

23/10-34

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Secret

ISRAEL'S REFUSAL TO DEBATE IN THE MAO
QUESTIONS OF CIVILIAN LIFE IN THE DS

Security Council Resolution of 18 May 1951 states: The Security Council...

Considers that it is inconsistent with the objectives and intent of the Armistice Agreement to refuse to participate in meetings of the Mixed Armistice Commission or to fail to respect requests of the Chairman of the Mixed Armistice Commission as they relate to his obligations under Article V and calls upon the parties to be represented at all meetings called by the Chairman of the Commission and to respect such requests!

Since 1951 Israel has refused to examine in the MAO complaints by Syria regarding civilian life in the Demilitarized Zones. Such refusal is not, however, contrary to the above Resolution of the Security Council or to the General Armistice Agreement.

In a report to the Security Council dated 21 March 1951 General Riley said:

Under the terms of article V of the Syrian-Israel General Armistice Agreement the Syrian delegation is required to address its complaint concerning the demilitarized zone to the United Nations Chairman, and likewise the United Nations Chairman can decide whether the work being carried out by the Israel authorities in the demilitarized zone could be permitted under the terms of the General Armistice Agreement. The Syrian complaint was made to the Syrian-Israel Mixed Armistice Commission on 14 February 1951. The Israel delegation, however, raised no objection to the complaint being considered by the Commission. (S/2049, p.1)

This interpretation was confirmed by him at the 62nd meeting of the Mixed Armistice Commission held on 28 May 1951. General Riley stated at that meeting: "Therefore a complaint that was submitted by Syria sometime in the latter part of February is not a complaint that should have been discussed before the MAO."

It is to be observed that the 18 May 1951 Security Council Resolution itself draws a distinction between complaints which are to be submitted to the Mixed Armistice Commission and complaints which are to be brought before its Chairman. The Resolution declares inter alia:

Calls 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



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