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Security Council

S/RES/93 (1951) - S/2157
18 May 1951

93 (1951). Resolution of 18 May 1951

[S/2157]

The Security Council,

Recalling its resolutions 54 (1948) of 15 July 1948, 73 (1949) of 11 August 1949, 89 (1950) of 17 November 1950 and 92 (1951) of 8 May 1951 relating to the General Armistice Agreements between Israel and the neighbouring Arab States and to the provisions contained therein concerning methods for maintaining the armistice and resolving disputes through the Mixed Armistice Commissions participated in by the parties to the General Armistice Agreements,

Noting the complaints of Syria and Israel to the Security Council, statements in the Council of the representatives of Syria and Israel, the reports to the Secretary-General by the Chief of Staff and the Acting Chief of Staff of the United Nations Truce Supervision Organization in Palestine, and statements before the Council by the Chief of Staff,

Noting that the Chief of Staff of the Truce Supervision Organization, in a memorandum of 7 March 1951,^{1/} and the Chairman of the Israel-Syrian Mixed Armistice Commission, on a number of occasions, have requested the Israel delegation to the Mixed Armistice Commission to ensure that the Palestine Land Development Company, Limited, is instructed to cease all operations in the demilitarized zone until such time as an agreement is arranged through the Chairman of the Mixed Armistice Commission for continuing this project,

Noting further that article V of the General Armistice Agreement between Israel and Syria ^{2/} gives to the Chairman the responsibility for the general supervision of the demilitarized zone,

Endorses the requests of the Chief of Staff of the Truce Supervision Organization and the Chairman of the Mixed Armistice Commission on this matter and calls upon the Government of Israel to comply with them;

Declares that in order to promote the return of permanent peace in Palestine it is essential that the Governments of Israel and Syria observe faithfully the General Armistice Agreement of 20 July 1949;

Notes that under article VII, paragraph 8, of the Armistice Agreement, where interpretation of the meaning of a particular provision of the Agreement, other than the preamble and articles I and II, is at issue, the Mixed Armistice Commission's interpretation shall prevail;

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;

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;

Calls upon the parties to give effect to the following excerpt cited by the Chief of Staff of the Truce Supervision Organization at the 542nd meeting of the Security Council, on 25 April 1951, as being from the summary record of the Israel-Syrian Armistice Conference of 3 July 1949, which was agreed to by the parties as an authoritative comment on article V of the General Armistice Agreement between Israel and Syria:

"The question of civil administration in villages and settlements in the demilitarized zone is provided for, within the framework of an armistice agreement, in subparagraphs 5 (b) and 5 (f) of the draft article. Such civil administration, including policing, will be on a local basis, without raising general questions of administration, jurisdiction, citizenship and sovereignty.

"Where Israel civilians return to or remain in an Israel village or settlement, the civil administration and policing of that village or settlement will be by Israelis. Similarly, where Arab civilians return to or remain in an Arab village, a local Arab administration and police unit will be authorized.

"As civilian life is gradually restored, administration will take shape on a local basis under the general supervision of the Chairman of the Mixed Armistice

Commission.

"The Chairman of the Mixed Armistice Commission, in consultation and co-operation with the local communities, will be in a position to authorize all necessary arrangements for the restoration and protection of civilian life. He will not assume responsibility for direct administration of the zone.";

Recalls to the Governments of Syria and Israel their obligations under Article 2, paragraph 4, of the Charter of the United Nations and their commitments under the Armistice Agreement not to resort to military force and finds that:

(a) Aerial action taken by the forces of the Government of Israel on 5 April 1951, and

(b) Any aggressive military action by either of the parties in or around the demilitarized zone, which further investigation by the Chief of Staff of the Truce Supervision Organization into the reports and complaints recently submitted to the Council may establish, constitute a violation of the cease-fire provision in Security Council resolution 54 (1948) and are inconsistent with the terms of the Armistice Agreement and the obligations assumed under the Charter;

Noting the complaint with regard to the evacuation of Arab residents from the demilitarized zone:

(a) *Decides* that Arab civilians who have been removed from the demilitarized zone by the Government of Israel should be permitted to return forthwith to their homes and that the Mixed Armistice Commission should supervise their return and rehabilitation in a manner to be determined by the Commission;

(b) *Holds* that no action involving the transfer of persons across international frontiers, across armistice lines or within the demilitarized zone should be undertaken without prior decision of the Chairman of the Mixed Armistice Commission;

Noting with concern the refusal on a number of occasions to permit observers and officials of the Truce Supervision Organization to enter localities and areas which were subjects of complaints in order to perform their legitimate functions, considers that the parties should permit such entry at all times whenever this is required to enable the Truce Supervision Organization to fulfil its functions, and should render every facility which may be requested by the Chairman of the Mixed Armistice Commission for this purpose;

Reminds the parties of their obligations under the Charter of the United Nations to settle their international disputes by peaceful means in such manner that international peace and security are not endangered, and expresses its concern at the failure of the Governments of Israel and Syria to achieve progress pursuant to

their commitments under the Armistice Agreement to promote the return to permanent peace in Palestine;

Directs the Chief of Staff of the Truce Supervision Organization to take the necessary steps to give effect to this resolution for the purpose of restoring peace in the area, and authorizes him to take such measures to restore peace in the area and to make such representations to the Governments of Israel and Syria as he may deem necessary;

Calls upon the Chief of Staff of the Truce Supervision Organization to report to the Security Council on compliance given to the present resolution;

Requests the Secretary-General to furnish such additional personnel and assistance as the Chief of Staff of the Truce Supervision Organization may request in carrying out the present resolution and Council resolutions 92 (1951) and 89 (1950).

Adopted at the 547th meeting by 10 votes to none, with 1 abstention (Union of Soviet Socialist Republics).

1/ *Ibid.*, Sixth Year, Supplement for 1 April through 30 June 1951, document S/2049, sect. IV, para. 3.

2/ *Ibid.*, Fourth year, Special Supplement No. 2.

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