

Israeli Archive Document 3688/5

From: J. Tkoa

To: The Foreign Minister of Israel

The Director-General, Mr. L. Cohen

The Israeli Embassy in Washington

The Israeli delegation to the United Nations

Mr. Lvavi, Mr. Rosen, Mr. Raphael, Mr. Bendor, Mr. Katz, Mr. Elan

Subject: The Bnot Ya'akov Canal

Different statements of General Reilly about continuing the drying of the Hulah.

דו"ח מס' 1/5078

סודי-אישי

משרד החוץ

ירושלים, י"ג כחשרי חשי"ד  
22 בספטמבר 1953

Handwritten mark resembling a stylized 'E' or 'W'.

אל: שר החוץ

המנכ"ל, ד"ר ל. כהן  
שבג"ר ישראל ואשינגטון, המשלחת לאו"ם.  
מר לכבי, מר רוזן, מר רפאל.  
מר קנדור, מר כץ, מר אילן.

מאח: י. קקוע.

הנדון: תעלת גשר כנרת יעקב.

להלן דברי הגנרל ריילי המחייכות המשך עבודות ייבוש

החולקה:-

א. כישיבת מועצה הכסחון מ-2.5.51 שאל הנציג ההולנדי את  
גנרל ריילי:

S/PV 544, Page 17

(128)"Would you consider the question of the rights involved in the concession of the Palestine Land Development Company to be one which might fall within the jurisdiction of the Mixed Armistice Commission?"

גנרל ריילי השיב:

(129)"Only where it involves land within the demilitarized zone which is the property of Arab refugees. That is only part of that concession with which we have anything to do. It is not the concession itself, but the expropriating of land essential to carrying out the project of the Huleh concession. It is regrettable that within the demilitarized zone there should be seven or eight acres of land so located as to interfere with the project itself. However I am not involving myself at any time in the Huleh concession as a concession. I am only interested in protecting the rights of the refugee Arabs who are within the demilitarized zone and whose land is expropriated without their consent.

(130)I feel that the United Nations should never impede progressive work. However I am involved here with the Armistice Agreement in which the United Nations is charged with the normal restoration of civilian life. I have never



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found fault with the concession and I never will. ~~However~~ However, without deepening and widening the Jordan River within the demilitarized zone, I understand that the project cannot be carried out. I have asked and I have been informed that Israel has also investigated in order to find some other way or draining Lake Huleh and the marshes without going into the demilitarized zone. Therefore I have no quarrel with the project itself. I feel that that is not a matter which affects either Syria or the United Nations. I am only involved in the normal restoration of life within the demilitarized zone which affects the thirty, forty or fifty Arabs that own the approximatively seven or eight acres of land within the demilitarized zone."

כ. כישיבת וועדה שכיתה הנשק סוריה-ישראלית מיום 28.5.51  
הודיע בנרל ריילי:-

62nd Israeli-Syrian MAC Meeting (Page 6)

"My memorandum of 7 March 1951, which has come in for some criticism, applied only to the protection of the Arabs and Arab-owned land within the D.Z. At no time, in my capacity as Chief of Staff and in the statements that were made before the Security Council, did I ever deal with the Huleh Concession Project as a Project. The Project itself in my mind, is outside the competence of either the Mixed Armistice Commission or the Chairman of the Commission.

Therefore, the Security Council resolution, as adopted, does ~~not~~ call for the stoppage of work with the DZ until the Chairman can make arrangements that are satisfactory to the Arab land-owners and to the Palestine Land Development Company. "

ג. כדן וחשכון למועצה הכסחון מיום 27.7.51 הודיע בנרל  
ריילי:-

S/2213

11. "In accordance with the interpretation of article V of the General Armistice Agreement which is clearly enunciated in the explanatory note of 26 June 1949 (quoted in S/2157) the Chairman could not authorize the Palestine Land Development Company to continue its work on Arab-owned lands until such time as an agreement is arranged through the Chairman for continuing this project.



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12. I invite attention to section IV, paragraph 2 of S/2049 in which the Chief of Staff made his interpretation of article V. Though not mentioned, his understanding of article V was based on the interpretation of this article as set forth in the explanatory note of 26 June 1949.

13. When it was learned that the Palestine Land Development Company could work on certain Israel lands without infringing on Arab land, the Chief of Staff then requested the Palestine Land Development Company again to stop all work on 5 June 1951 in the demilitarized zone in accordance with S/2157 until the Chairman had the opportunity to check as to whether lands on which work was resumed on 24 May could be considered as Arab-owned. This investigation was completed and as lands were not considered as Arab-owned, permission was granted to the Palestine Land Development Company to proceed with work on 11 June 1951. This action was based on article V as interpreted by the final paragraph of the explanatory note of 26 June 1949. "

בברכה,

חקוע.

ית/ור