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17 August 1951

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LETTER DATED 16 AUGUST 1951 FROM THE CHIEF OF STAFF OF THE  
TRUCE SUPERVISION ORGANIZATION IN PALESTINE TO THE  
SECRETARY-GENERAL TRANSMITTING AN INTERIM  
REPORT ON STEPS TAKEN TO GIVE EFFECT  
TO THE SECURITY COUNCIL RESOLUTION  
OF 18 MAY 1951 (S/2157)

TRUCE SUPERVISION ORGANIZATION

16 August 1951

Sir,

I have the honour to communicate to you for transmission to the President of the Security Council the attached interim report in accordance with the penultimate paragraph of resolution S/2157 that called upon "the Chief of Staff of the Truce Supervision Organization to report to the Security Council on compliance given to the present resolution".

I have the honour to be, Sir,

Respectfully yours,

William E. Riley  
Lieut. Gen. USMC, ret'd  
Chief of Staff

COMPLIANCE GIVEN TO THE SECURITY COUNCIL RESOLUTION S/2157  
dated 18 May 1951

Fourth Interim Report by the Chief of Staff  
of the Truce Supervision Organization

1. The penultimate paragraph of resolution S/2157 called upon "the Chief of Staff of the Truce Supervision Organization to report to the Security Council on compliance given to the present resolution".
2. Three interim reports (S/2173, S/2213, S/2213/Add.1 and S/2234) have already been submitted to the Security Council. I have the honour to submit today the following fourth interim report, which describes the situation as of 14 August 1951.
3. With reference to the works project of the Palestine Development Company in the Demilitarized Zone, a project which is incident to the carrying out of the Hula drainage plan, I authorized, early in June 1951, the Palestine Land Development Company, Ltd., to continue to work on lands within the Demilitarized Zone which were considered by me to be lands not in dispute. The Government of Israel and the Government of Syria criticized my decision. The Government of Syria claimed that it was not consistent with the Security Council resolution. The Government of Israel maintained that under the terms of the Armistice Agreement and the Explanatory Note of 26 June 1949, the Chairman or myself could authorize work not only on "lands not in dispute" but on Arab lands as well without the necessity of obtaining the concurrence of the individual landowners. Furthermore, Israel contended that if these landowners refused to agree to accept reasonable compensation or exchange of their lands for other lands within the Demilitarized Zone, I could be expected to establish the amount of compensation considered fair and just.
4. The Palestine Land Development Company has now arrived at a stage in its project when it must extend the scope of its present work in the Demilitarized Zone or cease work on the project. I was informed that the extension of its work involved the placing of survey crews and workmen on the east bank of the Jordan River (within the boundaries of the Demilitarized Zone) incident to the construction of a temporary dam across the river in the area known as block 13031. This new dam site would be located about two thousand yards north of the Bnot-Jaakub bridge.

5. The construction of the dam is essential if work on the project is to be continued to the south thereof. I have been informed, however, that with the construction of the dam the flow of the Jordan River would be completely stopped for four or five days a week over an indefinite period.

6. Such interruption in the flow of the river would, in turn, apparently interrupt the flow of water into the series of canals used by Syrian and other Arab landowners for the irrigation of their crops in the area east of the river which is in Syrian territory. An Israel representative, however, has conveyed to me his opinion that the periodic flow of water on certain days of the week would be ample for the needs of these landowners. He also informed me that the Israelis were prepared to meet any reasonable suggestions which might ease the situation in this regard.

7. After considering all the aspects of the question I addressed on 7 August the following communication to His Excellency, the Israel Minister for Foreign Affairs:

"I am in receipt of information from the Chairman of the Syrian-Israel Mixed Armistice Commission that work in block 13031 will commence on or about 12 August 1951. Information in hand indicates that the Palestine Land Development Company will be forced to employ a survey team on the east bank of the Jordan River; furthermore, that the dam to be emplaced across the Jordan River will stop the flow of the river between Lakes Huleh and Tiberias about five days a week for a considerable period of time.

"The extension in present circumstances of the work in the Demilitarized Zone by the Palestine Land Development Company survey crews to the east bank of the Jordan River and the construction the Demilitarized Zone of the Dam stopping the flow of the Jordan River would greatly aggravate an already tense situation and probably provoke new disturbances in the area and further along the course of the Jordan.

"Therefore, in view of the responsibility given to the Chairman of the Mixed Armistice Commission by Article V of the General Armistice Agreement and in accordance with instructions contained in the Security Council resolution S/2157 dated 18 May 1951 which authorizes the Chief of Staff to take such measures to restore peace in the area and to make such representation to the Governments of Israel and Syria as he may deem necessary and further in view of the consultations on outstanding problems envisaged in Mr. Eban's letter to me of 4 August 1951, I urge strongly that the Palestine Land Development Company be restrained from dispatching a survey team to the east bank of the Jordan and from proceeding with the proposed emplacing of the dam across the Jordan."

8. I have just been informed that the Palestine Land Development Company has submitted a project which, it is claimed, can be carried out without encroaching on the east bank of the Jordan and interfering with normal irrigation. I am

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expecting further details about this project.

9. Another problem in the Demilitarized Zone is that of the activities in the Zone of the Israeli police and of the Senior Israeli Delegate on the Mixed Armistice Commission. To date the Israeli police and/or the Senior Israeli Delegate continue to:

- (a) Occupy the Arab-owned Khoury farm.
- (b) Limit movement of the Arab civilians who have been returned to Baqqara to the confines of their village, except for permission accorded them at specified times to take their flocks to the Jordan river for watering.
- (c) Refuse to allow the Chairman of the Mixed Armistice Commission to return the Arab civilians, former inhabitants of the Zone, who fled to the Syrian side of the border upon the outbreak of the disturbances in early March.
- (d) Discuss with the Makhtars of Baqqara and Ghanname the intention to establish a local police force composed of Israelis and Arabs who would receive pay from the Government of Israel.
- (e) Prevent the Arabs of Baqqara from augmenting their ration received from UNRWA by procuring such commodities as sugar, salt, coffee, etc., on the Syrian side of the border. The Senior Israeli Delegate has informed the Chairman that all such purchases would have to be procured from Israel. He has stated further that the State of Israel would in the future provide such necessities.
- (f) Prevent Arabs, now at Baqqara, who formerly worked on the Khoury farm, from returning to the farm for caretaking purposes, especially in connexion with the irrigation of the orange grove.
- (g) Impose restrictive measures on movement of United Nations Observers within the Zone.

10. The Chairman of the Mixed Armistice Commission, in his attempt to solve the overall problem of internal security in the Demilitarized Zone, in accordance with the intent of Article V of the General Armistice Agreement, submitted a proposal to both parties.

The Chairman has stressed, over a period of several weeks, the importance of the irrigation of the grove, which is in a critical condition due to lack of irrigation. The Israel Delegate has assured the Chairman that this would be done. However, on a visit to the farm on 25 July, the Chairman found that no irrigation was in progress and that Israeli police were still in control. The Chairman has on several occasions attempted to obtain the concurrence of the Senior Israel Delegate to permit the return to the Khoury farm of Mr. Khoury and of the labourers who fled to the Syrian side and/or Mr. Elias Haddad Becher, a part owner, to look after their interests. All such requests have been refused.

11. The Syrian Delegate accepted the proposal, provided the general supervision of the Zone reverted to the Chairman and the Israeli police were withdrawn. The representative of the Government of Israel submitted a counter-proposal according to which the Government of Israel considers it has the right to establish an independent Police Command in the Demilitarized Zone.
12. The Permanent Representative of Israel to the United Nations in a communication dated 4 August 1951 has informed me that his Government was desirous of discussing with me some of the relevant practical problems connected with the policing problem. He states his Government believes that it is possible, and indeed desires, to reach a mutually satisfactory solution of the practical problems connected with the restoration of normal civilian life and normal local policing in the Demilitarized Zone "on the basis of the terms agreed upon in the Armistice Agreement and its various attendant documents".
13. In view of this request and to avoid further delay, I have suggested that His Excellency the Israel Minister for Foreign Affairs designate a representative to consult further on these matters with the Chairman of the Mixed Armistice Commission.
14. The third problem is that of the Arab civilians who, following the outbreak of disturbances in February and March 1951, left their homes or were removed from the Demilitarized Zone. A number of these Arabs took refuge either in Syria or in and about the Arab village of El Hamma in the Demilitarized Zone. On the night of 30-31 March, other Arab civilians, especially from the villages of Baqqara and Ghanname, were removed by the Israelis to the Sha'ab area in Israeli-controlled territory.
15. The situation as reported in S/2234 with regard to the return to the Arabs removed to the Sha'ab area by the Israelis remains unchanged except for the following particulars:
  - (a) The Chairman of the Mixed Armistice Commission has not been authorized to return to Sha'ab for the purpose of completing the interrogation of the remaining heads of Arab families following his appearances in that area on 2 and 3 July 1951. Neither was he allowed to be present at Sha'ab on 5 or 9 July 1951, the dates on which the Israelis provided transportation for the return of the Arab civilians who were returned to the Demilitarized Zone.

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Out of approximately 150 Arabs who were not interviewed by the Chairmen, 95 were returned to the Demilitarized Zone on 9 July.

(b) Approximately 360 Arab civilians out of a total of 785 have been returned to the Demilitarized Zone. Because of the destruction by the Israelis of the former home sites of the Arabs who were inhabitants of the villages of Daquara and Ghanname and on Khoury farm, and as tents had to be erected for them to live in temporarily, the Chairmen decided to place all of the returned Arabs in the vicinity of the former village of Daquara.

16. The question has been raised as to the right of Arab civilians of the Demilitarized Zone to have free passage to and from Syria for purposes of trading with Syrians or to purchase the necessities of life.

17. In conversations with the Chairmen, the Senior Israel Delegate has contended that these Arabs did not have this right, because return to normal civilian life in the Demilitarized Zone means a return to the situation existing prior to 15 May 1948. At that time, he contends, Arabs living in what is now the Demilitarized Zone, carried on their economic life within the British Mandate and not in the Syrian sphere of influence.

18. In this connexion, it may be pointed out that, following the signing of the General Armistice Agreement and until early March 1951, the economic life of the Arabs who returned to the Demilitarized Zone, was oriented primarily towards Syria, while the economic life of the Israel inhabitants in the Zone was oriented completely towards Israel.

19. Until March 1951, the Israelis, on the western exit of the Zone, did not permit the passage of Arabs into Israel-controlled territory, and the Syrians on the eastern exit did not permit passage of Israelis. Within the Zone certain economic intercourse existed between the Israelis and the Arabs. Generally speaking, the Arabs used Syrian currency and the Israelis used Israel currency.

20. It is of interest to note that during the period the Mandate was in force, the economic ties that connected Arab village inhabitants in the present Demilitarized Zone with other places in Palestine such as Safad and Tiberias, were based upon important Arab communities existing in those towns. Such Arab communities do not now exist.

21. In paragraph 7 of my last interim Report S/2234 dated 9 July 1951, I referred to the fact that the Chairman of the Mixed Armistice Commission informed the Senior Israeli Delegate that he would return the 115 Arab civilians, former inhabitants of Baquara and Ghanname, who had fled to the Syrian side of the border upon the outbreak of the disturbances, but that the Senior Israel Delegate replied that only eleven out of that group would be allowed to return. To date only three have returned.

22. Another group of Arabs, former residents in the village of Es Samra (southern sector of the Zone) who fled to the vicinity of El Hamma in the Demilitarized Zone on the outbreak of the disturbances, has to date not been allowed to return. About 300 Arabs are involved in this group. The former Mukhtar of this village states that "with the exception of three houses, the entire village of Es Samra belongs to his people. For the past sixty years, the inhabitants of Es Samra had farmed and cultivated land in the vicinity of Es Samra that was of Iranian ownership".

23. The present situation is that Es Samra has been demolished and that the Israelis have gained possession of the Iranian land on which these Arabs formerly worked on a share-cropping basis.

24. The women and children from another Arab village, the village of Nuqeb, who also fled to the vicinity of El Hamma, have to date not been returned. In the past, the inhabitants of Nuqeb had eked out an existence for many years on a plot of 130 dunams of farm land, almost completely surrounded by lands owned and farmed by the Israeli inhabitants of Ein Gev. Access to the plot has been denied to the Arabs since the day they were returned to the Zone. At one time, in early 1950, the owners of the plot were quite willing to sell it to the Israeli settlement of Ein Gev or to exchange it. The negotiations never materialized, and the efforts of the Chairman of the Mixed Armistice Commission to reach an agreement for those inhabitants to farm their land have so far been in vain.

25. Regarding the present situation in the Arab village of El Hamma, a question has been raised by His Excellency the Israel Minister for Foreign Affairs, in his letter addressed to me under date of 10 July 1951. He stated that because of the "penetration into the El Hamma area by Syrian regular, irregular and para-

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military forces" there was a virtual detachment of this area from the Demilitarized Zone. He inquired when I proposed to take the necessary steps "in order to restore the El Hamma area to the totality of the Demilitarized Zone and thus ensure that unimpeded access will be available to the residents of Israel who own property rights and interests in El Hamma".

26. As reported to the Security Council, seven Israeli policemen were killed outside the Arab village of El Hamma on 4 April 1951. The villagers afterwards created a road block and installed mines along the road leading to the village, thus preventing access from the rest of the Demilitarized Zone.

27. The Chairman of the Mixed Armistice Commission, in reporting on this matter, has stated: "Access to or egress from El Hamma to the west is prevented by effective road blocks and by mine fields. The Arab residents of El Hamma appear to have no desire to move out to the west. Their only interest appears to be that of preventing encroachment on their village by the Israelis. Until normal conditions are restored within the Demilitarized Zone, the Chairman feels that the situation described above will be a major deterrent to another serious incident".

28. The villages of Baquara, Chamrume and Es Samra and houses on Khoury farm were destroyed by the Israelis following the evacuation or flight of the inhabitants. The latter have also lost their livestock and crops. They do not have the money to re-invest in the replacement of their homes and villages, as they were required to do when they first returned to the Demilitarized Zone in late 1949. To date, the Chairman has received claims for compensation from twelve of the Arab landowners in the Demilitarized Zone amounting to three hundred and forty three thousand Syrian pounds. The owners of Khoury farm have submitted an additional claim for a substantial amount which they allege is due them. However, the main problem at this time is that of the ways and means of restoring destroyed Arab dwellings before the winter season.

29. In its resolution of 18 May 1951, the Security Council has called upon "the Governments of Israel and Syria to bring before the Mixed Armistice Commission or its Chairman, whichever has the pertinent responsibility under the Armistice Agreement, their complaints and to abide by the decisions resulting therefrom".



30. The difficulties which the Chairman of the Mixed Armistice Commission has met in the discharge of his responsibilities under Article V, paragraph 5, of the General Armistice Agreement have been indicated in the preceding paragraphs of this report. With regard to the Israel-Syrian Mixed Armistice Commission, the two Parties have so far taken an adamant stand in the matter of an acceptable agenda which would permit the Commission to reconvene in order to discuss outstanding problems and complaints.

31. The Chairman of the Mixed Armistice Commission has continued to exert his influence on the Parties looking to a resumption of meetings of the Commission. To date he has not been successful.

32. In conference, on 2 August, the Senior Syrian Delegate informed the Chairman that his "Government approves all measures aiming at the return of normal civilian life in the Demilitarized Zone". He also added that if the Chairman considered that resumption of Mixed Armistice Commission meetings would lead to a settlement of the violations of the General Armistice Agreement, the Syrian Delegate was ready to help. However, on 3 August 1951, he informed the Chairman that he, personally, could see no point in holding a meeting of the Mixed Armistice Commission unless fundamental issues were considered first. He listed as fundamental issues:

- (a) The resumption of the interrogation, with no Israeli present, of the Arabs removed to the Sha'ab area;
- (b) The cessation of all Huleh drainage works until governmental agreement was reached;
- (c) The question of the local police in the Demilitarized Zone;
- (d) No exercise of sovereignty by either Israel or Syria within the Demilitarized Zone.

33. The Permanent Representative of Israel to the United Nations in a communication addressed to me on 4 August also raised the question of the non-functioning of the Mixed Armistice Commission. He stated that between 18 May and 30 June 1951 Israel had submitted eighteen complaints to the Chairman of the Mixed Armistice Commission in accordance with paragraph 7 of Article VII of the General Armistice Agreement. These complaints had not been brought up for discussion. The representative of Israel added that "In view of the many items

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requiring urgent decision it is hoped this paralysis of the armistice machinery will not be prolonged any further".

34. From on or about 20 February 1951 to the writing of this report, some eighty complaints have been submitted to the Mixed Armistice Commission which it has not considered. A large number of these complaints consist of claims and counter-claims of both parties in regard to alleged action by military and/or para-military forces inside the Demilitarized Zone or contiguous thereto. In addition, the Government of Syria has submitted a number of complaints on the rights of the Palestine Land Development Company to proceed with its works project in the Demilitarized Zone and on the destruction of the former Arab-occupied villages and houses in the Demilitarized Zone.

35. Neither party to date has raised an objection to the discussion of those complaints which deal with alleged military action.

36. However, with regard to the complaints submitted by Syria on items other than military, divergent views do exist. According to a statement made by the Senior Syrian Delegate his Government has instructed him not to participate in any formal meeting of the Mixed Armistice Commission unless the Commission discussed these Syrian complaints. In extenuation he states that as his Government was a signatory party to the General Armistice Agreement and as the Government of Israel, through its police, had assumed control over the Demilitarized Zone contrary to Article V of the General Armistice Agreement, his Government was correct in insisting that these complaints be discussed in the Mixed Armistice Commission.

37. The Senior Israel Delegate, on the other hand, has maintained that the above-mentioned Syrian complaints were matters that came under the competence of the Chairman of the Mixed Armistice Commission in accordance with his delegated powers under Article V of the General Armistice Agreement.

38. The Permanent Representative of Israel to the United Nations in his communication addressed to me on 4 August 1951 has also referred to the investigation of other reports and complaints, viz. those alleging aggressive military action which were submitted to the Security Council prior to the adoption of the resolution of 18 May. The Representative of Israel referred in particular to a formal complaint concerning the invasion of Israel territory at Tel el Mutila

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by Syrian regular and irregular forces reinforced by Arab elements under Syrian command, which was released as S/2121 of 7 May 1951. He stated further that to date

"No action by the Mixed Armistice Commission has been taken on this complaint. My Government is determined to prosecute this case in the Mixed Armistice Commission which alone is competent to reach a conclusion on the Israel complaint. This is a matter of high urgency, inasmuch as the failure for three months to examine a charge of armed aggression constituted a most serious defect in the working of the Armistice Commission. You will doubtless agree that Israel has an absolute and unconditional right to have this complaint formally investigated and discussed in accordance with Article VII of the General Armistice Agreement".

39. The facts alleged in the complaint contained in S/2121 and in related complaints submitted by the Senior Israel Delegate to the Chairman of the Mixed Armistice Commission in reference to the military actions that took place between 2 and 6 May 1951 at Tel el Mutila and in the vicinity thereof have been reported upon by the Observers of the Truce Supervision Organization and the complaints themselves are on the proposed agenda of the Mixed Armistice Commission.