused to negotiate for an armistice under the 16th November resolution. The Egyptians maintain, and their claim has never been denied, that they told the Mediator's representative on 20th December that they were ready to undertake these negotiations provided the Jews showed their readiness to accept the 4th November resolution. (The text of the Acting Mediator's report to the Security Council is attached at Annex C.) I would call particular attention to the fact reported by Dr. Bunche that the Jews entirely prevented the United Nations staff from observing the operations in southern Palestine. This was the culmination of the obstructive attitude which the Jews had already for some months past been showing towards the United Nations personnel.

Despite the clear refusal of the Jewish authorities to comply with the resolution of the 4th November, the Committee of the Security Council has not undertaken the task assigned to it, of considering what sanctions could appropriately be applied to whichever party had failed to comply. The principal reason for this is the reluctance of the United States Government to be associated with any measures which would be unwelcome to the Jewish authorities. Thus on the 29th December, when the Security Council, having considered the second phase of the fighting in the Negeb, again demanded implementation of the 4th November resolution, the United States Delegate abstained from voting (in company with the Delegates of the U.S.S.R. and the Ukraine). (The text of the resolution of the 29th December is at Annex A.) Earlier in December the United States Delegate on the Security Council had supported the application of the Jewish State for admission to the United Nations, notwithstanding the fact that the applicant was simultaneously refusing to comply with the Council's requirements. No doubt the American attitude was due in part to the fear that unless they supported the Jews the latter would draw closer to the U.S.S.R.
27. This evidence of the aggressive spirit being shown by the Jews was discussed in the Cabinet on 12th November (C.M.(48) 71st Conclusions) and it was agreed that steps should be taken to ensure that we could if necessary carry out our Treaty obligations to Transjordan if Transjordan were attacked. The Cabinet therefore agreed that reinforcements and supplies could be sent to the R.A.F. at Amman and that naval dispositions should be taken to ensure that Aqaba could be defended against attack. It was agreed that the Prime Minister should decide when this action should be taken in the light of further discussions which were to be held with the Americans.

28. Mr. Marshall was informed that we might have to take these steps and in reply said that it was clearly a matter for us to decide whether we had to reinforce our own installations. At the same time he pointed out some of the objections where might be raised against the action which we proposed. No decision was taken at that time to put either of the above plans into effect immediately.

29. At the end of November Jewish forces which had been pushing eastwards and southwards from Beersheba, set up a post between the Dead Sea and the Red Sea and sent patrols into Transjordan territory. The attention of the Security Council was called to these infringements of Transjordan territory and to the importance this might have for us in view of our Treaty obligations.

30. Meanwhile discussions were being carried on in Jerusalem between Jewish and Transjordan Commanders with a view to establishing a cease-fire first in Jerusalem and then along the whole Arab Legion front. After this cease-fire had been established the Jewish representatives proceeded to expand the talks into general discussions for an armistice and for a political settlement. The Transjordan Government having regard to their obligations to other Arab countries, had to proceed prudently and when they showed some hesitation in expanding the scope of the talks at that stage, the most threatening attitude was adopted by the Jews who said that Transjordan must now choose between peace and war. The Transjordan attitude was fully understood by the United States Government.

31. Having to some extent neutralised the Arab Legion front by their threat to Aqaba and by the conversations in Jerusalem, the Jewish forces then turned once more against the Egyptians and on 22nd December began a concerted attack on Egyptian positions round Gaza and south of Beersheba and against the Egyptian garrison at Falluja which was still encircled contrary to the Acting Mediator's orders under the 4th November Resolution of the Security Council.

32. Later events are still fresh in our memories. On 29th December we received reports that Jewish forces in the course of their operations had crossed into Egyptian territory. As the Egyptian reports were extremely unreliable and as the Jews were preventing United Nation observers from going to the front, and since we might have been called upon at any moment to go to the assistance of Egypt under the Anglo-Egyptian treaty of 1936, instructions were sent to the Royal Air Force to carry out a reconnaissance, if possible in concert with the Egyptians, to report the true facts of the situation. At the same time an urgent message was sent to the United States Government informing them of the extremely critical situation.
which was developing, which might have affected the stability of the whole Middle Eastern area, and of the prospect that we might at an early date be called upon to carry out our treaty obligations to Egypt. The United States Under-Secretary of State in replying to this message expressed the hope that we might be able to obtain reliable confirmation of the military situation as this would strengthen his hands in exerting American influence on the Jews to withdraw from Egyptian territory. This fitted in with the decision we had already taken to obtain information by Royal Air Force reconnaissance.

33. Very shortly afterwards the United States Government sent a very strong message to the Jewish Government to the effect that the whole American attitude towards the Jewish state would be changed if the Jews did not withdraw from Egyptian territory. We understand that this message caused a considerable effect and that instructions were given to Jewish forces to leave Egyptian territory. These instructions were not effectively carried out, however, and a small Jewish force maintained a strong-point inside Egyptian territory.

34. During the first week in January the Egyptians made a proposal for a cease-fire and negotiations with regard to the implementation of all three outstanding Security Council resolutions (16th and 29th December). A very short time limit was given which expired before action could be taken. The United States Government, however, then pressed both sides to adopt a proposal on these lines and this was eventually agreed. By the time the Committee of the Security Council met on 7th January the Acting Mediator was able to announce this agreement and the Committee decided that in the light of this they need not for the present make any report to the Security Council. Conversations between Jewish and Egyptian representatives are now taking place at Rhodes under Dr. Bunche's chairmanship.

35. It was in the course of a reconnaissance on the same day, i.e. 7th January that the Royal Air Force aircraft were attacked while inside Egyptian territory by Jewish ground fire and aircraft. We have absolutely reliable evidence that the aircraft were attacked inside Egyptian territory and had not been carrying out any offensive operations against the Jewish forces. Their instructions were to avoid combat and only to fire if definitely attacked. Preliminary reports from the United Nations observers who have been investigating the incident show that at least three of the aircraft have been found well inside Egyptian territory: one has been found inside Palestine, having apparently crossed the frontier in the course of the air fighting which followed the second Jewish attack or perhaps even after control of the aircraft had been lost.

36. Meanwhile the Defence Committee had decided on 3rd January that in view of the Jewish attack on Egyptian forces and the invasion of Egypt, we could no longer delay putting ourselves in a position to meet our obligations to Transjordan and putting into effect the Cabinet decisions of 12th November. Instructions were therefore sent for supplies to be flown to Amman and, the Transjordan Government having requested our assistance under the treaty, a force was moved to Aqaba where it has now been established without any further incident.
37. His Majesty's Government have made it clear that they do not wish to prejudice in any way the chance of the Egyptian-Jewish discussions succeeding in producing an armistice based on Security Council decisions and they have adopted an attitude of considerable restraint in dealing with the attack on Royal Air Force aircraft. While we hope they will succeed and shall do everything in our power to contribute to their success there is still the danger that the Jews, with the Egyptians neutralised, might take further military action elsewhere, either in Jerusalem, against the Iraq forces in Central Palestine, or against Transjordan.

38. In these circumstances it has seemed essential both to consider whether we may have to take further measures to carry out our treaty obligations and at the same time to make a supreme effort to clarify American policy on the whole Palestine question in the hope that we may be able once more to pursue a concerted line with the United States Government. No further movements of British forces have been undertaken and it is greatly to be hoped that none will become necessary. But it has become increasingly difficult to refuse any longer to honour our Treaty obligations to supply war material to our allies in the Middle East, in view of the fact that Security Council resolutions have been openly disobeyed by the Jews and that other members of the United Nations have ignored their obligations and supplied arms. There is no doubt that our failure to supply war material to our allies in the Middle East has been the most damaging factor in our relations with them and with the whole Moslem world.

39. As regards the Americans, His Majesty's Ambassador at Washington has put to President Truman and the State Department a frank picture of the difficult situation which has been reached and of the danger both to the interests which we and the Americans have in common in the Middle East and to the very conception of the United Nations itself by the hesitations and unreliability of American policy. He has expressed once more our earnest hope that the United States Government will let us know clearly on what their policy is based and will join with us in (a) effective action in the United Nations to secure compliance with the Security Council decisions; (b) the use of British and American influence in whatever way this may be possible towards the achievement of a final settlement in which both parties can properly acquiesce.

40. The United States reply given in the course of Sir O. Frank's conversations with President Truman and the State Department has clarified the United States Government's attitude to some extent but does not indicate that it will be easy for us to reach a new basis of close co-operation with the United States over Palestine for the time being.
1. RESOLUTION ADOPTED BY THE SECURITY COUNCIL ON 29TH DECEMBER, 1948.

The Security Council,

HAVING CONSIDERED the report of the Acting Mediator (document S/1152) on the hostilities which broke out in Southern Palestine on the 22nd December,

CALLS UPON the Governments concerned:

(I) To order an immediate ceasefire;

(II) To implement without further delay the resolution of the 4th November and the instructions issued by the Acting Mediator in accordance with paragraph 5(1) of that resolution;

(III) To allow and facilitate the complete supervision of the truce by the United Nations observers;

INSTRUCTS the Committee of the Council appointed on the 4th November to meet at Lake Success on the 7th January to consider the situation in Southern Palestine and to report to the Council on the extent to which the Governments concerned have by that date complied with the present resolution and with the resolutions of 4th and 16th November;

INVITES Cuba and Norway to replace as from 1st January the two retiring members of the Committee (Belgium and Colombia); and

EXPRESSES THE HOPE that the members of the Conciliation Commission appointed by the General Assembly on the 11th December will nominate their representatives and establish the Commission with as little delay as possible.

2. RESOLUTION ON THE PALESTINIAN QUESTION ADOPTED BY THE SECURITY COUNCIL AT ITS 581ST MEETING ON 16TH NOVEMBER, 1948.

The Security Council

REAFFIRMING its previous resolutions concerning the establishment and implementation of the Truce in Palestine and, recalling particularly its Resolution of 15 July 1948 which determined that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter;

TAKING NOTE that the General Assembly is continuing its consideration of the future government of Palestine in response to the request of the Security Council on 1 April 1948 (document S/714);

WITHOUT PREJUDICE to the actions of the Acting Mediator regarding the implementation of the Resolution of the Security Council of 4 November 1948;

DECIDES that, in order to eliminate the threat to the peace in Palestine and to facilitate the transition from the present Truce to permanent peace in Palestine, an armistice shall be established in all sectors of Palestine;
CALLS UPON the parties directly involved in the conflict in Palestine, as a further provisional measure under Article 40 of the Charter, to seek agreement forthwith, by negotiations conducted either directly or through the Acting Mediator on Palestine, with a view to the immediate establishment of the Armistice including: 

(a) the delineation of permanent armistice demarcation lines beyond which the armed forces of the respective parties shall not move;

(b) such withdrawal and reduction of their armed forces as will ensure the maintenance of the armistice during the transition to permanent peace in Palestine.

S/1070


The Security Council

HAVING DECIDED on the 15th July that, subject to further decision by the Security Council or the General Assembly, the truce shall remain in force in accordance with the resolution of that date and with that of 29th May 1948 until a peaceful adjustment of the future situation of Palestine is reached;

HAVING DECIDED on the 19th August that no party is permitted to violate the truce on the ground that it is undertaking reprisals or retaliations against the other party, and that no party is entitled to gain military or political advantage through violation of the truce; and

HAVING DECIDED on the 29th May that, if the truce was subsequently repudiated or violated by either party or by both, the situation in Palestine could be reconsidered with a view to action under Chapter VII of the Charter;

TAKES NOTE OF the request communicated to the Government of Egypt and the Provisional Government of Israel by the Acting Mediator on the 26th October (S/1058) following upon the resolution adopted by the Security Council on 19th October 1948; and

CALLS UPON the interested Governments, without prejudice to their rights, claims or position with regard to a peaceful adjustment of the future situation of Palestine or to the position which the Members of the United Nations may wish to take in the General Assembly on such peaceful adjustment:

(1) To withdraw those of their forces which have advanced beyond the positions held on 14th October, the Acting Mediator being authorized to establish provisional lines beyond which no movement of troops shall take place;

(2) To establish, through negotiations conducted directly between the parties, or failing that, through the intermediaries in the service of the United Nations, permanent truce lines and such neutral or demilitarized zones as may appear advantageous, in order to ensure henceforth the full observance of the truce in that area. Failing an agreement, the permanent lines and neutral zones shall be established by decision of the Acting Mediator; and
APPOINTS a Committee of the Council, consisting of the five permanent Members together with Belgium and Colombia, to give such advice as the Acting Mediator may require with regard to his responsibilities under this resolution, and in the event that either party or both should fail to comply with sub-paragraphs (1) and (2) of the preceding paragraph of this resolution within whatever time limits the Acting Mediator may think it desirable to fix to study as a matter of urgency and to report to the Council on further measures it would be appropriate to take under Chapter VII of the Charter.

S/902


The Security Council

TAKING INTO CONSIDERATION that the Provisional Government of Israel has indicated its acceptance in principle of a prolongation of the truce in Palestine; that the States members of the Arab League have rejected successive appeals of the United Nations Mediator, and of the Security Council in its resolution of 7 July 1948, for the prolongation of the truce in Palestine; and that there has consequently developed a renewal of hostilities in Palestine;

DETERMINES that the situation in Palestine constitutes a threat to the peace within the meaning of Article 39 of the Charter;

ORDERS the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action and to this end to issue cease-fire orders to their military and para-military forces, to take effect at a time to be determined by the Mediator, but in any event not later than three days from the date of the adoption of this resolution;

DECLares that failure by any of the Governments or authorities concerned to comply with the preceding paragraph of this resolution would demonstrate the existence of a breach of the peace within the meaning of Article 39 of the Charter requiring immediate consideration by the Security Council with a view to such further action under Chapter VII of the Charter as may be decided upon by the Council;

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;

ORDERS as a matter of special and urgent necessity an immediate and unconditional cease-fire in the City of Jerusalem to take effect 24 hours from the time of the adoption of this resolution, and instructs the Truce Commission to take any necessary steps to make this cease-fire effective;

INSTRUCTS the Mediator to continue his efforts to bring about the demilitarization of the City of Jerusalem, without prejudice to the future political status of Jerusalem, and to assure the protection of and access to the Holy Places, religious buildings and sites in Palestine;
INSTRUCTS the Mediator to supervise the observance of the truce and to establish procedures for examining alleged breaches of the truce since 11 June 1948, authorizes him to deal with breaches so far as it is within his capacity to do so by appropriate local action, and requests him to keep the Security Council currently informed concerning the operation of the truce and when necessary to take appropriate action;

DECIDES that, subject to further decision by the Security Council or the General Assembly, the truce shall remain in force, in accordance with the present resolution and with that of 29 May 1948, until a peaceful adjustment of the future situation of Palestine is reached;

REITERATES the appeal to the parties contained in the last paragraph of its resolution of 22 May and urges upon the parties that they continue conversations with the Mediator in a spirit of conciliation and mutual concession in order that all points under dispute may be settled peacefully;

REQUESTS the Secretary-General to provide the Mediator with the necessary staff and facilities to assist in carrying out the functions assigned to him under the resolution of the General Assembly of 14 May, and under this resolution; and

REQUESTS that the Secretary-General make appropriate arrangements to provide necessary funds to meet the obligations arising from this resolution.

5.


The Security Council

DESIRING to bring about a cessation of hostilities in Palestine without prejudice to the rights, claims and position of either Arabs or Jews;

CALLS UPON all Governments and authorities concerned to order a cessation of all acts of armed force for a period of four weeks;

CALLS UPON all Governments and authorities concerned to undertake that they will not introduce fighting personnel into Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the cease fire; and

CALLS UPON all Governments and authorities concerned, should men of military age be introduced into countries or territories under their control, to undertake not to mobilize or submit them to military training during the cease fire;

CALLS UPON all Governments and authorities concerned to refrain from importing or exporting war material into or to Palestine, Egypt, Iraq, Lebanon, Saudi Arabia, Syria, Transjordan and Yemen during the cease fire;

URGES all Governments and authorities concerned to take every possible precaution for the protection of the Holy Places and of the City of Jerusalem, including access to all shrines and sanctuaries for the purpose of worship by those who have an established right to visit and worship at them;
INSTRUCTS the United Nations Mediator for Palestine in concert with the Truce Commission to supervise the observance of the above provisions, and decides that they shall be provided with a sufficient number of military observers;

INSTRUCTS the United Nations Mediator to make contact with all parties as soon as the cease fire is in force with a view to carrying out his functions as determined by the General Assembly;

CALLS UPON all concerned to give the greatest possible assistance to the United Nations Mediator;

INSTRUCTS the United Nations Mediator to make a weekly report to the Security Council during the cease fire;

INVITES the States Members of the Arab League and the Jewish and Arab authorities in Palestine to communicate their acceptance of this resolution to the Security Council not later than 6.00 p.m. New York Standard Time on 1 June 1948;

DECIDES that if the present resolution is rejected by either party or by both, or if, having been accepted, it is subsequently repudiated or violated, the situation in Palestine will be reconsidered with a view to action under Chapter VII of the Charter;

CALLS UPON all Governments to take all possible steps to assist in the implementation of this resolution.
"The United States considers that the conclusions contained in the final report of Count Bernadotte offer a generally fair basis for settlement of the Palestine question. My Government is of the opinion that the conclusions are sound and strongly urges the parties and the General Assembly to accept them in their entirety as the best possible basis for bringing peace to a distracted land.

"No plan could be proposed which would be entirely satisfactory in all respects to every interested party. The United Nations had endeavoured to achieve a solution by peaceful adjustment and entrusted the task to its Mediator, Count Bernadotte. He energetically, courageously and with a spirit of complete fairness, we feel, canvassed all the possibilities and proposed as his last contribution toward a world of peace a sound basis for settlement. He gave his life to this effort.

"The complexities of the problem and the violent emotions which have been engendered are such that the details of any plan could be debated endlessly. As a matter of fact, the debate on this question has been carried on for years in almost every kind of public forum. It is our sincere hope that the parties concerned will realise that their best interests and the interests of the world community will be served by accepting in a spirit of fair compromise the judgment of Count Bernadotte."
In response to your request for all information available to me in connection with the note submitted to the Security Council by the Government of Egypt with reference to the fighting in the Negev which began on 22nd November, I am communicating the following.

On 22nd December I received a message from Haifa signed by the Chief of Staff of Truce Supervision, General Riley, informing me that on the morning of 21st December a note had been received from the Israeli military authorities as follows:

"In the light of the present situation in the country, the Chief of General Staff, Baruch, considers that the moment is opportune for reviewing the routines of truce supervision with a view to their simplification and increasing the usefulness and efficiency of the liaison staff attached to the observers in the service of the Chief of Staff.

I am accordingly instructed to suggest to you to appoint an officer to discuss new methods and routines of supervision with myself and to inform you that in the meantime the Chief of General Staff, Baruch, has decided to suspend temporarily all current arrangements for observers' tours.

The Chief of General Staff, Baruch, would be grateful if you could inform this headquarters at your convenience of the name of the officer appointed, so that an initial meeting can be arranged without delay."

General Riley, in reply to this message, stated that the suspension of United Nations observer operations would be contrary to the provisions of paragraph (A) of the Security Council resolution of 10th October and that the suggestion was unacceptable.

On 21st December the senior United Nations observer at Tel Aviv reported that he had been informed by Israeli authorities that they would not provide liaison officers for routine observation trips until the meeting they desired had been held, and that liaison officers would be provided only for unusual incidents or complaints. On 22nd December General Riley received a second message in the same vein but adding that the Israeli authorities "did not intend to suspend observer operations indefinitely".

On 21st December I sent the following message for communication to the appropriate officials in the Government of Israel.

"In my view the course proposed in Baruch's message will constitute a most serious obstruction to the truce, will be in direct contravention of the truce resolutions of the Security Council, and if persisted in will make it imperative for me to report to the Security Council our complete inability to supervise the truce on the Israeli side. This would severely affect prospects for armistice negotiations. We will, of course, give serious consideration to any views or suggestions which the Provisional Government may see fit to advance as regards the methods and procedures of truce supervision."
The daily truce supervision report of 20th December stated that the Israeli refusal to furnish liaison officers made impossible truce observation in the Al Faluja area on that day.

On the night of 21st December General Riley conferred with Mr. Shiloah of the Government of Israel and pointed out that the situation at Al Faluja was the stumbling-block to the initiation of armistice negotiations in the Negev sector. General Riley informed Mr. Shiloah that he was confident that armistice discussions could proceed promptly if the Israelis would consent to the withdrawal of the encircled Egyptian force at Al Faluja. Mr. Shiloah promised a prompt reply from his Government on the proposal for the evacuation of the Egyptian force by stages.

On 22nd December the following reply was received from the Government of Israel, signed by Mr. Eytan.

"Mr. Reuven Shiloah has reported to the Government on the conversation he had with you yesterday evening in Haifa, and I have now been instructed to transmit to you in the name of the Government the reply which Mr. Shiloah promised to let you have by tonight.

The Government of Israel has during the past two weeks been watching with concern the steady deterioration of the prospects for peace with Egypt. Following the visit made to the Middle East at the beginning of this month by Dr. Ralph Bunche, who felt that there was a good chance of the Egyptian Government agreeing to the initiation of armistice talks in accordance with the Security Council's resolution, the Government of Israel was prepared, as a token of goodwill, to order that a start be made in the evacuation of the Egyptian forces encircled at Al Faluja. A communication to this effect was made to Dr. Bunche on December 9th.

The Government now understands that the Egyptian Government has changed its mind, and that it is not willing to take any practical steps in the direction of peace. The Egyptian Government appears to confine itself to a single clause in a resolution passed by the Security Council in order to undo the main purpose the Security Council had in mind — namely the conclusion of an armistice as a first step towards peace. In view of the fact that the Egyptian Government has done nothing to indicate any desire on its part to achieve a peaceful settlement, even after the Government of Israel, in response to Dr. Bunche's appeal, expressed its readiness to release by stages the Egyptians surrounded at Al Faluja, the Government of Israel feels bound to reserve its freedom of action, with a view to defending its territory and hastening the conclusion of peace."

On 23rd December United Nations observers stationed at Gaza on the Egyptian side reported that the Gaza coast was shelled by an Israeli ship on 22nd December and that the town itself was bombed by aircraft on 23rd December. They also communicated reports from the Egyptian G.O.C. that Israeli aircraft had attacked El Arish airfield, Khan Yunis and Rafah on 22nd December, and that Al Faluja had been attacked by aircraft, artillery and mortar fire.
The Chief of Staff informed me on 23rd December that in view of the Israeli refusal to permit United Nations observers in the Negev it was not possible to maintain observation of Israeli military operations. The Chief of Staff expressed the opinion that in view of these circumstances there was a grave possibility of resumption of widespread fighting in the Negev.

General Riley further informed me on 23rd December that Israeli mobile forces had not been returned to the Negev settlements; that their forces had not been withdrawn from localities occupied since 14th October; that Beersheba had not been evacuated; that the establishment of United Nations observer posts in the Negev had not been permitted; that food and medical convoys under United Nations supervision and escort had not been permitted through Israeli lines to the encircled Egyptians at Al Faluja; and that the Egyptians had not been permitted to withdraw from Al Faluja in compliance with the November 13th plan for the implementation of the 4th November resolution of the Security Council.

The daily truce supervision report of 23rd December stated that there were no further reports of fighting in the Negev, but that the Israeli authorities would not provide liaison officers to the Tel Aviv observer teams on that day. I have no knowledge of any incidents which could be claimed as a provocation for the fighting in the Negev which began on 22nd December.

The recent conferences which I had undertaken in Cairo and Tel Aviv, followed by similar conferences held by General Riley in Cairo on 19th and 20th December, have convinced me that armistice negotiations covering the Negev sector could be initiated if some progress could be made toward a solution of the problem of the encircled Egyptian force at Al Faluja. In our conferences with Israeli officials General Riley, Vigier and I have constantly stressed that the Al Faluja situation is exclusively a matter of truce supervision; that the truce cannot be exploited as a means of laying siege; that the plan of 13th November for the implementation of the 4th November resolution of the Security Council required the withdrawal of the Egyptian forces; and that this withdrawal is prevented only by the refusal of the Israeli forces to permit it.

In view of all the above circumstances I must report to the Security Council my inability to supervise effectively the truce in the Negev, since United Nations observers are being refused access to the area on the Israeli side, and since, as indicated in Mr. Eytan's message of 22nd December, "the Government of Israel feels bound to reserve its freedom of action". I must also report my view that the intransigent attitude assumed by the Israeli authorities on the situation at Al Faluja is a major factor in preventing progress towards implementation of the resolution of the Security Council of 16th November.