

REPORT ON STATUS OF THE ARMISTICE NEGOTIATIONS AND
TRUCE IN PALESTINE, JULY 21, 1949 (EXCERPTS)¹

(Prior to the appointment of the mediator for Palestine, the Security Council adopted a resolution dated April 1, 1948, calling for a truce in Palestine and requesting the Jews and Arabs to cease all military activities and to stop any activities that might prejudice the final settlement. On July 7, 1948, the Council resolved to continue the truce, which action was shortly followed by the assassination of Bernadotte and the opening of hostilities in the Negev. This fighting was brought to an end in April 1949. On July 21, 1949, the acting mediator, Ralph J. Bunche, made the following report in which he noted that the armistice agreement reached between the Arabs and Jews made the truce no longer necessary. He also recommended a resolution for Council adoption, which would terminate the functions of the mediator and transfer to the Conciliation Commission the duty of seeing that the UN cease-fire order was observed.)

III. CONCLUSIONS

1. The practical application of the Security Council's truce in Palestine has now been superseded by effective armistice agreements voluntarily negotiated by the parties in the transition from truce to permanent peace. Since all of these agreements are self-enforcing and establish the necessary machinery for their supervision, with the assistance of the United Nations Chief of Staff of the Truce Supervision and United Nations observers at his command, it would seem unnecessary longer to impose upon the States concerned the restrictive conditions of the Security Council truce. The Security Council resolution of 15 July 1948 imposed not only a truce and the conditions relating thereto, but ordered the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action.

1 UN Doc. S/1357, dated July 26, 1949. Transmitted with a letter dated July 21, 1949, from the UN Acting Mediator on Palestine, Ralph J. Bunche, to the Secretary-General, Trygve Lie, Department of State Bulletin of August 15, 1949, pp. 223-226. For text of the Israeli-Syrian armistice agreement, see Bulletin of August 8, 1949, p. 177; for texts of Israeli agreements with Egypt, Lebanon, and Hashemite Jordan Kingdom, see Documents and State Papers of May 1949, p. 798.

2. In view of the existing state of affairs in Palestine, the Security Council might consider it advisable to review the situation in the light of the new conditions and to take appropriate action. Such action might declare it unnecessary to prolong the truce provided for in the Security Council resolution of 15 July 1948. It might, at the same time, reaffirm the order in that resolution to the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action, and might also call upon the parties to the dispute to continue to observe an unconditional cease-fire. Action along some such lines would be consistent with the realities of the present situation and would at the same time fully safe-guard the basic objective of the Security Council that fighting in Palestine shall not be resumed.

3. In conclusion, I would respectively call to the attention of the Security Council my communication to the Council of 17 January 1949 (S/1215). In my view, the action which the Council might now properly take should also provide, in accordance with the resolution of the General Assembly of 11 December 1948 (S/807), for the termination or transfer to the United Nations Palestine Conciliation Commission of such functions as now remain to the position of Mediator under Security Council resolutions. With the armistice agreements concluded, there is no longer any useful function to be performed by the Mediator. Any further activity by me would inevitably impinge upon the work of the Palestine Conciliation Commission. This could create only confusion and duplication of effort and would serve no useful purpose whatsoever. Under the terms of the several armistice agreements, I have no responsibility for their implementation or supervision, since this responsibility, by mutual agreement, is assumed by the parties themselves. With the truce obsolete, the armistice agreements concluded and the Palestine Conciliation Commission conducting peace negotiations, the mission of the Mediator has been fulfilled. I am happy to have had this great opportunity to serve the United Nations and the cause of peace in Palestine and in this, my final report, wish to thank the Security Council for the indispensable support which it has given to me in my efforts to discharge the responsibilities entrusted to me.

4. Finally, it is clear to me that the success or failure of any mediation or conciliation effort in a situation such as that presented by Palestine must depend very largely upon the measure of support afforded by the United Nations. If the voice of the United Nations is strong and clear, it can be the decisive factor in the mediatory effort to resolve the conflict. The most effective instrument at the disposal of a mediator or conciliator is the assurance of prompt and vigorous support and action by the United Nations.

5. I have taken the liberty of attaching to this report, as an annex, a memorandum suggesting the general lines of the action which the Security Council might now consider it appropriate to take.

(Signed) Ralph J. Bunche

Acting Mediator

ANNEX

The Security Council,

HAVING NOTED with satisfaction the several armistice agreements concluded by means of negotiations between the parties involved in the conflict in Palestine in pursuance of its resolution of 16 November 1948 (S/1080);

Expresses the hope that the Governments and authorities concerned, having undertaken by means of the negotiations now being conducted by the Palestine Conciliation Commission, to fulfill the request of the General Assembly in its resolution of 11 December 1948 to extend the scope of the armistice negotiations and to seek agreement by negotiations concluded either with the Conciliation Commission or directly, will at an early date achieve agreement on the final settlement of all questions outstanding between them;

Declares that the armistice agreements as an important step in the transition from truce to permanent peace in Palestine, render unnecessary the prolongation of the truce as provided in the resolution of the Security Council of 15 July 1948 (S/902);

Reaffirms the order set forth in its resolution of 15 July 1948 to the Governments and authorities concerned, pursuant to Article 40 of the Charter of the United Nations, to desist from further military action, and calls upon them to continue to observe an unconditional cease-fire;

Requests the Conciliation Commission, with the assistance of the United Nations Chief of Staff of the Truce Supervision Organization, to undertake the observance of the cease-fire in Palestine, and terminates all remaining functions of the United Nations Mediator on Palestine under Security Council resolutions;

Requests the Secretary-General to continue in existence such of the present Truce Supervision Organization as the Conciliation Commission, in consultation with the Chief of Staff, may require in maintaining the cease-fire and as may be necessary in assisting the parties to the armistice agreements in the supervision of the application and observance of the terms of those agreements.