

Sovereignty, Peacekeeping, and the United Nations Emergency Force (UNEF),  
Suez 1956-1967: Insiders' Perspectives

by

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B.A., Ain-Shams University, Cairo, Egypt, 1966  
M.A., International Relations, University of Pennsylvania, USA, 1971  
M.A., Economics, University of Ottawa, Canada, 1978

Dissertation Submitted in Partial Fulfillment  
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## **Supervisory Committee**

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## **Abstract**

This research is concerned with the complex and contested relationship between the sovereign prerogatives of states and the international imperative of defusing world conflicts. Due to its historical setting following World War Two, the national vs. international staking of claims was framed within the escalating imperial-nationalist confrontation and the impending “end of empire”, both of which were significantly influenced by the role Israel played in this saga. The research looks at the issue of “decolonization” and the anti-colonial struggle waged under the leadership of Egypt’s President Nasser. The Suez War is analyzed as the historical event that signaled the beginning of the final chapter in the domination of the European empires in the Middle East (sub-Saharan decolonization followed beginning in the early 1960s), and the emergence of the United States as the new major Western power in the Middle East.

The Suez experience highlighted a stubborn contest between the defenders of the concept of “sovereign consent” and the advocates of “International intervention”. Both the deployment of the United Nations Emergency Force (UNEF) and its termination were surrounded by controversy and legal-political wrangling. The role of UNEF and UN peacekeeping operations in general framed the development of a new concept for an emerging international human rights law and crisis management. The UNEF experience, moreover, brought into sharp relief the need for a conflict resolution component for any peace operation. International conflict management, and human rights protection are both subject to an increasing interventionist international legal regime. Consequently, the traditional concept of “sovereignty” is facing increasing challenge.

By its very nature, the subject matter of this multi-dimensional research involves historical, political and international legal aspects shaping the research’s content and conclusions. The research utilizes the experience and contributions of several key participants in this pioneering peacekeeping experience. In the last chapter, recommendations are made –based on all the elements covered in the research- to suggest contributions to the evolving UN ground rules for international crisis intervention and management.

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To  
**Marjukka**

## Epigrams

The concept of sovereignty  
 conflicts with the right of the community of nations  
 to inject itself into conflict among two or more states.  
 Arthur Lall, India's Former Ambassador to the United Nations  
 (*Address to the International Peace Academy Conference, Helsinki, 1971*)

---

The three fundamental theoretical principles underlying peacekeeping:  
 1-Consent (challenged)  
 2-Impartiality (doubtful)  
 3-Limited use of force (changing)

---

The United Nations Charter:  
 Imposes limits on the sovereign rights of the member states (but not on all)

---

Imperialism:  
 1- An odious system of bluster and swagger and might against right  
 2- A Relationship of domination and dependence  
 (as quoted in Robert Young's *Post-colonialism*, 2001)

---

The Suez Canal is the swing door of the British Empire,  
 which has got to keep continually revolving.  
 Anthony Eden

---

Anthony Eden was the last Prime Minister to believe Britain was a great power  
 and the first to confront a crisis which proved she was not (*The Times*, 1977)

---

Suez: The Last Thrash of Empire.  
 (Corelli Barnett, *The Collapse of British Power*, 1972)

---

We are an imperial power or we are nothing.  
 (A delegate to the British Conservative conference, 1948)

---

The British lion has tried to roar, but everyone can see that it has no teeth,  
 and now the Egyptians are going to cut its tail off.  
 Nikita Khrushchev

---

The Suez Canal, a work attempted centuries ago by ancient Egyptians, by Persians and Greeks and Romans and Arabs; advocated by some of the greatest minds in history; and finally executed under the genius of Ferdinand de Lesseps, has not been altogether a blessing. While serving the needs of mankind, promoting civilization and progress and bringing closer the East to the West, it has also been the cause of discord, of international rivalries, of economic imperialism and of war.

Charles W. Hallberg  
*The Suez Canal, Its History and Diplomatic Importance,*  
Columbia University Press, 1931

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## **Chapter 1**

### **Introduction**

The 1956 Suez War was not just a dispute over a vital waterway, but a symptom of a collapsing imperial order. The Suez episode reconfirmed the sense of betrayal experienced by the Arab world since the combined imperial deceptions during and just after World War One, most notably the sacrifice of Palestinian rights. In the face of a post-World War Two rebellious colonial world, Israel was, in effect, relied upon by the Western powers to keep the rising nationalist tide at bay. Israel had its own agenda for political and territorial consolidation and was more than happy to oblige. The emergence of the United States after 1945 as the new Western arbiter of the world played a significant role in the course of the Suez crisis, and confirmed the new imperatives of America's ascendancy in the pivotal Middle East region. As elsewhere, the USA's overriding concern with the spread of 'international communism' affected most of its decisions and policies. The escalating confrontation between anti-colonial nationalism, led by Egypt's Nasser, and the attempts by the West (as represented by its old empires and the emerging new one) to maintain control, framed the 1956 Suez Crisis.

The research in this dissertation links the various components that led to the 1956 war as well as explaining the introduction and development of UN peacekeeping operations. The 1967 war brought into stark relief the contested issue of sovereign consent following Egypt's request for the withdrawal of UNEF. Sovereignty, therefore, figures prominently in the research, and as a political and legal concept, it had greatly influenced the course of events during the crisis and afterwards. And in the post-Suez crisis, it affected the development of peace operations based on a new regime for international intervention and a new conflict resolution paradigm. The research

lays out the problem concerning the development of international peacekeeping, and a summary of the contending views and concerns underlying, first, the position of the Egyptian Government in protecting its sovereignty rights, and second, the deployment requirements of the United Nations in carrying out the UN resolutions pertaining to the Suez Crisis. Both positions had a complex impact on the *modus operandi* for the UNEF and its success and failure. The whole research is framed in the period of the anti-colonial struggle in the 1950s and its extension in the 1960s.

### **The Evolution of International Peace Operations**

Although the United Nations Emergency Force “UNEF” is universally considered the UN’s maiden peacekeeping operation, according to A-L Zeidan, “The idea of an international force...to assist in the maintenance and/or restoration of international peace and security is much older than the United Nations, both in conception and in application.”<sup>(1)</sup> The ideal of preserving world peace was espoused by leading intellectuals, politicians, and scholars as early as the fourteenth century. It became the guiding force behind the concept of collective security protected by an international force, which developed –with varying degrees of success- over the centuries.

The first decades of the twentieth century, commonly referred to as the “Hague Period”<sup>(2)</sup> saw several international conferences on the subject (including those held at the Hague in 1899 and 1907 and the dramatic one convened at Geneva which resulted in the Geneva Protocol in 1925), and statesmen and intellectuals articulated the need for a permanent military or police force to enhance collective security and for judicial mechanisms to settle international disputes. The principle of an international police as an instrument of peace and the idea of peace enforcement thus gained momentum over the years.

The formulation of the Covenant of the League of Nations saw further proposals for peacekeeping and peace enforcement mechanisms aimed at avoiding a repeat of the horrors of World War One. Schemes for an international gendarmerie, a multi-national police force, and international military forces or military sanctions were made by governments, societies, associations and individuals. France made a substantial proposal for the establishment of a permanent “international force” controlled by the Council of the League.<sup>(3)</sup> Although originally supportive of the idea of an international peace force, U.S. President Wilson eventually rejected the plan declaring that “the United States would never ratify any treaty which put the force of the United States at the disposal” of an international body.<sup>(4)</sup> Clearly, the United States government exhibited aversion to compromising its sovereignty or world status, or to placing its armed forces under international jurisdiction.

The League of Nations did eventually succeed in establishing the first international force through the provisions of its Council resolutions 8 and 11 in December 1934. That force, comprised of troops from Britain, Italy, the Netherlands, and Sweden, which became known as the “Saar Force”, was organized to ease the dispute between Germany and France. It was entrusted with the supervision of a plebiscite which was to determine the future of the region. The Saar Force operated only upon the consent of the two concerned countries to the dispute. A truly international force in scope, composition, and mandate, moreover, the Saar Force enjoyed complete immunity from local jurisdiction, but the force had no coercive powers. Hence, the command structure of the force, its organs and members, were exempt from the “jurisdiction of the courts of the Saar” region.

The “League Council remained the ultimate source” of decisions and control. Unlike the *modus operandi* of UNEF later on, the League Council decided independently on composition,

deployment, command, and withdrawal. The problem of ultimately terminating the mandate of the force would also become the Achilles' heel in the case of UNEF. But, similarly to the 1956 situation in Egypt, the League Council entrusted the governing authorities of the Saar territory with the charge of maintaining law and order. As with UNEF, the Saar Force succeeded in fulfilling its task for a few years. UNEF was also successful in avoiding war, even for a longer period than the Saar Force was able to do in keeping apart France and Germany, but both interventions only delayed the onset of hostilities by ignoring fundamental issues at stake.<sup>(5)</sup>

### **The United Nations Peacekeeping Mechanism**

It was at the Dumbarton Oaks Conference in 1944, where the official formation of the United Nations took place, that Chapter VII of the UN Charter concerning threats to world peace was proposed by the victors of World War Two. Article 42 of the Charter empowered the Security Council to “take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security.” Article 43 required member states to provide “armed forces, assistance, and facilities, including the rights of passage” for the purpose of maintaining international peace and security. After the wave of optimism following the allied victory in the Second World War, Article 47 was proposed and it called for the establishment of a “Military Staff Committee” comprised of the Chiefs of Staff of the permanent members of the Security Council to oversee the military requirements of peacekeeping operations. However, the reluctance of both the Soviet Union and the United States to place their armed forces under the command of an international authority rendered the relevant articles inoperative.<sup>(6)</sup>

The inability of the United Nations to invoke and implement Article 42 or Article 47 of the UN Charter (authorizing the use of force) during the Korean Crisis in the 1950s, due to the veto power of the permanent members of the Security Council, exposed the weakness of the UN

peace enforcement mechanism. On 7 July 1950, the Security Council, which at the time was being boycotted by the Soviet Union, passed Resolution 84, which authorized intervention in Korea under US command but under the flag of the UN. Then, on 3 November 1950, and because of the impasse experienced during the Korean conflict debates, the UN General Assembly in effect bypassed the Security Council and passed the “Uniting for Peace” resolution. This resolution authorized the Security Council or the General Assembly to deploy military units from UN member states under the authority of the UN itself through the action of a Collective Measures Committee for use in international peace operations.<sup>(7)</sup>

It was in accordance with the principle established by that resolution, Uniting for Peace, that the UNEF was formally constituted in 1956 by the authority of the UN General Assembly, a channel that avoided the veto power of Britain and France, who, though a party to the dispute, were determined to block any Security Council resolution aimed at stopping their military operations in Egypt.

Although Articles 42 and 43 of Chapter VII of the Charter allowed the Security Council to authorize and impose enforcement measures, Article 38 of Chapter VI did not invoke similar steps since the Security Council could only “make recommendations to the parties with a view to a pacific settlement of the dispute.” Significantly, Article 51 of Chapter Seven of the UN Charter confirmed the right of any state, to exercise the right of self-defence in the face of an armed aggression until the Security Council authorized the necessary measures to protect international peace and security in accordance with the provisions of the Charter.

### **The Parameters of Peacekeeping**

Peacekeeping forces can operate under the flag and control of the United Nations, or a regional organization, or a military alliance. They can also be deployed independently of any



groupings by a single country or a group of countries not belonging to a formal alliance. While peacekeeping can be utilized to serve a genuine conflict resolution purpose, it can also be manipulated to achieve political, military and economic objectives sought by one or more actors. The notion of “Peacekeeping” has limited applications:

*First*, “Peacekeeping” in its broad definition cannot simply be equated with “collective security”. The two concepts are different, although the application of the provisions of a peacekeeping regime may enhance collective security. Theoretically, the two concepts operate on different assumptions and involve different mechanisms. As an increasingly important factor in international relations, peacekeeping has to be defined as clearly as possible. A comprehensive definition of peacekeeping offered by General Indarjit Rikhye, *et al* is:

the prevention, containment, moderation and cessation of hostilities between or within states through the medium of third party intervention, organized and directed internationally, using military, police, and civilian personnel to restore and maintain peace.<sup>(8)</sup>

Another definition by Antonio Cassese adds that peacekeeping involves:

a military presence to impose restraints on the will of the parties to the dispute to resume fighting. United Nations peacekeeping forces accomplish their mission not by force at all but by the persuasion of their presence.<sup>(9)</sup>

Of course some forces deployed under UN authorization can be engaged in armed conflicts, as was the case in Korea, but such a situation falls outside the strict definition of “peacekeeping”. The Korean intervention was an enforcement measure authorizing UN forces to engage in military operations. Such authority emanated from the provisions of Chapter VII of the Charter and was authorized by the UN Security Council. The peacekeeping deployment in 1956 was not authorized by the Security Council but by the General Assembly under Chapter VI, relying on the Uniting for Peace Resolution, precisely to avoid any veto possibility in the Security Council.

While the 1950 Resolution authorized the use of force in Korea, the 1956 UNEF Resolution allowed the use of force only for self-defence, but it did not authorize combat operations.

*Second*, “Collective Security” is a concept theoretically underpinning the post-World War Two international security regime, basically through the United Nations Organization. But it can also be arranged outside the jurisdiction of the UN, whenever a group of nations enters into military-political pacts for collective defence purposes or to defend a shared ideological platform, without violating or contradicting the UN Charter.

*Third*, the concept of “Preventive Diplomacy” is closely associated with the operations of peacekeeping. According to Cassese, “The central concept underlying preventive diplomacy” is that “the United Nations may be able, through the employment of relatively modest forces [UN peacekeeping forces], to forestall the continued deterioration of a situation that might threaten the international peace.”<sup>(10)</sup> In preventive diplomacy, the use, or the possibility of the use, of peacekeeping forces, in addition to intense political and diplomatic intervention, is intended to offer a breathing space in a conflict situation in the hope of avoiding an outbreak of hostilities. Such arrangements can also be utilized by regional blocks to defuse an escalating conflict that could otherwise lead to armed confrontation in their own regions. At another level, preventive diplomacy is the application, as well as the result, of a projection of power by a regional or world power or set of powers intended to convince parties to a conflict to step back from military confrontation. Even after a conflict has already led to armed confrontation between states, the interjection of a UN peacekeeping presence can bring the fighting to a halt, pending negotiations. However, experience suggests that peacekeeping operations on their own can never substitute for a permanent peace or for tangible solutions to outstanding disputes between or within states.

## **Peacekeeping Taxonomy**

“International Peacekeeping” is divided into two broad types:

The first is associated with conflicts arising “between” states; the second confronts disputes occurring entirely “within” a single state or territory.

The first type of peacekeeping is invoked to diffuse or terminate a state of belligerency existing between two (or more) sovereign states, with the aim of establishing a formal ceasefire and the separation of combatants. The consent of the parties involved and the observance of their sovereign rights by the international community are important criteria in the operations of this type of international peacekeeping. UN intervention is based on Chapter VI of the UN Charter. The deployment of UNEF during the Suez Crisis in 1956 is a prime and pioneering example of this type of consensual international peacekeeping operation.

The second type of peacekeeping is concerned with conflicts erupting within a single territory, such as a violent uprising, a secessionist movement, ethnic or religious strife. UN intervention is usually mandated according to Chapter VII of the Charter, overriding in the process, considerations of state sovereignty. In this type of operation the issue of consent and the requirements of sovereignty are more problematic, and usually contested. Moreover, the enforcement mechanism is often dangerously unstable. The Rwanda and Bosnian conflicts during the 1990s represent this type of conflict.

## **The Changing Nature of Traditional Peacekeeping: Sovereignty vs. Peacekeeping**

Debates over the concept of sovereign consent played a key role in the early stages of peacekeeping operations. Political independence and territorial integrity were conceptual and political foundations of the new post-World War Two international order. No peacekeeping operation could have ignored such parameters. Following the Nazi undermining of post-World

War One international arrangements, the framers of a new world order were extremely cognizant of the multi-faceted requirements of sovereign and independent statehood. The new United Nations Organization enshrined the concept of sovereign equality as a foundational principle of legitimate international relations. It was inconceivable under the new international regime, therefore, to impose the deployment of UNEF on Egypt without its consent in the absence of a Security Council Chapter VII authorization. However, this apparent formal equality of states was undermined by the same organization when an exclusive Security Council veto power was bestowed only on a handful of select member states.

With the changing nature of global conflicts, especially since 1989, the peacekeeping concept itself has undergone major transformations. The requirements of international humanitarian laws have been increasingly at odds with the concept of national sovereignty, forcing policy-makers and international legal experts to chart new territories in the *raison d'être* of peacekeeping. Since 1989, the increase in intra-state conflicts requiring external intervention has given rise to a new world of peacekeeping. The strict confines of sovereignty are being transformed to adapt to a new international legal environment, and a novel concept of collective human security has emerged. After the horrors of Rwanda, the former Yugoslavia, and Darfur, international human rights law (marked by new concepts such as “Responsibility to Protect”, “Agenda for Peace” and the “Brahimi Report”) is changing the peacekeeping landscape in favour of a more interventionist approach, at the expense of the traditional concerns for sovereignty and national consent. These concepts will be explored at length in Chapter Five below.

The conceptual conflict between sovereignty and peacekeeping, as being increasingly manifested in international relations and reflected in newer innovations in international law,

owes its development and transformation to the pioneering creation and deployment of UNEF in Suez during the 1956 Crisis.

It was during the UNEF landmark peacekeeping mission between 1956 and 1967 that the assertion of sovereignty by the host country, Egypt, in relation to an international peace force, with all the political-legal complexity of its operational requirements, first came into play. Contestation was inevitable as the ground rules for such international operations were not yet clearly established. Such a mission was uncharted territory and the contested jurisdictional boundaries for both sides unfolded on an ongoing basis, open to disputes and different political and legal interpretations.

For Egypt, the presence of the UNEF was meant to preserve the sovereignty and territorial integrity of the country. Egypt was very apprehensive about the role of foreign troops on its national soil. Just about any assertive action by UNEF suspected by Egypt to be an infringement of its sovereign rights, was carefully scrutinized by the Egyptian government.

The possibility that the UNEF presence would be transformed into a permanent replacement for enemy occupying troops unanswerable to Egyptian sovereign control and consent, was totally unacceptable. Egypt, therefore, had to have a say on when a foreign presence could be terminated. The government was thus unwilling to hand over political control to outside powers. Egypt was not willing to concede to the invading powers the possibility of a partial victory. It was this insistence on maintaining control over sovereign consent in 1956 and the eventual exercise of that right by Egypt in 1967 that, paradoxically, resulted in the diminishing of Egypt's sovereignty in the Sinai through Israeli occupation.

The international peace force, on the other hand, sought freedom of action on Egyptian soil, first in order to carry out its mandate of overseeing a ceasefire and the evacuation of the

foreign occupying forces, then to facilitate its ongoing peacekeeping and ceasefire-maintaining operations. The UNEF needed assurances from the host country that its work was not going to be obstructed, impeded or opposed. The UNEF was not answerable to Egypt, but to the UN Secretariat in New York and the UN organization as an institution. Moreover, the UNEF was in Egypt to fulfill a UN resolution reflecting the general will of the international community, including Egypt's. Naturally, the initial deployment of UNEF -partially due to the novelty of the operation- was fraught with friction and legal disputes.

In fact, both Egypt and the UNEF were in need of clear operational guidelines based on a political-legal framework which was not yet available, and which came to be developed only through a shared -and sometimes difficult- experience. A main focus of this research is to study the development of the working relationship between the Egyptian authorities and the UNEF leadership, and to document the *modus operandi* for both sides. Certainly, there was cooperation as well as conflict.

### **The *raison d'être* of UNEF**

The fundamental *raison d'être* of UNEF, as stated in UN General Assembly Resolution 997, was to secure a ceasefire and the separation of combatants and to supervise the withdrawal of the foreign occupying forces of Britain, France, and Israel from Egyptian (and Egyptian-controlled) territory in the Suez Canal Zone, the Sinai (including Sharm el-Sheikh), and the Gaza Strip. The Resolution also called on all parties to observe scrupulously the provisions of the Armistice Agreements, but did not assign any responsibilities to UNEF for the supervision of the Armistice Agreement itself. UNEF was tasked with ensuring ceasefire conditions between Egypt and Israel after the completion of the withdrawal of the Israeli Defence Forces and the withdrawal of the Anglo-French forces from their positions in the northern Suez Canal area.

Supervising the armistice agreements between Israel and the Arab countries was to be handled by a different body, the United Nations Truce Supervisory Organization (UNTSO), in existence since the end of the first Arab-Israeli War (1948-1949).

### **Conflict resolution Mechanism**

The deployment of UNEF was accomplished successfully, maintained for over a decade, and resulted in the absence of outright hostilities between Egypt and Israel during that period. Yet as events were to prove, the elements of the conflict remained frozen in place and the prospect of a transition toward a conflict resolution phase was neglected, both parties being satisfied by the deceiving absence of warfare. Overall, UNEF was thus only a temporary success, and the conjuncture amounted to a missed historical opportunity for developing a firm grounding of international peacekeeping principles to serve as a future guideline for successfully resolving international and national conflicts.

### **Deployment Balance**

A related, and fundamental, problem was the failure of the UN to insist on the deployment of the international force on both sides of the already established armistice lines between Egypt and Israel. A balanced UNEF deployment of this kind could have helped to deny one party to the conflict the opportunity to hastily undermine the presence of the international force. Double deployment would have constituted a further impediment to accidentally or deliberately renewed hostilities, whereas one-sided deployment repeatedly generated Egyptian unease and suspicion, and eventually strong criticism from other Arab countries.

### **Comprehensive UN-Host Nation Agreement**

Although Egypt had the sovereign right to sanction or refuse the stationing of any foreign presence on its soil, the circumstances of the withdrawal of UNEF from Egypt needs careful

attention and providing this attention is one of the aims of this study. While the international peace force acted as a buffer between two hostile and seemingly irreconcilable parties, the removal of the UNEF peace-keeping buffer could have been governed by other considerations rather than just the sovereignty requirements of the host nation. Crucially, and due to the urgency of the situation in 1956 and the unprecedented nature of the crisis, a binding legal understanding of obligations and conditions was not spelled out clearly and publicly between Egypt and the UN at the inception of the peace force during the 1956 crisis. Instead, a “Status of Forces Agreement”<sup>(11)</sup> providing the legal basis governing the operations of UNEF on Egyptian soil was arrived at only in February 1957, when the force had already been deployed, and after tortuous negotiations, some of which were public while others took place behind the scenes.

One lesson that can be drawn from the experience of UNEF is that a mandatory cooling-off period and a set of consultations involving the UN Security Council, the Secretary-General, and the General Assembly, along with the immediate parties to the conflict and other interested participants, must be structured into any peacekeeping agreement. Such negotiations should cover not only the dispatch of an international peacekeeping force to a conflict zone, but also establish a procedure to authorize the withdrawal of such a force during a renewed crisis. A mechanism for the diplomatic intervention must take precedence over the right or the ability to initiate hostilities. Unfortunately, due to the prior lack of any such mechanism being in place, the Egyptian government considered any challenge to its right to terminate the presence of the international force as an unacceptable challenge to its sovereignty as an independent nation. As past experience has shown, maintaining a cease-fire regime alone without tackling the roots of a conflict cannot ensure peaceful outcomes in the long run. The original Arab-Israeli conflict over the contested rights of Arabs in Palestine is a major case in point.



My assessment of the UNEF experience aims to examine not only the political and legal conditions for the initiation of the international “peacekeeping” operation in 1956, and the UNEF performance in Egypt for over a decade, but also to evaluate the controversial process of terminating its presence in the conflict zone in 1967. The issue of sovereign consent will assume an important area of the research focus. The UNEF experience was a major point of reference in the subsequent development of new Peace Operations doctrines.

### **Superpowers Role**

The role played by Cold War rivalry and superpowers competition in the formation and deployment of UNEF was crucial in the ability of the UN to proceed with such novel peacekeeping arrangement. Divergent objectives of the superpowers and middle power nations could impact the fate of any peacekeeping proposal. The convergence of the interests of the two superpowers in 1956, however, facilitated the termination of the colonial powers’ invasion of Egypt. My aim is also to frame the Suez War and its aftermath in the period of European imperial decline, and to examine the role of Israel in this pivotal moment in the Middle East. The dissertation is also engaged with analyzing the relationship between the Egyptian state and the UNEF in its successive phases.

### **Conceptual Framework**

In addition, the research proposes, based on the UNEF experience, to argue for a conceptual framework for future international peacekeeping operations, suggesting a means to ensure both the effectiveness of intended peace operations and the observance of the sovereignty requirements of the involved host nation(s).

## **Research Methods, Materials & Issues**

My research is based on the examination of relevant primary and secondary sources including books, articles, memoirs, and personal interviews, as well as, direct observation. Publications of UN agencies and concerned international foundations have been consulted on various aspects of the subject. “End of Empire” debates and the literature on Israel’s role in unfolding colonial-nationalist struggles in the post-World War Two Middle East are analyzed as a background to the main emphasis of the research. The deployment and termination of UNEF are evaluated from political and legal standpoints. An examination of the principle of sovereign consent is examined in the context of the Suez Crisis. Newer concepts of international interventions in the light of the Suez lessons and beyond are examined. The conclusion includes an evaluation of alternative enforcement mechanisms in keeping with the new principles of both International Humanitarian Law and International Human Rights Law.

My examination of the UNEF experience is motivated by more than just an intellectual interest. The research is equally influenced by personal perspectives born from my close encounter with the deployment and operations of UNEF and its principle actors. Many studies deal with the various aspects of the UNEF experience, and undoubtedly others will follow. I was fortunate enough to have a unique involvement with UNEF that accorded me a special exposure from close quarters.

## **The Organization of the Study**

In addition to Chapter One “Introduction” which highlights the main themes of the research, the rest of the chapters in this dissertation are arranged to facilitate a logical and chronological presentation of material, and to emphasize various key themes.

Chapter Two, “End of Empire, Anti-Colonial Nationalism, and the 1956 Suez War”, outlines the historical era surrounding the confrontation between the old European empires and the escalating anti-colonial struggle led by Egypt’s Nasser. The role of Israel, and the assertions of leadership by the new superpower, the United States, form an integral part of this period. The chapter analyses the circumstances of the nationalization of the Suez Canal Company and the ensuing Suez War. The 1956 War proved that “conspiracy theory” during the Suez episode was not an illusion and that the resulting “plot” was the basis for the “tripartite” invasion of Egypt. The grand deception at Sèvres in October 1956 serves as a concrete example of the afflicted imperial order and its desperate attempts at salvaging a lost cause. The war also exposed the fragility of the Egyptian leadership while, paradoxically, catapulting President Nasser into the role of the undisputed hero of Arab anti-colonial liberation.

Chapter Three, “UNEF at Centre Stage: The Political and Legal Foundations”, details the creation of UNEF and the political-legal foundations of the force. The interaction and the difficult attempts at establishing the ground rules for the operation of an international force on a UN member state’s national territory will be examined. After the successful ceasefire resolutions at the UN, and the negotiation of an agreement for the operations of UNEF in Egypt, the international force was deployed. Over the next decade, a new protocol was charted for the interjection of an international body into the territory of a sovereign state. UNEF experienced successful operations in the field, but had to sort out for itself many areas of conflict and disputed bases of operations.

Chapter Four, “The 1967 Middle East War & the Demise of UNEF: The Legal and Political Aspects and Their Ramifications”, looks at the elements contributing to the descent into a general war in the Middle East, a war which seemed inevitable and was waiting for a

justification. It shows how the UNEF-administered peace regime held the persistent elements of conflict in check and how the regime finally broke down under the weight of a variety of international, regional and domestic pressures. Despite its difficult start, UNEF was successful in maintaining a state of “absence of war” for over a decade even in the tinderbox of the Middle East. The “absence of peace”, unfortunately, led ultimately to the 1967 crisis and the sudden termination of UNEF. The political and legal arguments for and against Egypt’s right to bring an end to the presence of UNEF on its territory are contrasted with the arguments supporting the right of the UN to decide the timing of the termination of its peacekeeping mission, regardless of the sovereign claims of a party to the conflict.

Chapter Five, “The UNEF Experience and Post-UNEF Doctrines of Peace Operations”, examines the various phases and evolution of the peace operations concept. The expanding “taxonomy” of peace operations and their foundations will be analyzed. Essentially, the various “generations” of peacekeeping and the accelerating evolution of international peace intervention can be traced to a fundamental contest between the exercise of national sovereignty and the expanding and changing nature of the basis of international intervention itself. The international community’s reaction to the horrors of human right abuses and ethnic strife engendered a new interventionist attitude directly at odds with claims of sovereignty by independent states and with the previous mantra of observing non-interference in domestic affairs.

Chapter Six, “Conclusion”, weighs the successes as well as the failures of UNEF and traces its crucial impact on the development of later international conflict management scenarios. Recommendations for the establishment of an international regime to govern peacekeeping operations from inception to termination are considered here in the light of the changing nature

of international and intra-state strife since the 1950s, and proposals for a new conception of peace operations are presented.

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## Chapter 2

### End of Empire, Anti-Colonial Nationalism, and the 1956 Suez War

#### Imperial Farewell

The Suez War (1956-57) did not bring about the demise of the imperial order, so much as confirm it. The old empires were experiencing a serious decline because of a host of domestic, economic, and international reasons, as well as growing colonial resistance.<sup>(1)</sup> Internal and external contradictions in the assumptions and institutions of the imperial order doomed the colonial age as it had prevailed for decades or even centuries. World War Two administered a body blow to all the European empires: the cost of rebuilding the aging empires as going economic and military concerns was steadily rising and becoming increasingly prohibitive. With the collapsing economies and exhausted military capabilities of the battered European empires, the United States was poised to inherit Western imperial hegemony under a different banner. Unprecedented restive nationalist agitation and rebellion in the colonies marked the last chapter in the tale of formal imperial collapse.

Although “Suez” and “the end of empire” are not interchangeable terms, the Suez debacle had a massive impact on the remaining chapters in the history of the British Empire. In their introduction to *Whitehall and the Suez Crisis*, Saul Kelly and Anthony Gorst summarize clearly and succinctly the importance of the Suez Crisis in the post-World War Two era:

it split the British nation and brought down the prime minister; it revealed with startling clarity that Britain could no longer continue the pretense of being a great power; it was brought to a head by a conspiracy, or collusion, between France, Israel, and Britain to overthrow Colonel Gamal Abdel Nasser of Egypt; it complicated the intractable Arab-Israeli dispute and weakened the Western position in the Middle ; it was a test case for the United Nations; it exacerbated Cold War tensions and raised the specter of nuclear war.<sup>(2)</sup>

It might seem almost unprecedented in modern times that any crisis beyond Europe could have such far-reaching consequences. But Suez, in fact, was the symbol of the dramatic and inevitable consequences of the changing postwar world order, which all came to a head at this critical historical junction. One of the principal participants in the Suez War, the French general André Beaufre, described the Suez conflict in the following terms:

The Anglo-French expedition against Egypt, generally known as ‘Suez’, proved to be the turning-point of the post-war period. Before Suez, European prestige was still intact in the eyes of the Third World and the victor nations of 1945 had maintained their solidarity. After Suez both prestige and solidarity had vanished. This was the end of empire, the end of an epoch.<sup>(3)</sup>



Photo Credit: Egyptian Chronicles

## Decolonization

R. F. Holland noted in his extensive study of the declining European imperial control, *European Decolonization 1918-1981*, that “decolonization” occurred because colonialism, as a set of nationally orchestrated systems, ceased to possess the self-sustaining virtue of internal equilibrium.<sup>(4)</sup> The decolonization process itself, however, lacked any progressive, linear shape, as colonial dominance experienced sharp declines and prolonged revivals. Multiple internal and external factors eventually brought the colonial structure to a torturous end. For the British, the challenge was to find new conjunctions between local aspirations and imperial interests.



In general, the history of colonialism began as clusters of European settlers pushing the metropolitan centres of empire to extend scattered European local outposts overseas into formal empires.<sup>(5)</sup> The negative indigenous encounters with the European settlers intensified the move toward formal empires to ensure control. Gregory Blue identifies a complex hierarchy of domination:

- a) Formal empires, involving direct and indirect rule relying on local allies and collaborators as tools of control,
- b) Informal colonialism, utilizing a system of diplomatic and economic domination tying the local centre to the metropolitan capitals,
- c) Protectorate status, a fuzzy system providing extra diplomatic flexibility to maintain control and dominance.<sup>(6)</sup>

Anita Loomba<sup>(7)</sup> describes colonialism as the “conquest and control of other people’s land and goods.” Imperialism, on the other hand, was a product of surplus capital looking for profits not available at home. The colonies, meanwhile lacked capital resources but had an abundance of labour. It was viewed at the time as a perfect mix. In Loomba’s reading, while colonialism is the physical control of conquered territories, resources, and the domination over political and cultural structures, imperialism is the strategy of global domination. Prasenjit Duara<sup>(8)</sup> defines imperial control as a competition for control of global resources and markets. It is an incomplete view of imperialism, as political and strategic rivalries played a significant role in the expansion of the imperialist enterprise. Wolfgang Mommsen<sup>(9)</sup>, however, believes that the importance of European overseas expansion for the European economies (with the exception of India) has been considerably overrated.

The European influence on the development of both the resistance to external colonization, and the expansion of colonial nationalism cannot be overstated. According to John

Darwin<sup>(10)</sup>, the decolonization literature identifies an important factor in the imperial breakdown as the crystallization of colonial resistance. Colonial nationalism became the ideology of the educated colonial elites necessary for the mobilization of mass anti-colonial movements. Darwin echoes Benedict Anderson's (and Immanuel Wallerstein's) view of the nationalist movements as invented imaginary nations. Darwin also describes what he terms the reliance of the colonial state and the structure of informal imperialism upon carefully structured collaboration to maintain control. He believes that the imperial powers were in fact trying to preserve rather than repudiate the main elements of the pre-war colonial order. The failure of the system of informal empire led to the grudging acknowledgement of the inability to sustain the old imperial order.



The White Man's Burden.

In a similar line, Frank Heinlein<sup>(11)</sup> presents the argument that it was the difficulty of transferring power to the new nationalist elites, more than the desire to keep formal control, which accounted for instances of European colonial retreat. Mommsen<sup>(12)</sup>, however, advanced the argument that in the majority of cases, “the transfer of power aroused only limited

controversy”, based on the assumption that the new nationalist regimes were prepared to maintain “existing political and economic ties” with the former imperial capitals.

Partha Chatterjee<sup>(13)</sup> was blunt in his analysis of peripheral nationalism. Nationalist thought cannot constitute an autonomous discourse. Most of its elements were imported from Europe, and despite its attempts to extricate itself from European dominance it remains the prisoner of the European intellectual roots. The contradictory outcome was that colonial nationalism challenged Western political domination, but accepted the very intellectual premises of Western modernity. Prasenjit Duara<sup>(14)</sup> described anti-imperialist nationalism as mostly led by westernized leaders from modernized sectors. M. Mamdani<sup>(15)</sup> chides the leaders of the newly independent colonial world for supporting the principles of the French Revolution to gain their independence, but denying the application of the same principles to their own people. In fact colonial leaders, especially in Africa, instituted a system of control relying on despotism.

Raymond Betts<sup>(16)</sup> brought India’s late Prime Minister into the discussion by analyzing his controversial view that the “shock value” of European imperialism was significant. Nehru believed that “European culture, with its scientific and technological base, aroused other cultures from their centuries-old complacency or traditionalism.” The primary agency of change in the colonized world, according to this reading, was European imperialism. Nehru’s argument, despite its painful connotation, has some merit but up to a point. No matter how the colonized world benefited from the colonial experience, colonialism was a brutal and a dehumanizing chapter. There is no question that benefits accruing to the colonies were almost entirely bestowed on the colonial elites. Colonialism helped maintain the pre-colonial social and class inequities and the prevailing structures of exploitation, mainly by solidifying the elites’ hold on the existing

–albeit- skewed social patterns. Accepting and supporting this form of native oppression was the prize offered by the metropolises to the colonial elites for cooperating with the colonial structure. Domination and exploitation continued in the colonies after gaining independence, albeit under a different flag, a different language, and a different skin colour.

Edward Said<sup>(17)</sup> offered another interpretation, criticizing colonial leaders for mistakenly believing that cooperation with the imperial authority was the only way of moving forward. He reasoned that the dialectic between the imperial perspective and the local one is inevitably adversarial and impermanent: at some later point the conflict between ruler and ruled becomes uncontrollable and breaks out into all-out colonial war. Undoubtedly Said would have agreed more readily with the sentiments expressed by Keith Oatley in his novel *Therefore Choose*, rather than with Nehru's shock value argument. Oatley describes the central role played by London in the profitable colonial trade:

sucking goods into London from all over the world...The ships worked in triangle. Clothes and firearms to West Africa. Slaves from there to America and the West Indies...Then back here, to the London docks, with cotton or sugar. A big profit at each point of the triangle.<sup>(18)</sup>

In *The Eye of the Leopard*, Henning Mankell, described, in addressing the pattern of African colonization, the essence of colonial control and the resulting collapse:

An empire that rests upon the most precarious of all foundations...Oppression, alienation in one's own country. Such an edifice must collapse before it's even completed.<sup>(19)</sup>

Mankell then continues,  
The colonization of the poor peoples by superpowers is just as great today as any time before.<sup>(20)</sup>

Wm. Roger Louis and Ronald Robinson<sup>(21)</sup> describe the post-war imperial system as essentially a bankrupt metropole trying to reconstruct the imperial system relying on trade without formal rule where possible, and formal rule where necessary. The resulting imperial ingredients were:

relatively few resources for the imperial upkeep, utilizing few military forces, maintaining scattered military bases, and the cultivation of the old imperial prestige and grandeur. The choice for Britain was a choice between a slide into permanent weakness, and a futile effort to revive a terminally-ill imperial position. The approach adopted in 1956 established once and for all that Britain had now to work in concert with the US or suffer humiliating consequences.

R. F. Holland<sup>(22)</sup> treats decolonization as a process of “mutual dis-imperialism” in both the imperial core and the colonial periphery. New world realities rendered the old collaborative system obsolete. Decolonization became a “process of voluntary disengagement.” Eventually, the remaining colonies were “rudely” hustled into independence. Colonialism met its end, in this reading, because the pace of modernization in the old metropolises was greater than in the peripheries. Although colonial independence was frequently seen as a sham (a mere change in the constitutional arrangements) to allow for continued capital accumulation, the colonies gained independence not because of their success in securing an advantage in the international arena, but because they had ceased to matter. European decolonization can thus be described as a low-level equilibrium between increasingly self-centred European powers and stagnating corrupt former colonies. The ambivalent and evolving US attitude toward the European colonial powers became clear when the post-war American government made it clear that it had no intention of sharing power with Britain in a reshaping of the international order. Britain’s relations with the new emerging Third World was seen by the European powers as a necessary cushion against American dominance of world markets.

Robert Holland,<sup>(23)</sup> notes in his study of the British Empire’s Mediterranean role that the USA was determined after the Second World War to press its advantage and take the lead from the British, who were fiercely guarding their traditional command over the Mediterranean. The

Americans were flaunting their own newly-established and proven naval power unilaterally and within the newly formed NATO. Mountbatten, Commander-in-Chief of Britain's Mediterranean fleet, complained in 1952 that the British "are being shown up the whole time by the Sixth Fleet who send their colossal ships following largely in our wake, with powerful press propaganda to show how much superior they are to us." A "compromise" was finally made in 1952 whereby the British naval Commander in the Mediterranean would do double duty as a British and NATO Commander, based in Malta, but still be subordinate to the American overall NATO Commander in the Mediterranean, based in Naples.

Undoubtedly, the changing world trading patterns after the war played an important role in accelerating the process of decolonization. As British Prime Ministers, Clement Atlee and Harold Macmillan were realistic enough to accelerate the process of colonial disengagement. Not so Macmillan's predecessor, Anthony Eden, who was consumed by the imperial idea and preserving Britain's global role. Mistakenly, Eden believed that Washington had little option but to back up British actions during the Suez Crisis in order to defend "mutual" Western interests. Moreover, the disastrous cultivation of Israel's role in the Suez debacle as a cover for the British and French strike against Egypt confirmed Israel's status as a neo-colonial agent deployed against the rising nationalist tide in the Middle East.

R. Young<sup>(24)</sup> rejects, in his study of post-colonialism, the notion that colonialism was an "unfortunate accident of modernity", as the West mistook technological advance as cultural superiority. Although colonialism did indeed introduce some elements of modernity to the colonized world, sweeping colonialism under the carpet of modernity is problematic as the effects of colonialism are still operating on the world stage, and the world economy is still shaped and operated by the leading colonial powers of the past and the neo-colonial powers of

the present. In short, the new independent state, according to Young, remains economically, thus politically, directed from abroad.

Imperialism, first described in Britain as an “odious system of bluster and swagger, and might against right”, was criticized by Hobson<sup>(25)</sup> rejecting the claims of the “universal superiority of the Western culture”. He also rejected the “civilizing mission” argument, as well as the “trade follows the flag” justification. Imperialism, in this reading, was unprofitable overall, but was very profitable for the privileged elite. Imperialism, therefore, operated as a “public guarantor of private financial investments abroad.” British foreign policy was primarily a struggle for securing profitable markets for British investments.

### Theories of Collapse

Darwin explains the multifactorial break-down in the imperial order: There were many causes (and matching theories) to explain the change. The “Metropolitan” explanation centres on economic weakness at home, the declining economic benefit from the colonies, shrinking military power and its increased burden, and changing class interests resulting in the redefinition of the national interests in the metropolis away from overseas “obligations”. The “Peripheral” explanation argues that colonial nationalism made the empire unworkable. This explanation is far from uniform, as the strength and components, as well as the *raison d’être*, of anti-colonial movements varied from region to region and from one period to the next. Finally, the “International” explanation is rooted in the emergence of the post-1945 two world superpowers, which left little room for middle-rank powers clinging hopelessly to the prerogatives of a by-gone era. This reduced status of middle powers became obvious when the “Empire” became dependent on the US for economic and strategic survival.<sup>(26)</sup>

Darwin discusses decolonization in terms of Ronald Robinson's theory of "Peripheral Collaboration" which implies that "colonial nationalism was more of a symptom than a cause of colonial breakdown." The imperial power at the centre had always relied on informal (later they often became formal) structures of collaboration in the periphery to maintain control. When after World War I the system of collaboration started to fail under nationalist pressures, Britain had the option of using coercive force to destroy the nationalist challenge, or to sweeten the deal for collaboration and install a malleable regime in order to maintain its control. Suez may be seen as a case in which the first option was utilized after the second option failed after 1952.<sup>(27)</sup>

In another article, Darwin argues that "the post-war international super-power rivalries enabled the newly independent colonies to maintain their independence." Such a position begs the question: Was colonial freedom just coincidental? Was colonial political independence reliant and conditional only on superpower machinations and/or endorsement? Indeed, Nasser exploited US-Soviet competition to further his nationalist agenda. But at no time was revolutionary Egypt willing to acquiesce in the demands of one or the other or to compromise on its independence –no matter how truncated or shackled it was- or to "maintain" such independence at any cost. Suez was the proof that the periphery was willing to fight for its independence, regardless of the temporary alignment of the superpowers on Suez, each for its own advantage.<sup>(28)</sup>

### **A Compromised Egyptian Independence**

In tandem with the shock of betrayal following the 1915 McMahon-Hussein Agreement for Arab independence, the 1916 Sykes-Picot Agreement for the division of the former Ottoman provinces, and the 1917 Balfour Declaration for a Jewish homeland in Palestine, nationalists in Egypt mounted a drive for independence from Britain. Nationalist demands were spearheaded by



the *Wafd* party, led by educated and landed elite interests who were able to manipulate mass support. The resulting nation-wide uprising of 1919 forced Britain to attempt the uncoupling of the alliance between the privileged elite and the downtrodden in the countryside and the urban centres.



Saad Zaghloul, Leader of the Egyptian Wafd Party.

Consequently, the “Milner Mission” was dispatched to Egypt in 1919 to find a solution to increasing nationalist pressures. The 1922 “February Declaration” was eventually and duly made, and the British Protectorate –imposed in 1914 during World War One- was abolished in favour of a nominal independence. The new arrangements guaranteed Britain far-reaching rights and interests in the new Kingdom of Egypt, including the concession of stationing British troops on “independent” Egyptian soil. The trappings of formal independence, including diplomatic recognition and membership in international organizations, did not alter the fact of that Egypt’s sovereignty was truncated and incomplete. As Lord Alfred Milner said in describing the compromised degree of Egyptian formal control: “Why worry about the rind if we can obtain the fruit?”<sup>(29)</sup>



Lord Alfred Milner,  
British Colonial Administrator.

Both Britain and the newly-installed Egyptian elite needed to cooperate in order to control rising popular unrest. It seemed that unrest fostered by the elite, according to Holland, was now shedding its dependence and exhibiting its own dedication to a genuine independence. In Egypt, then, a “risky” equilibrium was established between a tenuous imperial strategy and fractious nationalist politics.



Sir Evelyn Baring, Lord (and later) 1<sup>st</sup> Earl of Cromer  
British Agent and Consul General in Egypt, 1877-1907.

Previously presiding over Egypt with an iron grip had been Lord Cromer (Evelyn Baring), Britain’s consul-general there from 1883 to 1907, who after Britain’s occupation of the country in 1882, had turned Egypt into a “Veiled Protectorate”, allowing him and his British officials to hold real power in the country. Britain’s firm control of Egypt and the Suez Canal was paramount in his mind. This colonial mind was described by Afaf Sayyid-Marsot:

Baring believed that ‘subject races’ were totally incapable of self-government, that they did not really need or want self-government, and that what they really need was a ‘full belly’ policy which kept it quiescent and allowed the elite to make money and so cooperate with the occupying power.<sup>(30)</sup>

The attempts to bring about a removal of the British military presence from Egypt began well before the 1952 revolt. The resistance to the British invasion of 1882, the Dinshway incident, the agitations leading to the nation-wide revolt in 1919 which demanded independence, the negotiations leading to formal (but nominal) independence in 1922, the unilateral termination by the British of Egyptian sovereignty over Sudan in 1924, and the inter-war agitations and renewed negotiations, all led to the Anglo-Egyptian Treaty of (1936), which addressed some (but not all) of the nationalist demands for a while, at a time when British statesmen were preoccupied with rising tensions in Europe.

### **The 1936 Anglo-Egyptian Treaty**



Egyptian Prime Minister Mostafa Nahas Pasha Signing the 1936 Anglo-Egyptian Treaty with Britain's Foreign Secretary Anthony Eden in Cairo, 1936.

Photo Credit: Time Life Pictures / Getty Images

The following is an analysis of some key clauses in the 1936 Anglo-Egyptian Treaty and their significance (signed on 26 August 1937 and ratified on 22 December 1936):

Article I “The military occupation of Egypt by the forces of His Majesty the King and Emperor is terminated.”

After 15 years of independence, Egypt was negotiating to terminate the presence of the British occupying forces on its soil. The Treaty resulted in the redeployment of the British troops to the Suez Canal Region, but not a total withdrawal as demanded by Egypt. The British used the terms of the treaty to redeploy their troops in the rest of Egypt during World War Two.

Article VI “*An alliance is established between the High Contracting Parties.*”

The alliance was mainly designed to serve the interests of the British Empire.

Article VII “Should...either of the High Contracting Parties become engaged in war, the other High Contracting Party...will immediately come to his aid in the capacity of an ally...The aid of His Majesty the King of Egypt...will consist in furnishing to His Majesty the King and Emperor on Egyptian territory...all the facilities and assistance in his power, including the use of his ports, aerodromes and means of communication.”

This amounted to providing for one-sided utilization of Egyptian resources by Britain to help maintain the imperial position in case of an armed conflict. Although the two contracting countries were supposed to come to each other's aid when engaged in war, Egypt vividly realized the fallacy of this assumption when it was invoked during Egypt's 1948 War with the newly created state of Israel. Despite repeated demands by Egypt for Britain to honour the Treaty and provide badly needed military supplies, as Britain was the prime supplier of arms to Egypt, the Egyptians were left woefully short of equipment and other military supplies (while armaments from various sources in the West, as well as from the Eastern Block, were made available to the Israeli side). Indeed, Egypt was not the first recipient country in the Middle East

of Czech armaments, Israel was. In reality, this ‘mutual’ defence treaty only benefited one side. The assumption of mutuality was in fact baseless.

Article VIII “In view of the fact that the Suez Canal, whilst being an integral part of Egypt, is a universal means of communication as also an essential means of communication between the different parts of the British Empire. His Majesty the King of Egypt...authorizes His Majesty the King and Emperor to station forces in Egyptian territory in the vicinity of the canal...with a view to ensuring in co-operation with the Egyptian forces the defence of the Canal. The presence of these forces shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Egypt”.

In fact, however, Egyptian sovereignty was greatly diminished by the presence of the British forces, and following their expansion during World War Two, the demand for their expulsion became a fundamental Egyptian nationalist demand in the years after 1945, and especially after 1949.

It has been argued by Anthony Gorst and Lewis Johnman, in my view rightly, that the 1936 Treaty reflected the “fundamental imbalance in the relationship between Egypt and Britain.”<sup>(31)</sup> British imperial objectives stubbornly overrode Egyptian nationalist requirements.

The 1942 open violation of Egyptian sovereignty by the British in forcing King Farouq to appoint an Egyptian Prime Minister of British choosing, or face forced abdication, caused deep national humiliation and demonstrated beyond any doubt the inadequacy of the “independence” arrangements reached with the British. It also laid the groundwork for increased nationalist agitations and unrest. It should be remembered, however, that the British were fighting the Germans at the gates of Alexandria. Their war objectives superseded any bruised Egyptian nationalist feelings.

The humiliating defeat in the “Palestine War” in 1948-49 and the perceived British support for the Zionist plans in Palestine exacerbated the situation considerably. The massacre of Egyptian police officers in Ismailia in January 1952 by British troops stationed in the Suez Canal Base was the last straw that led to the Fire of Cairo (Black Saturday), and it constituted the opening salvo in the campaign that led to the army take-over in July 1952.



Egyptian Police casualties following British attack in Ismailia on 25 January 1952.

If the highlight of Anglo-Egyptian relations during the inter-war period was the agreement on the 1936 Treaty, the refusal of the British government after World War II to entertain a “real” independence for Egypt led the Egyptian government, under Prime Minister Mostafa Nahas Pasha, to unilaterally abrogate the Treaty on 8 October 1951. Egypt at that time also abrogated the Anglo-Egyptian Condominium over the Sudan and officially declared the Egyptian King to be head of state for Egypt and Sudan. Upon his return to the Premiership in November 1951, Winston Churchill (the irrepressible defender of the British Empire) instructed his Foreign Secretary, Anthony Eden, to:

Tell them (the Egyptians) if we have any more of their cheek we will set the Jews on them and drive them into the gutter from which they should never have emerged.<sup>(32)</sup>

Churchill's less than elegant threat exemplified clearly what Britain's government viewed the role of "the Jews" (meaning Israel) to be in relation to the Arab countries.

The position of the British forces in the Suez Canal region (the largest British overseas military establishment in the world after 1947) continued to be the source of increased conflict and confrontation. Acts of military resistance, including assassinations of British personnel and sabotage, sometimes with the covert approval of the Egyptian Government, increased the degree of tension and confrontation between the two countries. Following the 1952 army take-over in Egypt, an eventual agreement was reached with Britain on final British withdrawal from Egypt.

### **The Tripartite Declaration**

The issuance of the Tripartite Declaration on 25 May 1950<sup>(33)</sup> in London by the Foreign Ministers of the US, Britain and France guaranteeing the "territorial Status Quo" between Israel and the Arab countries had cast a doubt on the sincerity of the West in condemning Israel for its territorial expansion past the 1947 Partition Plan borders. The Declaration also promised a freeze on arms shipment to Middle East countries at a time when Israel was enjoying a clear military superiority over the Arabs and was still in violation of the applicable UN resolutions on territory and refugees. Such Israeli military superiority has been maintained with Western support ever since.

In later justifying the involvement of the US in the issuance of the Tripartite Declaration, US Secretary of State Dulles, showed an insightful recognition of the concerns of the Arab countries. In June 1953 –after a fact-finding mission to the region- he declared that "Today the Arab peoples are afraid that the United States will back the new state of Israel in aggressive

expansion. They are more fearful of Zionism than they are of communism and they fear the United States, lest we become the backer of expansionist Zionism". He proceeded to attempt balancing his statement by expressing understanding for Israeli security concerns. The Secretary did not take into account that Zionism had not been invented by the Arabs, but was indeed a project that had been supported by the West since 1917.<sup>(34)</sup>

### **The Middle East and the Cold War**

Prior to the Suez War, with the Cold War in full swing, and containment policy at its most robust, Western powers under the leadership of the United States were determined to involve the Middle East in a ring of steel around the Soviet Union. The aim was to prevent any Soviet penetration southward that would pose a strategic threat to the West's vital oil supplies. An eleven-point Middle East Command (MEC) was thus established in November 1951 by the US, the UK, France and Turkey to coordinate defence strategy for the Middle East. The new collective security structures were not warmly received by Egypt and the Arab World, however, and consequently the whole project quickly collapsed. Essentially, the US Administration opposed Britain's attempt to revive the structure without Arab involvement. Arab participation was crucial in the global vision of American foreign policy at the time.<sup>(35)</sup>

The US did try again to resurrect a collective defence mechanism when Paul Nitze, the head of the US Policy Planning Staff, proposed in 1952 the establishment of a Middle East Defence Organization (MEDO). The United States was particularly interested in revolutionary Egypt's accession to the new Middle East alliance. American diplomats lobbied the Middle East countries to join in an anti-Communism crusade. As under the monarchy, however, the new Egyptian regime was firmly opposed to involving itself in any security arrangement allying the



country with Britain or allowing the continued stationing of troops from Britain or other MEDO member states on its soil.<sup>(36)</sup>

The scope of behind-the-scene attempts by the Americans and the British to include Egypt in MEDO is revealed by declassified documents on US foreign relations in the Near and Middle East between 1952-1954. In a meeting in Washington, DC, on 10 November 1952 including representatives from the British Embassy and the US Department of State, Mr. B.A.B. Burrows, Counselor of the British Embassy stated:

We agree with the State Department that the Egyptian attitude is the key factor and that an approach to Egypt regarding M.E.D.O. is unlikely to produce any positive result unless it is accompanied by proposals for a settlement of the Suez Canal question. We welcome the United States expression of interest in negotiations with Egypt with a view to facilitating an Anglo-Egyptian agreement and we will produce proposals for discussion with the Americans as soon as possible. As regards the suggestion of a programme of military and economic assistance we consider that such an offer should be linked with acceptance by Egypt of the principle of joint defence and preferably worked out through M.E.D.O. It will be our main inducement to Egypt to co-operate in Middle East Defense.<sup>(37)</sup>

The American response was delivered by Mr. Jernegan of the Near Eastern Affairs Bureau of the Department of State, who stated that:

we made it clear [to the Egyptians] that US assistance to Egypt would be largely conditioned by the attitude of the Egyptian Government towards cooperating in the defense of the Middle East.<sup>(38)</sup>

Clearly, Western policies toward the Arab countries (and Egypt in particular) in the early 1950s were a combination of inducement, threats and blackmail. The West remained largely impervious to the deep desire for Arab independence and liberation from foreign domination.

### **The Emergence of Egypt's Anti-Colonial Leadership**

The seismic change in Egypt in 1952 was the culmination of a long-standing anti-British and anti-monarchical simmering anger. The corrupt politicians, representing both the land-owning class and the newly developing commercial and industrial interests, were implicated with

the palace in their total disregard for the welfare of the majority of Egyptians. Both the palace and the politicians were using –or abusing- the presence of the British to serve their own interests. With the defeat of Arab forces by the newly created state of Israel in 1948 and 1949, accusations of betrayal (substantiated both on the battlefield and in the backroom deals of Arab regimes) and corruption (as was exposed through the faulty arms controversy),<sup>(39)</sup> dogged the political establishment. The Egyptian revolutionary leadership was smarting from the encounter with Israel and the sense of helplessness it engendered. Some officers in the Revolutionary Command Council (RCC), including Gamal Abdel Nasser, had had first-hand exposure to Israel. Nasser himself had been among officers encircled by Israel during the war in the Faluja pocket located 30 kilometers northeast of Gaza city. Although he refused to surrender and was able to return with his soldiers and their weapons to Egypt, where they received a hero's welcome; he in fact had negotiated with the Israelis, including Yigal Yadin, over the situation in Faluja.<sup>(40)</sup>

The continuous presence of the British in the Canal Zone in 1949 increased the sense of frustration and impotence. A definitive response was expected, and when it came it changed both the political landscape and the political machinery in charge. The group of Free Officers who led the army takeover had entered army ranks as a result of the 1936 Treaty, which allowed for the expansion of the Egyptian Army and the inclusion of Egyptian citizens in the officers corps. As the army had been previously led by non-Egyptians, the post-1936 officers' corps thus took on more nationalistic concerns and assumed a more militant outlook. The members of the RCC, however, came from a variety of backgrounds. Some, like Nasser and Sadat, had a very low social ranking. Others (the Moheidin cousins and Hakim Amer) came from the aristocratic land-owning class, and yet others had Marxist tendencies (Khaled Moheidin and Yousef Sediq) or a sympathy for the Muslim Brothers (Kamal Hussein and Hussein Shafei). Interestingly, Khaled

Moheidin, a life-long Marxist who eventually broke away from the RCC leadership, came from a land-owning background as did his cousin, Zakaria, who later became vice president.



The Egyptian Revolution Command Council (RCC), Cairo, July 1952.

The RCC composition reflected the political diversity in the Egyptian political scene. But the members, regardless of their ideological pedigree, agreed on a minimum set of objectives (Known as the Six Principles), chief among them being: getting the British out; creating a strong national army; reforming the political system; and instituting some kind of socio-economic reform and development. The precise content and direction of such reform –idealistic and ideologically ungrounded- was being debated and developed.

Given these aims, post-1952 Cairo emerged as a real thorn in the side of British officials who sought to maintain imperial control. Under Nasser's leadership, Egypt became the leading voice for national liberation and anti-colonial struggle in the Middle East and Africa. The old colonial empires, struggling to maintain control over their rebellious domains, considered the

Egyptian revolutionary regime as the main challenge to be contained. Crucially, Egypt was also resisting American overtures to join its circle of alliances in the intensifying confrontation with the Soviet Bloc. Moreover, the USA was crafting its own plans for wresting control over Middle East politics and resources. Such control was –at times- in direct competition with the old empires.

Under Nasser's leadership, new negotiations led to the signing of the 1954 Anglo-Egyptian Evacuation Agreement. A volatile and at times bitter encounter had seemingly come to an end. Yet, shortly after the last British soldier left the Suez Canal Base on 18 June 1956, Britain's military might, accompanied by French and Israeli troops, returned to Egypt with a vengeance. At Suez, in October 1956, the European empires would face their grimmest test, and ultimately fail.

### **The 1954 Anglo-Egyptian Treaty**

The important stipulations in the new 1954 Treaty are:

Article I "Her Majesty's forces shall be completely withdrawn from Egyptian Territory...within a period of twenty months."

Article II "The Government of the United Kingdom declares that the Treaty of Alliance signed in London on 26 August 1936...and all other subsidiary agreements is terminated."

Article IV "In the event of an armed attack by an outside Power on...Arab League States...or on Turkey, Egypt shall afford to the United Kingdom such facilities as may be necessary to place the Base on a war footing."

Article V "In the event of the return of British forces to the Suez Canal Base...these forces shall withdraw immediately upon the cessation of the hostilities."

Article VIII "The Contracting Governments recognize that the Suez Maritime Canal, which is an integral part of Egypt, is a waterway economically, commercially and strategically of

international importance, and express their determination to uphold the convention guaranteeing the freedom of navigation of the Canal signed at Constantinople on the 29<sup>th</sup> of October 1888.”



Nasser and Nutting signing the 1954 Anglo-Egyptian Treaty.

Photo Credit: Getty Images

## A New Egyptian Challenge

Nasser took the helm in Egypt in 1952. He moved from being the Chairman of the RCC at the time of the army take-over in 1952 to Prime Minister in 1954, and then, following a popular referendum, to President in 1956. Originally, General Mohamed Naguib, had been chosen by the RCC to be the nominal President, but in 1954 he was unceremoniously retired. Nasser moved quickly and put his own stamp on governance in Egypt. His popularity increased dramatically after the failed attempt on his life in 1954 by the Muslim Brothers. After nationalizing the Suez Canal Company in 1956, he became a symbol of resistance and pride.

In 1955, Nasser wrote an important book revealing the role he envisioned for Egypt in the region, and seemingly for himself as well. In *The Philosophy of the Revolution*<sup>(41)</sup> he spoke of

three circles where Egypt must operate: the Arab circle, the Islamic circle, and the African circle.

His ambitious vision left no room for doubt as to the destiny he wanted to champion for Egypt.

Nasser wrote:

I do not know why I always imagine that in this region in which we live there is a role wandering aimlessly about seeking an actor to play it. I do not know why this role ... should at last settle down, weary and worn out, on our frontiers beckoning us to move, to dress up for it and to perform it since there is nobody else who can do so. The “restoration of dignity” was the essence of Nasser’s policy.

In the midst of the 1952 revolutionary take-over in Egypt and the emergence of Nasser as the symbol and mover of the anti-colonial drive, the Arab world was engulfed in the throes of a struggle to assert independence and to avenge a history of Western betrayal. As the various Western plans first to co-opt Nasser and then to topple him failed, his popularity and appeal unsettled the West and endangered its position in the region. Nasser’s steadfast resistance to the Western domination earned him unsurpassed Arab leadership role, but Raymond Hinnebusch believes that “it was only as long as Pan-Arabism corresponded to elite views of Egypt’s interests that Pan-Arab identity dominated.”<sup>(42)</sup>

Nasser was fond of repeating to the people during his many speeches the mantra he espoused, “Raise your head my brother ... the era of imperialism is over.” He also added “...the era of oppression is over.” For emphasis, he publically challenged the colonial powers by declaring that “Imperialism must pick up its walking cane and depart forthwith.” According to Ali E.H. Dessouki, Nasser’s restoration of dignity “triggered an outpouring of emotional mass support inside Egypt and throughout the Arab world”.<sup>(43)</sup>



Nasser: The leading Anti-Colonial and Arab Nationalist leader in the 1950s and the 1960s addressing the people in Damascus.  
Photo Credit: Al-Ahram, Egypt

Egypt's modern history is replete with efforts to foster national Egyptian independence. General Urabi's resistance to the British occupation in 1882; the 1919 nationalist revolt against the British; the 1922 declaration of nominal independence; the 1936 Anglo-Egyptian Treaty; the armed resistance to the British military base in the Suez Canal in the early 1950s; and the 1954 Anglo-Egyptian Treaty all these events were steps to an "Egyptian" nationhood. These efforts faced multiple challenges. The establishment of the "Arab League" in 1945, for example, was seen as a British attempt to create a friendly block to support British interests in the region. The 1948 war in Palestine, moreover, was seen specifically in Egypt as an attempt to help fellow Palestinians resist Zionist take-over, and not as a form of Pan-Arab ideological commitment.<sup>(44)</sup>

While Egyptian nationalism was struggling to assert its viability, the Arab national movement had been brewing for years in Syria and Iraq. The two nationalist movements, in Egypt and in the Levant, were not in conflict or competition with each other. They were rather two parallel, even complementary nationalist movements against colonialism. Egyptian

nationalism was preoccupied with securing independence for Egypt, while the Arab nationalist movement had as its goal the unity of an independent Arab “Homeland”. The two movements were indeed united by language and religion, but they had their own trajectories and objectives.<sup>(45)</sup>

It was only during the Suez drama that Nasser emerged as a powerful anti-colonial fighter, not only for Egypt but for all Arab lands from Algeria to the Persian Gulf. Suez established his credentials as the undisputed pan-Arab leader and consolidated the emergence of the “Arab idea” in Egypt. Nasser was thus able to speak on behalf of the Arab causes with absolute legitimacy. The notion, however, that the Arab world is a monolithic entity with shared identical objectives, is far from evident. No doubt, local and regional differences and ambitions have always played a large role. The “Arabs” were divided on political and ideological lines, as well as on cultural, historical, and developmental levels. “Progressive” and “reactionary” regimes were labelled as such and fought each other fiercely.

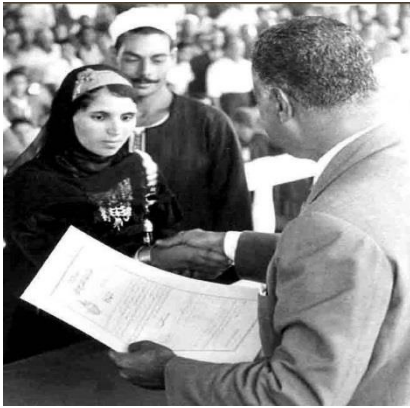
The roles played by the European empires and by the United States contributed largely to the divisions in the Arab world. One thing became clear during those transformational years: a “pure” version of Egyptian nationalism was giving way – despite lingering strong support for an independent Egyptian sovereignty - to a pan-Arab collective identity. Undoubtedly, “Arab Nationalism” emerged in its heyday of the 1950s and the 1960s as a powerful unifying ideology, cutting across local and regional divisions and differences. The 1967 Arab defeat at the hands of Israel, however, dealt a severe body-blow to the pan-Arab idea. That war would bring about a new set of ideologies, and effect a regional ordering of political realities and alliances not based on the by-then discredited Arab “idea”.



Nasser was not an ordinary run-of-the-mill-leader issuing bombastic declarations without substance. On the contrary, he deeply believed in his mission and was prepared, without much experience, to follow the chosen course regardless of the obstacles. Initially, neither the Western powers nor even the Soviet Union took him seriously. He was viewed as yet another power-hungry and glory-seeking colonel who could be tamed and controlled. He proved, however, a rare commodity, not amenable to pressures or bribery, and eventually he became the biggest thorn in the side of Western imperialism. His ideas of democracy and social justice did not fit the Western liberal mold. But no one doubted his commitment to the principles of political independence and socio-economic reform. And without a doubt, he had the loyalty and support of large swaths of the Arab population inside and outside Egypt.

There is no doubt either, that personal glory and unquestioned attributes of leadership contributed to a sense of invincibility and a mind-set which led to recklessness in decision-making. But as with many reformist leaders in many parts of the world who did not “cooperate” with foreign interests, he was labelled a troublesome dictator and eventually was brought down through the willing utilization of the Israeli card.

The old empires, as well as the United States, misinterpreted the consolidation of an independent collective Arab voice (under Egyptian leadership), which produced a challenging Arab regional policy. They shortsightedly considered this phenomenon as a menacing bloc detrimental to Western strategic interests in the Middle East. It was seen as a threat that must be fought and defeated at any cost. In the long-run, the persistent Western opposition to the aspirations of the wave of national liberation movements led by Egypt proved costly to the West’s position in the region. Eventually, and paradoxically, it triggered a serious anti-Western backlash.



Nasser embarked on a massive socio-economic reform program. Seen here presenting land ownership certificates to landless peasants. Cairo, 1957. Photo Credit: Al-Ahram.

Revolutionary Egypt then became the base and a beacon for the anti-colonial struggle in the Arab World and in Africa. The Egyptian government supported not only the struggle against colonialism, but also represented a threat to any Arab government viewed as sympathetic to the old system. The *Voice of the Arabs* radio broadcasts from Cairo galvanized millions who became readily and willingly supportive of the Egyptians in confrontations with both the old empires and the new superpower replacing them. The Egyptian capital became a magnet and a base for the headquarters of many national liberation movements. Egypt provided all of these movements with political, financial, and military support, increasing the ire and resentment of London and Paris, and reinforcing their plans to terminate Nasser's threatening role in the region. Nasser's championship of "Positive Neutrality" and Egypt's leading role in the "Non-Aligned Movement" was always viewed with disdain by US Secretary of State Dulles, who believed "any form of neutralism to be immoral."<sup>(46)</sup>



*Houari Boumediène entre Nasser et Ben Bella*

Nasser with the historical leaders of the Algerian Revolution, Ahmed Ben Bella and Houari Boumediene, after Algeria's independence. Photo Credit: AFP

## **Operation Alpha**

Wilbur Eveland<sup>(47)</sup> analyzed Nasser's role in the struggle with the West candidly. As he noted, Nasser totally rejected the "perpetuation of Western regional hegemony", and as such he "objected to any attempt to involve Egypt in a Western strategic system." Operation Alpha<sup>(48)</sup>, however was proposed to overcome Egyptian and Arab objections. The principles of the plan evolved around main underlying issues: "visible concessions" by Israel in regards to territory and refugees; "guarantees of security" by the major powers; working out a special "understanding with Egypt"; and an agreement on the objective of "an overall settlement." Francis Russell of the US State Department cooperated with the British diplomat Evelyn Shuckburgh to finalize the blueprints for the Plan. The broad outline of the Anglo-American initiative was endorsed by Eden and Dulles in January 1955. The Plan was expanded in February 1955 to include the ceding of two triangles in the Negev, one each for Jordan and Egypt, to allow a territorial connection between them but without cutting Israel's link to Eilat. It also proposed the repatriation of a

considerable number of Palestinian refugees and compensating the rest with the help of international financing. Agreement was also planned for the distribution of the Jordan waters and on the final status of Jerusalem. Finally, the package included the termination of the Arab boycott of Israel, Western guarantees of the newly agreed frontiers, and general economic assistance to the region. As additional incentives to cement the deal, Egypt was offered the financing of the High Dam, the acceptance into the US markets Egyptian cotton exports (despite the resistance of US cotton producers), an increase in economic assistance, and -the most important item of all- the freezing of the Baghdad Pact. The Americans were even prepared to accept as part of the deal Egyptian demand for an all-inclusive collective Arab defence organization free of any outside involvement. But without fundamental Egyptian-Israeli agreement on territory and refugees, no amount of incentives would have worked.

As chances of success deteriorated, the author of the Alpha Plan, Shuckburgh commented in a very candid way on the difficulties encountered, “it should be made very clear to the Israelis at that stage that this is their big chance and that, if they reject the proposed basis for discussion, the responsibility for failure of our effort will lie with them”.<sup>(49)</sup>

Nasser’s antagonism towards the West was motivated more by its imposition of a system of military bases and political alliances than by the role that the West had played in creating Israel. In my opinion, it cannot be claimed with certainty that Nasser’s anger at the West’s containment policy was “more profound” than his anger at the Western involvement in the creation of Israel. However, Nasser’s willingness to engage in the inconclusive Western attempts to engineer an Arab-Israeli solution -Operation Alpha in the mid-1950s- was designed to earn some good will for his leadership and tone down the degree of Western antagonism. However,

when Western planners attempted to use their mediation attempts to perpetuate the Western strategic system in the region, the contradictory objectives “could not be reconciled.”<sup>(50)</sup>

## **OMEGA I & OMEGA II**

The role of Egypt and the Nasser regime in the region after the 1955 ‘Bandung Conference on Afro-Asian Solidarity’ soon sparked confrontation with the Western plans for the entire Middle East. The Egyptian regime and the Western powers were set on a collision course which dominated the events in the Middle East for the following 15 years and beyond. With the failure to coax the Middle East antagonists to fall in line with Western plans for the region, the US and Britain framed Nasser as the “target” for “punitive” measures for refusing to yield through a plan designed to eventually topple the Egyptian leader through a complex blend of pressure, blackmail and intimidation. In London in February 1956, the representative from the CIA, James Eichelberger, met his counterpart in SIS (MI6), John Young. The British intelligence officer spoke openly about the possibility of “assassinating Nasser” with the help of “suitable elements in Egypt” and the rest of the Arab world.<sup>(51)</sup>

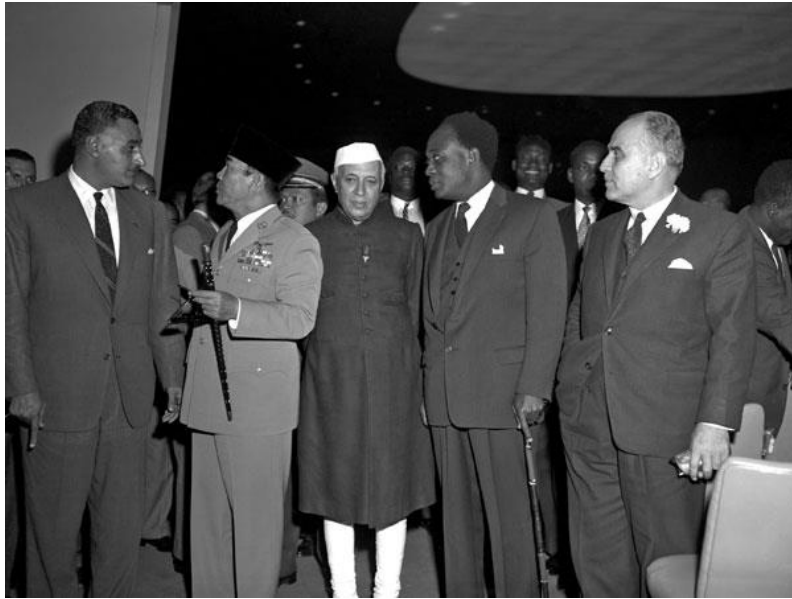
At Eisenhower’s request, new Middle East policy guidelines were included in a memorandum code-named OMEGA (28 March 1956) prepared by US Secretary of State Dulles. The American leaders were angry at “the failure of bringing Egypt into a regional defence organization as the focal point of an anti-Soviet alliance.”<sup>(52)</sup> The American plan (divided into two phases I & II, depending on the degree of escalation required) envisaged several steps: denying US export licenses to Egypt, postponing the negotiation over financing the Aswan High Dam, indefinitely delaying Egyptian requests for wheat, grain and other aid items such as social assistance programs, as well as suspending all CARE shipments. Other important components of Omega were: visibly increasing greater support for the Baghdad Pact through American military

membership, as well as delaying the completion of British withdrawal from the Suez Canal Base, denying Western military supplies to Egypt, technical interference and obstruction of Egyptian broadcasting, waging a campaign in Sudan and Libya to weaken Egyptian influence, encouraging the Israeli government to proceed unilaterally with plans to divert the waters of the Jordan River, bolstering King Hussein's position in Jordan, building up King Saud as an alternative Arab leader in place of Nasser, and breaking up the alliance of Egypt, Saudi Arabia and Syria.

Cotton-growing states in the US, moreover, were pressuring the federal government there to stop all Egyptian cotton imports to the United States. The US administration was also applying pressure on Sudan and Ethiopia to delay any agreement with Egypt on sharing the Nile waters. In his memo to the President of 26 May 1956 Dulles suggested even "more drastic action in the event that the above courses of action do not have desired effect."<sup>(53)</sup> In the official mind, the time had come to replace the "soft attitude" toward Nasser with "much stronger measures."<sup>(54)</sup>

Accordingly, by the time the NATO Council Ministerial Meeting in Paris in May 1956, Western policy had decidedly turned against "Nasser", as the Western allies agreed that they would leave the High Dam project to "languish" and "let Nasser stew in his own juice" before eventually "cutting him to size." Exports of military fighter jets to Israel from France and Canada were authorized at the same meeting. Dulles was "set on teaching Nasser a lesson." Yet although in agreement on the need to "confront" Nasser, the Americans and the British had their own agenda to pursue. "Dulles pursued a policy with dual aims: to punish Nasser, and further to erode Britain's position in the Middle East." Remarks Steven Freiburger.<sup>(55)</sup> The old and the new empires were jockeying for a clear advantage in the muddy waters of a turbulent region.

## The Bandung Challenge



Nasser and the Leaders of the Non-Aligned Movement.

To show his displeasure at Western plans to entangle the Arab world in Western political and military pacts, Nasser attended the Bandung Conference (18-24 April 1955) in Indonesia, which established the Non-Aligned Movement. Article 6.a. of the principles of the new movement did not mince any words and was central in the Afro-Asian response to Western plans for the encirclement of the Soviet Union. It called on the member states to abstain “from the use of arrangements of collective defence to serve any particular interests of the big powers.”<sup>(56)</sup>

## The High Dam and the Suez Canal: An Epic Confrontation

A variety of factors was involved in the developing impasse in Western-Egyptian accommodation in 1956. Egypt’s refusal to join in an anti-Soviet defence pact, the failure to arrive at an Arab-Israeli settlement and the continuous emergence of Israel as a serious military threat to Arab security, the continuous and growing Egyptian support for the anti-colonial movement, the insistence by Egypt on following an independent foreign policy, and the Egyptian

drive to establish a strong economic and military structure: all these trends set the stage for a serious confrontation between the Western powers and the Egyptian revolutionary regime.

When US Secretary of State John F. Dulles informed the Egyptian ambassador to Washington, Ahmed Hussein, on July 19, 1956 that the US was withdrawing its support for the World Bank (IBRD) financing of a giant project to construct a Nile High Dam in southern Egypt, the cornerstone of a huge developmental push by the new Egyptian regime, Nasser asked his advisors for proposals for a retaliatory response, which would involve the Suez Canal. Although the World Bank President had reaffirmed the loan offer in a letter to the Egyptian Minister of Finance, on 9 July 1956, Nasser himself was extremely skeptical about the West's willingness to help Egypt in light of his firm anti-colonial stand.

A tragic chain of events then lead to inevitable confrontation, although perhaps it did not need to escalate into a full-fledged military invasion. However, the mind-set prevailing in London and Paris, as well as Israeli opportunism, precluded any peaceful end to the crisis. The escalation, involved in tightening the screws against Nasser, became irreversible. Operation Omega became fully operational.

### **Western Punishment**

In Washington, Ambassador Hussein met Dulles on 19 July 1956 and reiterated the Egyptian government decision to accept the conditions attached to the financing of the dam. The Western alliance, however, was clearly bent on implementing one of the planks of the Omega plan: to derail the High Dam financing as a way to humiliate Nasser and what he stood for in the region. The US Secretary of State provided the Egyptian Ambassador with an *Aide-mémoire* stating bluntly that under the prevailing atmosphere the American government was withdrawing its offer. The Ambassador countered by saying that this was a missed opportunity and Egypt



would be obliged to look for other alternatives to complete the project. “Dulles retorted that they would have no objections if this happened.”<sup>(57)</sup>

The American powerhouse was showing the new upstart that he could be cut down to size and easily put in his place. Nasser was not surprised at the message itself, but the way it was phrased and delivered did surprise him. The Indian Prime Minister, Jawaharlal Nehru, Nasser’s ideological mentor, responded to the news by saying “There is no end to their arrogance! These people are arrogant! Arrogant!”<sup>(58)</sup>

Nasser’s choice of an action involving the Suez Canal Company as a response was almost instinctive. Thousands of Egyptians had died during the Canal construction, and Egypt had provided over fifty per cent of the original capital cost. The usurious European loans for the project constituted a financial blood-letting, which was then exploited by Disraeli in 1875 when he bought Egypt’s entire shares in the Company for four million pounds, even though their original value was 16 million. Erskine Childers noted that until 1937 Egypt did not receive any income at all from the Canal shipping, and ships flying the Egyptian flag and passing through the Canal had to pay tolls to a foreign-owned Company in order to pass through Egyptian territorial waters.<sup>(59)</sup>

The withdrawal of the Dam financing was the final Western humiliation that Egypt could endure. The intolerable insult and the deep emotional response it evoked in the hearts of the Egyptian and broader Arab masses made the Suez Canal Company an easy target as a “symbol of external pressure and financial exploitation.” Childers also noted a few years later, the response represented an “irreversible watershed”, and “Nasser’s decision to nationalize the Canal Company was Egyptian to the core, rooted in the history of his country, surprising his countrymen ... because he had dared to do it”. Nasser’s masterstroke had transformed the nation

instantly, as “All Egyptians could only, at that moment, admire his courage and audacity, and hold their own heads a little higher.”<sup>(60)</sup>

There was irony in the fact that Americans scuttled the proposed High Dam financing. The United States had been the first power that the new Egyptian revolutionary regime turned to for support and help in getting the British to evacuate Egyptian territory and to provide Egypt with sufficient arms to defend its borders.

In a 1953 letter by the new US President, Eisenhower, to his Egyptian counterpart, General Naguib (the nominal first head of state in Nasser’s revolutionary regime), the American President spoke of American support for “the natural aspirations of Egypt for full sovereignty over its own territory”, in reference to Egypt’s demand for a British evacuation of the Suez Canal Base. Significantly, however, Eisenhower proposed in return to make Egypt a “keystone in any structure which may be built for the defence of the Middle East.” This was an idea Nasser resisted very strongly. During a meeting with US Secretary of State John F. Dulles in Cairo in May 1953, Nasser reiterated his objection to the American concept of a Western-led defence arrangements for the Middle East, emphasizing instead the central role of the Arab League, as stated in the “Arab Mutual Security Pact” for the defence against external aggression. The Arab League was seen by Nasser at this stage as a regional mechanism that could be controlled by the Arab states free from foreign intervention.

The United States, however, was more concerned with containing the Soviet Union and protecting Western (by now American) interests in the Middle East (including the pivotal position of Israel as a Western foothold in the region) rather than allowing independent anti-colonial voices to emerge. This thrust became clear in 1953 with the adoption of a new

Eisenhower Administration policy paper, NSC (US National Security Council) No. 5401, which stated:

United States policy is to keep the sources of oil in the Middle East in American hands and defend them at all costs, and deny them to the Soviet Union, even if this led to a confrontation or to the destruction of these resources by the Americans themselves.<sup>(61)</sup>

In Nasser's mind, "Dulles had made the withdrawal of the offer to finance the High Dam a political act, not an economic one; Egypt must make its reply a political act also."<sup>(62)</sup> After the American slap over the High Dam, Nasser's friend and confidant, Mohamed Heikal, reminded the President of British Foreign Secretary Selwyn Lloyd's visit to Egypt in early 1956 and his promotion of the idea of the fifty-fifty Canal profit share with the oil-producing countries. The Foreign Secretary also referred to the Suez Canal as "a part of the whole oil complex." Nasser was not convinced of the Suez Canal Company's owners' willingness to share the profit, as he compared the record of small returns Egypt derived from the Canal with the huge profits made by the Company. When Heikal suggested applying the same fifty-fifty principle to the profits of the Canal Company, Nasser replied "*But why fifty-fifty? Why not a hundred per cent?*" adding "Why not complete nationalization of the Suez Canal Company?"<sup>(63)</sup>

## **Nationalization**

On July 26, 1956 at 7:00 p.m. while Egyptian President Nasser was giving a speech in Alexandria commemorating the "Egyptian Revolution" and the abdication of King Farouq, which had taken place exactly four years earlier, a special committee attended by General Hilmy in his capacity as Chief of Staff, Eastern Command, was being held at his Headquarters in Ismailia in the Suez Canal Region. The other participants included Mr. M. Riad, the Governor of the Canal Zone (including Port Said, Ismailia and Suez), Colonel Mahmoud Younis (Army

Corps of Engineers and the man designated to head the new Suez Canal Authority), and Colonel Fouad El-Toudi, Chief Administrative officer of the Eastern Command.



President Nasser announcing the nationalization of the Suez Canal Company, 26 July 1956 in Alexandria. Photo Credit: Al-Ahram, Egypt

This meeting took place in absolute secrecy in the presence of General Ali A. Amer, the GOC Eastern Command, and a few other hand-picked persons who were poised to seize the Canal installations and take over operations immediately. Plans drawn up under the direction of Mahmoud Younis were finalized, and troops deployed to their assigned locations in the Canal Zone and in Cairo were ready to act.<sup>(64)</sup>

Nasser's speech to the nation was full of anger at the Western attempts to maintain control in the region and at the West's refusal to accept Egypt's legitimate demands for socio-economic progress and military security against Israel's aggressive plans. He strongly criticized the World Bank and its manipulation by Washington and London in refusing to finance the High Dam project, describing the loan terms as "Imperialism without soldiers". Nasser also assured

his citizens and the Arab world at large that the struggle for liberation and national pride would never cease. This was his response to the Western snub – he was resolute, emphatic and challenging. The code word for the takeover of the Company's assets was “de Lesseps”, the name of the French engineer who had been the driving force behind the construction of the Suez Canal. Nasser repeated the code-word (expected at around 10:00 p.m. but delayed by about fifteen minutes) six times for emphasis.<sup>(65)</sup>

The Egyptian presidential nationalization decree stipulated that all the Suez Canal Company's shareholders would be paid the value of their shares. Article 1 of the decree states that:

Shareholders and holders of constituent shares shall be compensated in accordance to the value of the shares on the Paris Stock Market on the day preceding the enforcement of this law. Payment of compensation shall take place immediately the State receives all the assets and property of the nationalized company.<sup>(66)</sup>

What was considered by the British and French governments as a forced buy out of shareholders by the Egyptian Government was in fact similar to the act of the British Labour Government's nationalization of coal in 1948. As Anthony Gorst and Lewis Johnman point out, “This presented the British Government with a thorny dilemma.”<sup>(67)</sup>

The Egyptian Government made it clear that the nationalization of a private company operating on Egyptian soil was an act of sovereignty not open to challenge and not directed against any power. The Government pledged to maintain the established freedom-of-navigation regime without change as well as full adherence to the 1888 Constantinople Convention governing the use of the Suez Canal. The only exception was directed against Israeli shipping, as Egypt insisted that a state of war existed between the two countries, giving Egypt the right to deny enemy access to its territory. This position was asserted despite a Security Council

resolution calling for Israeli passage based on the existence of an Armistice Agreement between Egypt and Israel regardless of Egypt's protestation.

## **Egyptian Control**

Britain and France tried to obstruct navigation in the Canal by sending as many ships as possible to overwhelm the Egyptian capacity to deal with the increased flow. The Egyptian pilots worked around the clock to clear the congestion and keep navigation open. The British plan "Operation PILE-UP" envisaged for the break-down of the navigation capabilities of the new Canal authority (by jamming the waterway with hundreds of ships simultaneously) and provided a *casus belli* for military intervention. Next, the British put together "Operation CONVOY" to shepherd the ships through the Canal under British control in anticipation of the success of their first plan. But the second plan became meaningless when the Egyptian pilots were able to clear the accumulating traffic in 24 hours.<sup>(68)</sup> When these tactics failed to block the Canal or to prove Egypt incapable of administering the operations of the Canal, the British and the French instructed the captains of ships flying their flags or under their control to proceed to the Canal but to refuse to pay the required dues for passage. The Egyptian Government instructed the new Suez Canal Authority to let the ships pass and to debit the ships' owners for the fees for later collection. As a result, international navigation in the Suez Canal continued uninterrupted and unhindered until hostilities broke out in October-November 1956.

The angry British economic response to the nationalization act was swift. On July 28<sup>th</sup>, Britain illegally froze all Egyptian assets in Britain (as did the French government for Egyptian assets in France) and blocked repayment of the Sterling credit owed to Egypt, which had accumulated during World War II because of outlays for goods and services provided to the

Allies during the war. The credit was worth 400 million pound sterling. The repayment was restarted and regulated by the Anglo-Egyptian currency agreement finalized in 1955.

Britain had already unilaterally stopped payment in 1947 due to international pressure against the pound. Egypt had suffered another loss in the value of its credit when Britain devalued the pound in by 30% in 1949.<sup>(69)</sup> Britain's antagonism toward Egypt went beyond economics, Egypt was proving a challenge that must be confronted. In 1956 Prime Minister Eden was so angry at the Egyptian nationalization that he told the US *charge d'affaires* in London, Andrew Foster, in an extremely agitated state that "The Egyptian (Nasser) has his thumb on our windpipe. Tell Mr. Dulles I cannot allow that."<sup>(70)</sup>

### **The Egyptian Government's White Paper on the Suez Canal**

Given the continuous attack on Egypt's position by the British, French and their supporters in the West, the Egyptian Government issued its "White Paper" entitled "The Nationalization of the Suez Canal Maritime Canal Company" on 12 August 1956.<sup>(71)</sup> This document responded to and condemned the proposal of the United States, Britain and France in their 2 August 1956 statement - "the Big Three Communique" - to create an "international authority" to administer the operations of the Canal. Describing this scheme as a "collective colonialism", the White Paper condemned it as a "pretext for interference in matters of Egyptian sovereignty." and confirmed that:

Article 16 of the concession concluded between the Egyptian Government and the Company in 1866 provides that: The Suez Canal Company is an Egyptian Company subject to Egyptian laws and customs.<sup>(72)</sup>

The Egyptian White Paper relied on the evidence of the British Government itself to prove its case. It quoted from a memorandum submitted by the representative of the British Government to the Mixed Court of Appeals of Alexandria in 1939, which stated that:

The Suez Canal Company is a legal person in accordance with Egyptian law. Its nationality and character are solely Egyptian. It is, therefore, *subject to the Egyptian Laws*".

Moreover, the White Paper was very critical of the tripartite communique for quoting article 8 of the Anglo-Egyptian 1954 Treaty recognizing the Suez Canal as "A waterway economically, commercially and strategically of international importance", but dropping the first part of the same article which explicitly states that "*the Canal is an integral part of Egypt*".<sup>(73)</sup>

In addition, according to Kennett Love, the Egyptian government strongly criticized the Big Three for "deliberately confusing the *distinction* between the *1888 Convention* and the Company *Concession* in order to find pretexts for interference in Egypt."<sup>(74)</sup>

### **Security Council Resolution on the Suez Canal**

International access to the Suez Canal and the freedom of navigation in the pivotal waterway, in particular the right of Israel to use the Canal, became subject to a political tug of war. Britain and France raised the specter of Nasser controlling the Canal and denying its use by his opponents. The Egyptian leader had no intension of playing into the hands of the Anglo-French propaganda machine by blocking the Canal to them. On the contrary, Egypt had every reason to prove that the Canal was open to use as usual according to standard conventions. However, Israel was a different case because Egypt remained in a state of war with Israel, which precluded any Israeli access to Egyptian territorial domain, land, sea or air. Israel's position, however, was that the two countries had signed an Armistice Agreement, thus ending the state of war.



After long and protracted negotiations at the United Nations over the operations of the Canal, a compromise resolution was adopted by the UN Security Council on 13 October 1956. The final “Six Principles” incorporated in the final resolution were considered a triumph for Egyptian diplomacy. The “*Suez Canal Users Association (SCUA)*”, an Association which Egypt did not recognize, had been set up during the *Second London Conference* on September 21, 1956 by 15 states to administer the Suez Canal operations and control its revenues. Egypt had already rejected the proposal of the *First London Conference* on 16 August 1956 to establish the *International Suez Canal Board* agreed to by eighteen states. This attempt to impose foreign-based administration and control over the operations of the Suez Canal finally failed.

The Security Council Resolution of 13 October 1956<sup>(75)</sup> agreed that any settlement of the Suez question should meet the following requirements among its operative principles:

- Free and open transit through the Canal without political or technical discrimination.
- Respect for the sovereignty of Egypt.
- No political interference in the operation of the Canal.
- Tolls to be fixed by agreement.
- Disputes involving the operations of the Canal to be settled by arbitration.
- A proportion of the Canal revenue to be set aside for development of the Canal.

A second section of the original draft resolution incorporated the demands of the London Users Association, emanating from the two London Conferences. These had already been rejected by Egypt, but were inserted into the body of the proposed resolution. The second section of the resolution was rejected by a Security Council veto by the USSR in support of Egypt’s position and was dropped from the original proposed resolution, leaving the first section of the Resolution as the only Security Council decision affecting the use of the Suez Canal.

Following the agreement in the UN Security Council on the Canal issue, the conflict seemed to many to be on its way to a peaceful resolution. But others had a different view. The Empire had to strike back.

Since Britain and France thought that Nasser's challenge over the Suez Canal was unacceptable and had to be stopped, it was just a matter of time before there were more drastic measures to remove him. Israel, which had plans against Nasser of its own, was more than eager to cooperate in the misadventure of Suez. The conspiratorial nature of the plot against Nasser, the gross violation of post-War War Two international legal principles, and the challenge to the authority of the new Western leader, the US, all doomed the Suez imperial project.

### **Conspiracy Theories**

"Conspiracy Theories" are generally scoffed at as a tool of analysis or explanation. But the British, French, and Israeli collusion in 1956 was a geopolitical conspiracy *par excellence*, and no theory was needed to predict it, only a proven and deadly fact. For the Egyptian decision-makers, *Operation Ajax* – which on 19 August 1953 had brought about the overthrow of Iranian Prime Minister Mossadeq and the restoration of the Shah under the guidance of Kermit Roosevelt, the CIA Chief in the Middle East- was still fresh in their minds.

The new plot against Nasser was nothing less than a desperate attack by two empires in crisis, in collusion with a local enforcer, to snuff out the anti-colonial revolutionary tide at its base. The Suez War, therefore, had two objectives: first, to overthrow Nasser, which was meant to bring an end to the anti-colonial challenge to imperial domination, and second to re-take control of the Suez Canal, thus signaling the restoration of external colonial control over a vital Egyptian national asset, and serving as a warning to other restive nationalist movements not to challenge imperial domination.

The realization of these two objectives was a clear example of the role of Israel in the service of imperial objectives in the Middle East. The congruence of Israel's goals and the imperial counter-attack against the anti-colonial tide was a chilling reminder of the desperation of the co-conspirators. There was no disagreement among the Western powers on the need to end Nasser's anti-colonial push. The emerging difference was over the strategy to be used to achieve the goal and the leadership by which the task would be accomplished. The United States was not prepared to allow the British and the French to continue in their ambition of asserting imperial grandeur when real power was irrevocably being consolidated in the hands of the new American Empire. The newest empire had its own designs for the region.

### **Western Reaction**

On March 6, 1956, British Prime Minister Anthony Eden enunciated British policy toward the Middle East to his Cabinet. The policy, he declared, "must be founded on the need to protect our oil interests in Iraq and the Persian Gulf. The main threat to those interests was the growing influence of Egypt. This we had sought to counter by strengthening the Baghdad Pact." Eden wanted to "persuade the United States to support a policy of greater firmness toward Egypt" and significantly, "to give up hopes of Egypt making a settlement with Israel."<sup>(76)</sup>

The July nationalization of the Suez Canal Company reinforced the Egyptian danger to British interests beyond any shadow of a doubt. The Suez Canal (the jugular vein of the British Empire, as Labour politician Ernest Bevin had described it) risked being severed by Nasser. This danger magnified, in the minds of British and French policy-makers, the need to end the threat posed by President Nasser and to do so firmly and conclusively. Operation Musketeer sought precisely to end that threat.

J. C. Hurewitz noted that Eden should have listened to Bevin, who as early as 1949 had concluded that “there was no way of bringing Egypt into a British-managed regional [defence] organization.”<sup>(77)</sup> There was even less prospect of discouraging the anti-colonial struggle embarked upon under Nasser’s leadership after the 1952 revolution. Ironically, Eden had recognized such difficulties in a memorandum in 1953 which commented on an earlier nationalization in the Middle East -the nationalization of the Anglo-Iranian Oil Company- “In the second half of the 20<sup>th</sup> century we cannot hope to maintain our position in the Middle East by the methods of the last century ... We have learned the first lesson in Persia: we are learning the second in Egypt”.<sup>(78)</sup> Unfortunately for Eden, he had not learned enough from the Persian lesson, and certainly far too little from the Egyptian experience, as would be amply demonstrated.

Britain’s Prime Minister, Anthony Eden was so enraged by Nasser’s nationalization of the Suez Canal Company that he instructed General Sir Hugh Stockwell on 1 August 1956 to prepare a joint Anglo-French military invasion of Egypt. Previous contingency plans were dusted off, and a Plan code-named *Hamilcar* was presented and approved by the Prime Minister on 10 August 1956. Britain and France had in fact developed a strategy for a military assault on Egypt not only to regain control over the Canal, but, more crucially, to topple the regime of President Nasser and install a friendly and malleable pro-Western regime in its place. The Plan involved landing in Alexandria (again) and marching onwards to Cairo to dismantle Nasser’s government and then to the Canal to wrest control over the vital waterway.<sup>(79)</sup>

Arriving in London on 1 August 1956 for a hurried consultation with the British, US Secretary of State Dulles made his early contribution to the crisis by stressing the need to “make Nasser disgorge his theft.” In other words, a sovereign government’s nationalizing a private company operating on national soil and paying the shareholders the full value of their shares was

treated initially as “theft” by the top diplomat of the United States. However, after the initial harsh reaction, the American administration began to have sober second thoughts, mainly about moderating and eventually taking control of the developing crisis. Although British Prime Minister Eden (who had developed a pathological obsession with Nasser) started to compare Nasser to a “Hitler on the Nile” or a “Mussolini in the desert”, he also began to invoke the “Red menace”. This characterization of the Egyptian leader was meant to enlist the support of the United States for his plans against Egypt. The US position was made clear in August by President Eisenhower as follows: first, the US objective should be to assure the efficient and reliable operation of the Canal, not the discrediting or unseating of Nasser; second, some form of international supervision should provide sufficient protection; and third, the dispute must be resolved by peaceful means.<sup>(80)</sup>

### **French-Israeli Cooperation**

Undoubtedly, France was bent on ending Nasser’s leadership and his threat to French control in Algeria. The French were not about to forget that Nasser introduced a resolution during the Bandung Conference calling for the “support of the rights of the people of Algeria, Morocco, and Tunisia to self-determination and independence.”<sup>(81)</sup>

The French anger at the role Nasser was performing in support of the Algerian rebellion against French occupation, well before the Suez Crisis, led the French to turn to Israel – as the enemy of Nasser – to bolster its military capabilities as a direct threat to Nasser’s anti-colonial drive.

Furthermore, since September 1956 France and Israel had been negotiating separately a French-Israeli plan for a joint military strike against Egypt without the British. On September 22 the French Cabinet approved the steps necessary for a joint action with Israel against Egypt. The

date for the operation was set for October 20<sup>th</sup>. The two governments, however, wanted the British government to endorse their plan. The Israeli Prime Minister was worried that Britain might not authorize the use of British air bases in Cyprus for the attack. France, meanwhile, secretly delivered at least 75 French Mystère jet fighters to Israel in early October 1956 for operations against Egypt. This was in complete violation of the Tripartite Declaration of May 1950 committing the USA, Britain, and France to refrain from providing offensive arms to the Middle East antagonists.

The French concern with Britain's slow-paced preparation for war increased as the time for attack against Egypt was drawing nearer. As Terence Robertson notes, "The main obstacle was the British political objection to making any move before the Israeli attack began, so as to avoid later charges of collusion." In the fall of 1956 Shimon Peres, Director-General of the Israeli Ministry of Defence, and Maurice Bourges-Maunoury, French Defence Minister, were involved in a secret scheme overseeing the arming of Israel in preparation for war, apparently with the full knowledge of the United States. "Israeli air force pilots were being brought to France in civilian clothes and trained to fly and fight Mystère jets; their ground crews, also in civilian clothes, were receiving instructions in aircraft maintenance." French tanks were landed in Israel during the day and "at night extra tanks were unloaded and hidden in warehouses." (82) The volume of arms given by the French to Israel was huge.

To cite Robertson again, "The French army and air force drew an immense store of spare parts from NATO and shipped them to Israeli repair shops". The *Chef de Cabinet* of the French Defence Ministry, Abel Thomas, who acted as the principle liaison between the military authorities in France and Israel, provided an account of the accelerating military supplies to Israel:

We could not supply everything ourselves, so asked the Americans for material supplies. In fact, the Americans were constantly informed of all we were doing on the military side. The American officer with whom I was in closest contact was at the right hand of Eisenhower.<sup>(83)</sup>

The French account not only claimed that the US was aware of the French-assisted military buildup in Israel for war, but that the Americans were providing material supplies and allowing NATO supplies to go to Israel despite the Tripartite Declaration of 1950 denying armaments to the Middle East antagonists. If true, it is difficult to differentiate in this case between “conspiracy” and “hypocrisy” on the part of the Americans. A realist, however could simply describe it as “politics”. Such an account does not square with President Eisenhower’s own comments on the crisis and his assessment of the option of using military means to settle the dispute. According to Peter Hahn:

Eisenhower and Dulles remained convinced that war would ruin Western prestige across the developing world and open the Middle East to Soviet influence, a view he conveyed to the British ... this was not the issue upon which to try to downgrade Nasser.<sup>(84)</sup>

Moreover, Eisenhower believed that the British and French were making “a mistake from which there was no recall”.<sup>(85)</sup> The progression of events in the period before Suez suggests that the US was playing a delicate balancing role, wishing to see Nasser finished, by military means if necessary, but at the opportune time and on a convenient occasion.

In August 1956, following the nationalization of the Suez Canal Company, France and Israel agreed to implement an additional agreement for an accelerated arms delivery. It was becoming more and more evident that Nasser’s nationalization of the Suez Canal Company “did not cause the decision that he must be overthrown. *That decision had been made already.*”<sup>(86)</sup> Guy Mollet, the French Prime Minister in 1956-57, announced during a speech on 9 March 1960 that French arms were the weapons used by Israel in 1956 to deliver its strike against the

Egyptians in Sinai. “I need hardly point out that it was with French material and French aeroplanes that the Egyptians were smashed”.<sup>(87)</sup>

Warner D. Farr provides a detailed study of Israel’s nuclear program developed with the help of France and then the United States. Farr notes that “nuclear Israel could be a counterforce against Egypt in France’s fight in Algeria.”<sup>(88)</sup> A few weeks before the Suez War, Israel demanded French help in building a nuclear reactor. In September 1956, Shimon Peres, then the Director-General of the Israeli Ministry of Defence, and the chief Israeli nuclear scientist, Ernst Bergmann, met with the officials of the CEA (French Atomic Energy Commission). Ironically, the two countries reached an agreement to build the reactor at the Sèvres meeting during the planning for the attack on Egypt.

The Egyptian President had been interviewed by *LIFE* magazine in the US and the interview was published on 10 November 1955. The Egyptian leader had provided the magazine with a list of the French weapons supplied to Israel (the secret arms deal with France) in 1955 which included 70 dual-use aircraft Mystère jet fighter-bombers, 100 tanks, 100 field guns (155 Mlm.), and 150 self-propelled anti-aircraft guns (75 Mlm.). The *TIMES* news magazine had already published (6 October 1955) documents with the same information as that in the Egyptian leader’s account of the French armaments. By stressing this information Nasser was providing additional justification to the Egyptian-Czech arms deal reached in September 1955. At the time of Nasser’s statement, he was accused of fabrication to counter the effect of the Czech arms deal. The other speculation was that Egypt got hold of the details of the Franco-Israeli agreement and that led to Egypt’s accelerated deal with the Czechs. However, as Childers was to observe, “In late 1956, when Israel’s French weapons for Sinai became known and detailed by close



observers, they corresponded almost exactly, in type and quantity, with Nasser's detailed list of 1955." (89)

### **Tripartite Planning**

In the spring of 1956, the operational plans of the Israeli Defence Forces (IDF) were in need of revision because of the need to incorporate the newly-acquired French arms. France designated Egyptian leader Nasser as its chief enemy because of his support for the Algerian rebels. The acquisition of Soviet arms by Egypt in 1955 changed the military balance, and the nationalization of the Suez Canal Company in July 1956 increased the possibility of Anglo-French military involvement. The original operation "Kadesh" which planned Israeli military action alone, was revised to "Kadesh-1" in order to accommodate possible Anglo-French direct military participation. The French, however, refused to fight openly with Israel without the British fighting side by side, despite an initial French agreement for a joint strike with Israel against Egypt without British participation. Britain, on the other hand, refused to get involved openly if Israel was involved. The French broke the logjam by suggesting an Israeli independent strike to be followed later by an Anglo-French intervention to separate the combatants and "save" the Suez Canal. This was the basis of the Tripartite Agreement at Sèvres in October 1956. (90)

The French were the first to come up with the plan to involve Israel in the assault on Egypt with Britain:

This plan was brought to Eden by General Challe, deputy to General Ely, the French Chief of Staff, on 14 October. Eden accepted the idea enthusiastically, but the French and Israelis still had their doubts about his resolution, so insisted that the deal should be signed and sealed at a clandestine meeting in a private villa at Sèvres near Paris. This took place in the evening of 22 October and was attended by Ben-Gurion, Dayan, and Peres for Israel; Pineau, Bourges-Maunoury, and Abel Thomas for France; Selwyn Lloyd

and Patrick Dean for Britain. It was at this meeting that the terms of the ultimatums to be delivered to the two sides were drawn up.<sup>(91)</sup>

Scott Lucas describes Nutting's characterization of the French proposal presented to Prime Minister Eden on October 14 as the "Challe-Glazier approach". In addition to French General Maurice Challe, Albert Glazier, the French Minister of Labour, was also at the Chequers meeting when the proposal to involve Israel in military action against Egypt was made, and so was Anthony Nutting, British Minister of State at the Foreign Office. Appalled at the scope of the scheme involving his government, Nutting resigned on 25 October following the signing of the Sevres Agreement. His resignation was made public a week later. Another minister, Sir Edward Boyle of the Treasury, also resigned.<sup>(92)</sup>

### **The Main Provisions of the Sèvres Protocol**

The final version of the Sèvres Agreement was signed after difficult negotiations lasting three days from 22 to 24 October 1956. Leading their respective delegations were Prime Minister David Ben-Gurion for Israel; Foreign Minister Christian Pineau for France; and Foreign Office Under-Secretary Patrick Dean for Britain. The text of the Agreement outlines in clear detail the role each country would play in the conspiratorial plot leading to the unseating of Egyptian President Nasser and the end of his challenge to the colonial powers and their regional ally:

1- It was agreed formally that Israel would attack Egypt on 29 October 1956. The next day (30 October 1956) Britain and France, citing fears that the fighting following the Israeli attack and the Egyptian response would endanger the Suez Canal, would issue a joint ultimatum to Egypt and Israel.

2- The Anglo-French ultimatum would demand the withdrawal of the Egyptian troops to ten miles west of the Canal. Israel would be requested to withdraw its forces to ten miles east of the Canal. Egypt was also asked to "accept the temporary occupation of key positions on the Canal by the Anglo-French forces."

3- If Egypt refused to comply with the ultimatum, Anglo-French forces would “launch military operations against the Egyptian forces” on 31 October 1956.

4- The three governments agreed that Israel would occupy the western shore of the Gulf of Aqaba and the group of islands known as Tiran and Sanafir located at the entrance to the Gulf.

5- Israel agreed not to attack Jordan during the joint military operations unless Jordan attacked Israel. The British government would then be absolved of its obligation to aid Jordan.

6- The three contracting governments agreed that the protocol had to remain strictly secret.

The Sèvres Protocol is a document that tarnished the integrity of the three governments involved and exposed their underhanded and illegal objectives. It also branded the imperial project in the region as a bankrupt and broken enterprise destined to remain a historical failure.

### **Warning against Israeli Invasion**

In his memoirs, General Hilmy reported that during a trip to Europe early in the spring of 1956, well before the nationalization of the Suez Canal Company occurred, the Egyptian ambassador in Austria asked him to attend a meeting which had military implications (because the ambassador did not have a military background). The ambassador told him that “he had someone from Israel who came to give important military information”. As a result Hilmy met with somebody he called an “elderly Egyptian Jew”. The man told Hilmy that “he had spent the best years of his life in Egypt...and owed Egypt much. He came to warn against a possible Israeli invasion of Sinai”. He learned through his important contacts that Israel was planning to “occupy Sinai in three days...He did not know when -- but soon”.<sup>(93)</sup>

### **Israeli Objectives**

According to Mordechai Bar-On, who was the Head of the Office of the Israeli Chief of Staff during the Suez War, on 25 October 1956, the Chief of Staff Moshe Dayan held a meeting

with the IDF General Staff to outline the redesigned plan of the war. It consisted of four main points: first, there would be a complete differentiation between what the IDF had promised the allies and what it had to do to achieve Israel's goals; second, action to implement Israel's own objectives would be postponed until after the allies' military involvement had commenced. "For the first 36 hours in which the IDF will be acting alone, it is essential to minimize clashes both on land and in the air and to prevent an escalation of the war"; third, after the allies intervened, Israel would then quickly seize all targets of interest, with the Straits of Tiran at the top of the list; and fourth, secrecy would be the most important consideration apart from victory itself.<sup>(94)</sup>



General Moshe Dayan, Israel's Military Chief of Staff during the 1956 Campaign.  
Photo Credit: Getty Images

The political constraints imposed after Sèvres ran counter to an Israeli military doctrine based on speed and outflanking the enemy. Instead of Dayan's exhortations of 'horses bursting ahead', now the army was instructed to 'walk a tightrope', which in fact imposed 'operational minimalism.' The problem was that the field commanders did not know that their expected 'sprinting horses' were supposed to be 'firmly reined in' because of the political considerations underlying the collusion and the secrecy required. Operational nightmares ensued in the theatre

of operations due to the fact that the natural impulse to move forward disrupted the new cautious plans for joint operations with the British and the French. In short, Israel was supposed to be ‘seen’ engaged in a military operations against Egypt in the vicinity of the Suez Canal in order to justify Anglo-French intervention. In reality, this was a ‘feint’ and the major Israeli military thrust was planned for after the Anglo-French military assault had weakened the Egyptian military position. The plot was so secretive that many Israeli commanders were not aware of the scope of the deception and rushed into the attack, endangering the carefully laid Israeli plans.<sup>(95)</sup>

## **Plan (KADESH)**

Ever since “Operation Horev” in December 1948 when Israel penetrated deep into the Sinai, threatening the provincial capital al-Arish, the General Staff of the Israeli army (IDF) had been “preparing for another battle in Sinai” based on the doctrine that war must be quickly shifted deep into enemy territory in a pre-emptive strike. According to Bar-on, the operational ethos of the IDF since the appointment of General Moshe Dayan as Chief of Staff in 1953 were:

Speed; mastery of the air; use of parachute drops; rapid armor advance; by-passing enemy positions; breaking through enemy lines; capture of enemy territories; and utilization of external political and military support and cover.<sup>(96)</sup>

The resulting Operation, code-named “Kadesh”, was based on earlier operational plans code-named “Safiah” and “Omer” for an extensive strike to capture the Sinai, including Sharm el-Sheikh. Kadesh was temporarily abandoned for fear of outside political backlash until its revival in the autumn of 1956, when it was modified to account for the incorporation of newly-acquired French arms, and the post-Sèvres objectives. The Israelis had been spoiling to strike at Egypt before the Egyptian army was able to absorb the new Soviet armaments and tactics that might enable it to pose a serious threat to Israel’s military plans. Kadesh aimed at occupying the

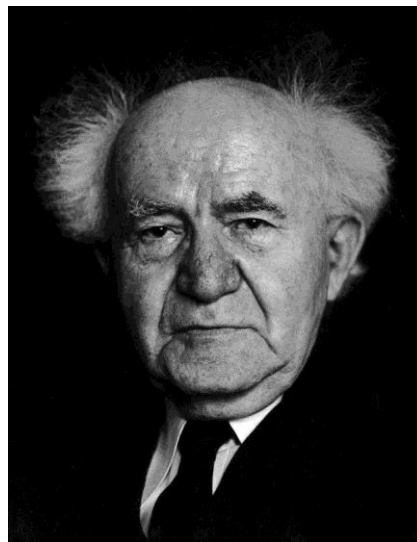
Gaza Strip and the Sinai Peninsula and their annexation by Israel. This plan was formulated independently of any British or French involvement. Kadesh, however, was quickly incorporated into the Anglo-French plans to attack Egypt in 1956. The coalescing of the objectives of the three partners (each with a different objective) resulted in the doomed joint military action against Egypt.

The Israeli planning varied according to the changing political circumstances. In 1956, Israel was able to achieve its objective but was forced to disgorge its booty because of an unfavorable international environment. Later in 1967, it was able to succeed due to American support, but was eventually forced again to give up Sinai after the 1973 War and American mediation. The Palestinian and Syrian territories are still under occupation.

### **Independent & Coordinated Strikes**

Moshe Dayan pushed his Prime Minister, David Ben-Gurion, shortly after the nationalization of the Suez Canal Company to agree to launch an independent strike against Egypt in the hope that the British and French would have no alternative but to intervene militarily. The Israeli Prime Minister was indignant at the British demand to keep the partnership with Israel under wraps. He was afraid that Israel would look like the only aggressor. The Israeli leader was also suspicious of British commitment to the joint project and demanded guarantees that would prevent them from backing out (similar to the written agreement he had obtained from France). Ben-Gurion insisted that the allies' intervention, following Israel's thrust and the start of their bombing of Egypt, would not exceed 36 hours, instead of the 72 hours that the British favoured. He also insisted on the stationing of three French fighter squadrons in Israel to provide protection against Egyptian retaliatory air strikes, and on the deployment of French naval units for the protection of Israel's Mediterranean coast.<sup>(97)</sup>

David Ben-Gurion, Israel's Prime Minister in 1956 and a main partner with the British and French empires against Egypt.



### **General Moshe Dayan's 1956 Diary**

One of the architects of the invasion, Israeli General Moshe Dayan, admitted in his memoirs that the Anglo-French ultimatum, which was part of the tripartite deception plan, was a sham. He wrote:

This ultimatum does not worry Israel. We are not within ten miles of the Canal and we have neither interest nor plan to come closer to it. It is clear that the whole purpose of the ultimatum is to give the British and the French Governments a pretext to capture the Canal Zone by military force. <sup>(98)</sup>

Israel's planning was based on initially waging a restrained campaign and creating the impression that the Suez Canal was under threat, in order to ensure that Britain and France had a justification for joining the war. The initially-planned 'diversionary tactic' of dropping a paratrooper force in the Mitla Pass became the 'political key to the entire operation'. But Israel's action had to be minimal enough in scope to allow for quick withdrawal, if this became necessary. The key to such a plan was to wage a campaign "of a broad retaliatory action, rather than of permanent conquest, like the usual Israeli raids" waged in the past against its Arab neighbours.

Shortly after the Israeli thrust into Egyptian territories, the Israeli High Command replaced General Asaf Simhoni, one of the Israeli Commanders on the Egyptian front, who led a large premature attack against Egyptian positions, threatening to expose Israel's real objectives:

In complete disregard of Dayan's orders [to stay put for twenty-four hours and avoid unnecessary casualties], the local commander committed the Seventh Armoured Brigade into the battle twenty-four hours earlier than had been planned. This gross disobedience, involving the formation which contained most of Israel's tanks, put at risk the plan for deceiving the Egyptians as to the scale of the operation. The Egyptians checked this attack. And only after forty-eight hours of hard fighting did resistance in this central area collapse with the capture of Abu Eigela. Here the Egyptians fought with determination and even managed to mount an armoured counterattack.<sup>(99)</sup>

In the meantime, Israel was hiding something from its allies, namely, plans to implement its own territorial goals, which would have to be postponed during the initial phase of the war. The new constraints on the original (Kadesh I) Israeli plan of swift advance, constraints created by relying on British and French involvement, now had to be incorporated into the Israeli order of battle. The Israeli leaders hid their intention of territorial expansion from their allies, and the Israeli General Staff was not fully briefed about the new go-slow approach. General Dayan briefed his commanders about the agreement with Britain and France and the changes needed in the execution of the war only upon his return from the Sèvres negotiations.<sup>(100)</sup>

### **Final British-French-Israeli War Plan**

The original British Operation *Hamilcar*, devised to strike at Egypt, was modified after Sèvres to incorporate the separate French-Israeli joint military plan, which included Israel's *Kadesh*. The unified Anglo-French-Israeli *Hamilcar* Plan was then renamed *Musketeer-I* to overcome the French inability to pronounce the initial H in *Hamilcar*. The plan's code-name was changed yet another time to *Musketeer-II* after the war plan was totally revised to replace Alexandria as the starting point for the invasion. Instead, Port Said was targeted after British intelligence reports confirmed large Egyptian troop movements to defend Alexandria. British military planners came to the conclusion that their troops would sustain a large number of casualties and that the bombardment of Alexandria would result in massive death and



destruction, which could rouse strong international condemnation. Thereafter, Musketeer-II became known as *Musketeer Revise*. This latest plan was adopted on 14 September 1956 by the “Egypt Committee” comprised of British Ministers, civil servants and military commanders.

According to Keith Kyle, the Plan had three phases: first, three days of bombing to neutralize the Egyptian Air Force; second, seven to eleven days of air campaign to disrupt the Egyptian economy, impact morale, and degrade the Egyptian armed forces, accompanied by intensive psychological warfare; and third, the move in to occupy the Suez Canal Zone with little expected resistance remaining after the execution of the first two phases.<sup>(101)</sup>

Israel, however, kept the original strategic objectives of Operation Kadesh intact and operational (outside the scope of *Musketeer Revise*). That is, Israel was willing to cooperate with the British and French to implement *Musketeer Revise*, but it had every intention of proceeding with the pre-planned territorial acquisitions of Operation Kadesh once the Anglo-French operations concluded.

General André Beaufre summarized the Suez invasion plan and the changes in its operational objectives, stating:

The objective of the British landing, originally directed on Alexandria, was now to be Port Said. The French landing, originally west of Alexandria, was to be east of Port Said with objective Port Fuad. Both would then push southwards, the British west of the Canal and the French east of it. From El Qantara the British would push westwards to Abu Suweir, the French, crossing to the west bank of the Canal, would capture Ismailia and Suez. Subsequently both British and French would move on Cairo from Abu Suweir and Suez respectively. The plan had the advantage of placing us within easier range of Cairo and, provided it was not blocked, the Canal could act as our supply line.<sup>(102)</sup>

Before the start of the hostilities the military brass knew full well that the war was to be waged to have Nasser’s head and snuff out his anti-colonial struggle. The British and French military planners realized that landing in Alexandria and having to cross Nile bridges before they could wrest away control of Cairo was a plan fraught with many dangers and pitfalls; that was why the

landing was switched to Port Said. This would have made political sense if the declared aim of the operation was to save the Canal from Egyptian-Israeli military engagement, rather than to overthrow the president of the country. The general also emphasized the soon-to-be-confirmed point that “the Israeli attack ultimately came to constitute the essential prerequisite for the launching of the operation.” Beaufre added that Israel “had become the detonator which set light to the powder barrel ... her intervention was politically essential.”<sup>(103)</sup> Israel’s role in the service of the Western empires could not have been better illustrated and proven.

Not only did the three co-conspirators prepare military plans for the invasion of Egypt; Britain had also planned for the “post-war organization of Egypt and the Canal.” The planning was supervised by cabinet ministers Harold Macmillan and Robert Salisbury with the purpose of installing an “acquiescent government” in the country. The political directive to the military command was to occupy Cairo and even Alexandria in order to install a “co-operative government”, but under no account should the occupying forces accept “general responsibility” for “feeding the population” under the “new Geneva conventions dealing with military occupation”. However, military commanders warned that a “prolonged air bombardment” would result in guerilla activity, strikes, and civil unrest. An “occupation army” of between three and four divisions would be required to maintain control, they indicated.<sup>(104)</sup>

## **Egyptian War Plans**

The “high noon” months between the nationalization of the Canal in July and the start of the war in late October were very high in the scope of international tensions and the crucial stakes they involved. An upstart nationalist leader had challenged two of the mightiest empires in history. The threats, conspiracies, and gun-boat diplomacy that followed revealed the panic afflicting the old imperial powers and their need to assert some semblance of control and

endurance. The crisis also involved the two superpowers each with their own different agendas and gave the newly-independent / non-aligned nations a voice in the international arena not heard before. The crisis, moreover, ushered in a unique and novel role for the United Nations in international crisis diplomacy and peace efforts.

Nasser had been a thorn in the side of the British and French imperial powers for some time. The two European colonial powers desperately wanted the fire of his anti-colonial crusade to be emphatically extinguished once and for all. His nationalization of the Suez Canal Company was both the last straw and a golden opportunity to administer a final blow to his nationalist aspirations and his radical leadership role of the international anti-colonial movement.

In anticipation of a probable external attack involving the Suez Canal region, the Egyptian Army began to prepare for hostile action by the British and perhaps the French as well. Yet the probability of war was considered unlikely by the Egyptian leadership. The Nasser government was relying on utilizing international diplomacy to avert a military confrontation. Egyptian units, nonetheless, were deployed near Alexandria, around Cairo, and in the eastern Delta, close to the Canal Zone, in case an attack were to materialize.

General Hilmy in the Eastern Command prepared a plan in August-September 1956 to block the Suez Canal if Egypt was attacked, mainly in order to prevent enemy forces from seizing the Canal and controlling the vital waterway. This plan, code-named “41/56” (the Army Operations Order number), involved seizing Egyptian and foreign cargo ships, tug boats, dredges, cranes, barges, leisure boats, fishing boats, and even old decommissioned navy ships. Two such vessels were the “Akka”, which travelled from Alexandria specifically for that scuttling and was marooned north of Lake Timsah near Ismailia in the middle of the Canal, awaiting orders, and the old navy destroyer Abu-kir, which was assigned to the Suez harbour.

The plan called for the military seizing all such ships and positioning them in the Canal's deep navigation channel at the entrance to the Canal in the north in Port Said Harbour, and in the south at the entrance of the Canal in the Suez harbor, and in the middle in Ismailia as well as along the entire length of the Canal. The vessels were to be sunk, using a combination of explosives and large amounts of cement placed in the hulls. In case of an attack on Hilmy's HQ and his absence or incapacitation, the Egyptian Broadcasting Corporation was instructed to broadcast the code name for the plan as a trigger to activate its implementation by waiting contingents.<sup>(105)</sup>

The British and the French, on the other hand, also began preparing for war in earnest almost from the beginning of the crisis in late July and early August 1956. Malta and Cyprus were used as mobilization and staging centres. And as unbelievable as it sounds, the British Suez Canal base itself (left behind after the British evacuation from Egypt) was used to marshal the military resources needed to mount an attack on Egypt. Israel, moreover, had been preparing its own plan for an assault on Egypt even before the nationalization act. The British, French and Israeli plans were brought together days before the start of the war, combining the Kadesh, Hamilcar, Musketeer I, and Musketeer II, and Musketeer Revise plans for the final combined assault on Egypt.

### **Egyptian Strategic Analysis**

Until a few days, even a few hours, prior to the start of the war, Egyptian President Nasser refused to believe that Britain and France would collude with Israel against Egypt. He continued to hold to that belief even when his military attaché in Paris, Colonel Tharwat Okasha, obtained information on October 27, 1956 confirming the tripartite plan for attack, information which was conveyed to Nasser by a personal messenger on the morning of the 29<sup>th</sup>. "Surely it is

impossible that both the French and the British would degrade themselves to such an extent”, commented Nasser in disbelief.<sup>(106)</sup> He based his position on the conviction that both Britain and France would not risk exposing their “friends” in the Arab world to disdain and destabilizing their position in the region by using military force against Egypt. Additionally, Nasser did not think that Israel needed the British and French to launch a military attack against Egypt, given the existing balance of military power between Egypt and Israel.

The Egyptian Military High Command, on the other hand, did have apprehensions about such collusion. In a report in September 1956 under the title “*Military Situation in the Eastern Mediterranean*”, the Command provided the following assessment:

First, the military advantage enjoyed by the British and French against Egypt was a matter of distinct concern. An attack against Egypt was expected to comprise two phases, first a push against Alexandria to divert Egyptian forces west and away from the Suez Canal region, then a second and main attack directed against the Canal Zone. Second, extensive use of air power in bombing raids would be deployed to paralyze the Egyptian Air Force, and to serve as a preparation for landings. Third, land forces from Libya and Malta would seize Alexandria harbour; airborne troops from Cyprus would capture the Canal airports; additional troops would take the Canal Zone itself. Fourth, air assaults would enable the capture (by Israel) of forward bases up to El-Arish and thereby isolate the Gaza Strip.<sup>(107)</sup>

In response, the Egyptian High Command issued the following “*directives*”:

First, Egyptian forces were to prevent the enemy from seizing the Canal Zone at any cost.

Second, they were to guard the Red Sea shores to prevent enemy troops landing and advancing on Cairo.

Third, any enemy troops landing in Port Said would have to be prevented from advancing south or seizing Ismailia.

Fourth, the Canal would have to be blocked at the start of any enemy landings in the Canal Zone, as per the Hilmy Plan.

Fifth, the National Guard troops were to be reinforced in the Delta.

Sixth, detailed plans to defend Alexandria, Cairo, and Port Said were to be prepared.<sup>(108)</sup>

In other words, the Egyptian High Command was clearly anticipating, or at least aware of, the possibility of enemy troops landing in Alexandria and of their projected march against Cairo, as part of the broader attack against the Suez Canal Zone. This awareness inadvertently achieved some of the Anglo-French objectives of diverting Egyptian troops away from the Canal Zone and diluting their concentrated strength. This was precisely the thinking of French General Beaufre, who foresaw on 12 August 1956 that “if threatened simultaneously from Alexandria, Port Said and Sinai (Israel), the enemy’s forces would initially be dispersed.”<sup>(109)</sup>

### **Avoiding Provocation**

Following the nationalization of the Suez Canal Company, Egypt was determined not to cause any provocation that could be used as a justification for international condemnation or intervention. Respecting the provisions of the Anglo-Egyptian Treaty of 1954 was therefore paramount in the minds of the Egyptian policy-makers, even when doing so threatened Egypt’s military position. The Anglo-Egyptian Treaty of 1954 had called for the final evacuation of the British troops from the Suez Canal Base, the largest overseas British military base, and stipulated that Egypt was under treaty obligation in times of war to supply the British with war materiel left behind in storage in the Suez Canal region and guarded by Egyptian troops. Article 9 of the

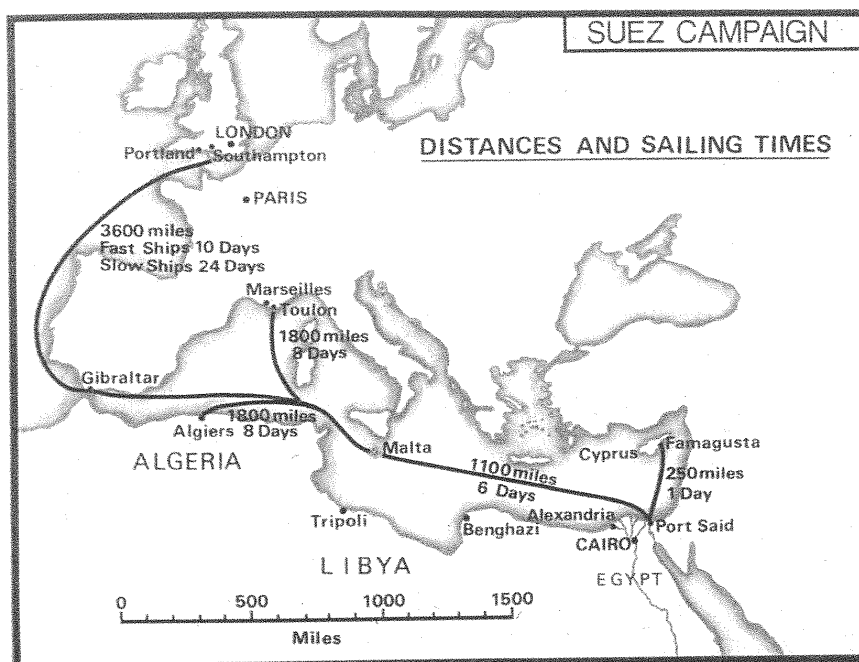
Treaty stated: “The United Kingdom is accorded the right to move any British equipment into or out of the base at its discretion.”<sup>(110)</sup>

As the person in charge of the implementation of the treaty on the Egyptian side, General Hilmy complained in October 1956 that for months prior to the start of the war, he received hundreds of requests from the British for aerial bombs, thousands of gallons of aviation fuel, military vehicles, small arms, concertina barbed wire, and tons of ammunition for all types of weapons. All the requested supplies were duly transported by Egyptian railway to Port Said, where Egyptian personnel carried them to waiting British ships bound for Cyprus and Malta, where the build-up of the Anglo-French forces was proceeding.

Hilmy wrote to the Ministry of Foreign Affairs in Cairo pointing to the “absurdity of the situation” concerning “the treaty of friendship between Britain and Egypt when there was hardly any friendship involved in what the British Government was planning or saying ... It was clear that we were supplying the British with all the war material they would later use to attack us.” He therefore requested authorization to delay responding to the British requests, using all the logistical excuses possible. The Ministry did not agree replying, “Since we had signed a treaty with Britain we must honour it regardless of what they did. If we defaulted in carrying out our obligations, we would then furnish Britain with the excuse they were looking for, to use force”.<sup>(111)</sup> Kenneth Love confirmed that the Egyptian Foreign Ministry told Hilmy “No, don’t give them (the British) any pretext...If they attack us, we will seize what is left in the base, but until then be scrupulous about complying with the agreement.”<sup>(112)</sup>

In the morning of 29 October 1956 (the day the war started in the Sinai), Sir Terence Garvey, the British Minister at the British Embassy in Cairo, was still negotiating on an urgent basis with General Hilmy, according to the provisions of the 1954 Treaty with Britain,

arrangements for removing the 800-plus British technicians manning the British installations in the Canal zone. General Hilmy was not in a cooperative mood, after having watched helplessly as the British successfully used legal measures to collect thousands of tons of war materiel destined to be used against Egypt, he realized that the urgent request for evacuation meant that the war was imminent. The early start of the war prevented the evacuation of the British personnel who were taken into protective custody until the end of the conflict. Their families, however, had been airlifted from the Canal Zone earlier in August 1956 (*Operation Nursery*) with the deepening of the escalating crisis. Hilmy observed that the British bombs dropped later “on our heads in Cairo, Port Said, Ismailia, and Suez, were the same bombs that, obliged by the Treaty of Friendship, I helped send to the British bases in Malta and Cyprus for the Canberra and Valiant bombers.” (113)



The Suez Campaign – Distance and Sailing Times



## **The Anglo-French Ultimatum**

After the issue of how to deal with Egypt was settled in Sèvres, Britain and France, according to the agreed plan, issued their cynical and bold-faced ultimatum on 30 October 1956. The whole world was able to see through the plot and the thin cover of involving Israel in it. The two West European permanent members of the UN Security Council deliberately violated their own international responsibilities under the UN Charter. This crisis was the biggest test for the UN organization since the end of World War Two, and its ability to handle breaches of peace and security committed by two important founding members was on the line. What made the situation especially dangerous, if not surreal, was the invocation of their veto privilege to halt a Security Council draft resolution ordering a ceasefire concerning a military action they were involved in.

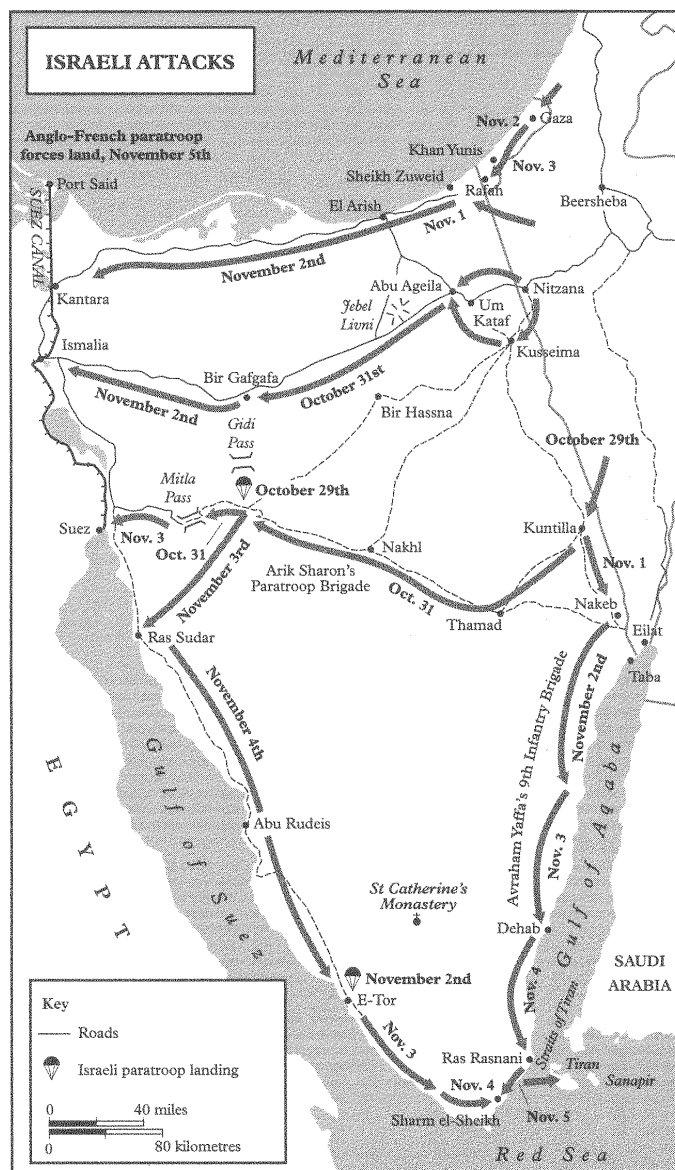
## **Hostilities Commenced**

General Abdel Hakim Amer, the Minister of War, was furious and wanted to enter into an all-out war with Israel and to destroy its military bases in the Negev, avenging the defeat of the 1948 War and settle the Arab-Israeli conflict once and for all. President Nasser was more cautious. Tension and disagreement marked the deliberations inside the Egyptian High Command but it was agreed that full mobilization was to begin immediately. Moreover, the 4<sup>th</sup> armored division (the elite division of the Egyptian armored corps) and two mechanized infantry divisions were ordered to cross the Canal into the Sinai with the limited objective of confronting and repulsing the Israeli troops who had entered Egyptian territory. Other units were called up in anticipation of further developments. Still believing that the Israeli “mad” action was isolated, the Egyptian High Command was determined to respond to the Israeli attack, but it was also

conscious of the need to maintain the free flow of navigation in the Canal in order to avoid international censure.

### Theatre of Operations Map - Suez 1956.

Photo Credit: Raymond Turvey, Hodder & Stoughton



In response to the initial Israeli attack on the Mitla Pass, Egyptian army units were restricted from causing a delay in Canal traffic during their crossing for the counter attack.

General Hilmy wrote in frustration:

[T]he High Command gave us the absurd order to give priority to canal navigation over the movements of military units in a war situation... While Israeli units were racing to reach Mitla, Egyptian units were waiting on the Western bank of the canal for the normal ship traffic to pass first!<sup>(114)</sup>

Likewise, and according to Kennet Love:

Nasser continued to try to avoid allowing any possible pretext to the British by giving ship traffic along the Canal priority over military movement across it. At 9 A.M. Radio Cairo reported that shipping continued normally and that the northbound convoy of twenty ships had reached Port Said.<sup>(115)</sup>

The Egyptian leadership did not have to wait long to realize the scope of the grave situation awaiting the Egyptian forces when these units finally crossed the Canal and began engaging the Israelis. On 30 October 1956, the Government of Egypt received the joint British-French ultimatum (appeal in the French version)<sup>(116)</sup> to cease fire and withdraw all Egyptian forces to a distance of 10 miles west of the Canal, and to accept the “temporary” occupation by Anglo-French forces of key positions at Port Said, Ismailia, Suez and along the entire length of the Canal, so as to ensure the safety of the waterway and protect freedom of navigation. Israel was asked to withdraw its forces the same distance but east of the Canal, even though the most forward position of the Israeli army was still at the Mitla pass, more than five times the distance from the Canal demanded by the ultimatum.

The ultimatum to Israel effectively invited the Israeli forces to advance further inside Egyptian territory to positions they had not even approached at the time the joint ultimatum was issued. If Egypt refused, the joint British-French forces would occupy the entire Canal Zone in order to impose the terms of the ultimatum. The ultimatum was indeed officially rejected by

Egypt, and accepted by Israel, as planned. Following Egypt's rejection, wide-scale Anglo-French bombing commenced, as scripted at Sevres.

Michael Thornhill examines the role of the British Ambassador to Egypt during the critical days preceding and during the British action in Egypt. Ambassador Sir Humphry Trevelyan delivered the Anglo-French ultimatum personally to President Nasser on the evening of 30 October 1956. The ambassador confirmed that Nasser, immediately and with composure, "rejected the ultimatum and stated that it amounted to a threat of unprovoked aggression ... Whatever you think of him...Nasser's prompt and decisive refusal required courage."

In later years, Thornhill observes, "Trevelyan never disguised his opposition to the Anglo-French-Israeli invasion, describing it as a lamentable muddle." Despite Trevelyan's later-day repentance, the British embassy and the MI6 were once again in the thick of regime-change plots and actively working to replace Nasser with General Mohamed Naguib, the first figure-head president. Failing that objective, they planned to recruit politicians from the old monarchist regime, notably former Prime Ministers Ali Maher and Mortada al-Maraghi, and the former Wafdist Foreign Minister Mohamed Salah al-Din, all known for their patriotism. The ambassador was afraid, however, that the old politicians or new army coup leaders might turn against the British as well.<sup>(117)</sup>

It was not only Trevelyan who opposed the war. A very influential opponent was Admiral Mountbatten. "On 2 November 1956 the first Sea Lord Admiral Mountbatten sent a letter to Eden telling him to stop the invasion before troops landed in the Canal Zone as the operation had already proved to be too costly politically. The next day, Mountbatten made a desperate phone call to Eden asking him for permission to stop the invasion before it began, only

to be refused. Mountbatten's views led to a clash with the Chief of the Imperial General Staff, General Gerald Templar, who supported the invasion.”<sup>(118)</sup>

## **Egyptian Confusion**

Realizing the trap set for the Egyptian forces, President Nasser decided (against fierce opposition again from General Amer) to recall all Egyptian troops in the Sinai east of the Canal and to reposition them in the Delta, just west of the Canal, in order to face the imminent joint British-French onslaught. General Amer considered any Egyptian withdrawal from the Sinai a national humiliation and was adamant that Egypt should press on with its counter-attack and carry the fight inside Israel regardless of any foreign intervention. Amer functioned under the illusion that Egyptian forces could defeat Israel and then turn back on the invading British and the French troops and defeat them as well.



Nasser & Amer conferring in 1956.

Nasser's refusal prompted General Amer to threaten non-compliance with orders for withdrawal. The President told his Minister of War: "It's not a matter of dying heroically. It's a matter of fighting heroically."<sup>(119)</sup> Nasser was tempted to dismiss his friend and colleague but, according to General Hilmy, he at least:

had to be firm with him; he reminded Amer that he, as the President of Egypt, was Commander in Chief of all Egyptian Armed Forces. As such he gave him a written order for the withdrawal of all Egyptian forces from Sinai. Nasser was a political strategist more than a military tactician, but his decision was the only sound one.<sup>(120)</sup>

Moreover, the President personally contacted the commanders of the troops in Sinai by phone and ordered them to begin withdrawing immediately and not to wait until the morning. All the bridges on the Canal were ordered open to allow the Egyptian troops to cross the Canal without delay.

The struggle within the Egyptian High Command became apparent and dangerous after Nasser had ordered a general withdrawal from the Sinai and as the troops began to assemble west of the Canal, General Ali Amer (not the Defence Minister), Commander of the Eastern Command, believing the orders were endorsed by the President, ordered the troops back into the Sinai as per the original instructions of the Minister of War, Abdel Hakim Amer. Realizing what was going on, President Nasser ordered the troops back to the west across the Canal.

The hasty and confused Egyptian retreat from the Sinai in early November 1956 occurred under continuous Israeli aerial assault, which was aided by French bombers even before the joint ultimatum was issued. This campaign resulted in heavy Egyptian casualties and destruction. The ensuing route left the remnants of the confused and retreating troop formations in no position to immediately regroup and face the new phase of the military confrontation in full form.

The inexperience and lack of military judgment displayed by Amer thus caused a lot of disruption in the chain of command and contributed to throwing the Egyptian military situation completely off balance, causing high casualty rates. The Nasser-Amer confrontation led many in the Egyptian military and political leadership to urge the immediate dismissal of the major-turned-general from his post. But the president – displaying bad judgment himself - refused and

stood by his friend. Nasser's hesitation in dismissing his Minister of War in 1956 would prove very costly in 1967.

## **Annexation**

Not waiting for the end of the hostilities to be confirmed, Israel made its territorial designs in the Sinai and Gaza very clear. Israel went to war on an opportunistic basis to achieve territorial conquest and political consolidation. Allying itself with the Anglo-French duo was a matter of extreme convenience and expedient precaution. That Israel had its own overriding objectives going beyond the Anglo-French plans became clear when the Israeli Prime Minister, David Ben-Gurion, declared in the Knesset on 7 November 1956 that "The Armistice Agreement with Egypt is dead and buried and will never be resurrected.... Together with the armistice agreement, the armistice lines between us and Egypt are vanished and dead."<sup>(121)</sup> And with the change in territorial control, Israel wanted to accomplish a *fait accompli* by changing the names of the physical landmarks: the Gulf of Suez was renamed the Gulf of Solomon, the Gulf of Aqaba was renamed the Gulf of Eilat, and Sharm el-Sheikh at the southern tip of the Sinai was renamed Ophira.

Yossi Melman, an Israeli writer specializing in intelligence and strategic affairs, and a former Nieman Fellow at Harvard University, wrote a report about the "Sinai Campaign" based on files obtained from the archives of the Israeli army.<sup>(122)</sup> This report was published in the Israeli newspaper *Haaretz* on August 8, 2010. Melman suggests that initially Ben-Gurion was very concerned about Israelis projecting an image as mercenaries or collaborators with the French and the British. Later, with the call for cease-fire gaining momentum at the United Nations, he was determined to find a way "to delay it to allow British and French forces to take control of the Suez Canal, as was decided at Sèvres."

Ben Gurion ignored the fact that the Sinai has been part of Egypt since the times of the ancient Egyptians. The fact that the British and the French wanted to regain control over the Suez Canal and to overthrow the troublesome Egyptian revolutionary regime presented a ripe opportunity for Israel to exploit, building on their original designs. In fact, the inclusion of the Anglo-French component in the invasion plans gave the Israelis extra insurance in case a unilateral invasion of Egypt would falter or run into trouble.

### **Egyptian Memoires**

One of the most important sources for the Egyptian side of the story are the memoirs of Abd al-Latif al-Baghdadi <sup>(123)</sup>, a founding member of the Free Officers Group that overthrew the Egyptian monarchy and later a vice president under President Nasser. Baghdadi describes in detail the tension, the emotional see-saw, and the political-military disputes between Nasser and Amer during the Suez War. Nasser, reports Baghdadi, complained to Amer “about being out of contact with the military command and being in the dark as to what was going on despite his responsibilities.” The pressures upon the Egyptian leadership almost brought it to the breaking point.

Although Amer is usually considered an anti-Israeli hardliner, a somewhat different picture emerges from the al-Baghdadi memoirs. By Friday 2 November 1956 his bombastic and heroic position had clearly changed. On that date, in the midst of intensive air raids, Amer talked to Nasser first and then addressed a meeting of the assembled former members of the Revolution Command Council (RCC), at which he stated: “The continuation of the war will bring about the destruction of the country and the death of numerous citizens. As a result of this the people will hate the regime and those who uphold it. [Amer] prefers in order to prevent such devastation to ask for a ceasefire.”



Both Baghdadi and another future vice president, Zakariya Mohieldin, rejected any talk of ceasefire or even surrender, insisting on continuing the fight. But another member of the RCC, Salah Salem, betraying a sense of panic and shock, said “We must prevent further calamities and destruction in this country.” He preferred that Nasser, on behalf of the revolutionary regime, address the nation and request approval of a ceasefire and a surrender. According to al-Baghdadi, Salem proposed “Let us rise and give ourselves up to Trevelyan, the English ambassador”. And again, “It is you the British want, Salem continued, go to the British embassy and surrender yourself to Trevelyan before he leaves.” Nasser replied that if it was only him the British were after “I would certainly go and give myself up. But is it not something bigger than that?” According to Baghdadi, Nasser put a stop to the talk of surrender by saying, “Far better for us to commit suicide here, before taking such a step”. Nasser favoured going underground, if the military situation became untenable, and continuing the resistance. But vials of phosphate-cyanide were nonetheless duly ordered for each member of the RCC.

### **Blocking the Suez Canal**

Early in the morning of 31 October, General Hilmy went to Cairo to meet the Minister of War in the army Headquarters in Cairo and get permission to implement his plan to block the Canal and prevent the attacking foreign troops from seizing control. General Abdel Hakim Amer said the orders for the closure of the Suez Canal could come only from President Nasser. General Hilmy went back to his field command, but with the intensification of the Anglo-French attacks, he urgently contacted Army Headquarters again by phone, identified himself and requested to speak to the same General Amer, the Minister of War (who had been his junior in the army prior to the 1952 take-over). His aim was to request final orders to carry out the operation. Nasser took Hilmy’s call and after an evaluation of the developing situation, the President indicated that he

had to contend with the international situation concerning the Canal and not just the military position on the ground. Hilmy responded by pointing out that any further delay would result in an enemy take-over of the Suez Canal region and thus repeat the events of the 1882 British invasion of Egypt.<sup>(124)</sup> If Egypt did not act at once, warned Hilmy, the enemy would irrevocably achieve its military and political objectives.

Nasser then gave the green light for Hilmy to begin the operation. Within a few hours Port Said harbour in the north, and Suez harbour in the south, plus vital points along the entire length of the Canal, including Ismailia, were blocked by deliberately-sunk vessels. Both pre-assigned ships and other commandeered vessels of all types that were found available at the time were used to complete the blockade. The Egyptian navy destroyer *Abu Kir* was scuttled in the Suez harbour in such a way that its upper decks remained above surface so that its surviving guns could be used in an anti-aircraft role.<sup>(125)</sup>

Kennet Love reports that the Canal operation took place under heavy aerial bombardment. “Hilmy began a race with the British bombers to get the *Akka* [navy supply ship] into the Canal south of Lake Timsah (instead of the original location north of the Lake).” The change was made because the withdrawing Egyptian armoured units were relying on a temporary pontoon bridge across the Canal in the location “where *Akka* was to have been scuttled”. Once the armoured withdrawal was completed, the huge “ocean-going tug *Edgar Bonnet* was sunk at the spot originally designated for the *Akka*.”<sup>(126)</sup>



Entrance to the Canal at Port Said Blocked, November 1956.

As the *Egyptian Chronicles* observes:

While most attention was paid at the time to the *Akka*, the Egyptians had not stinted themselves at the task of wrecking. Bridges, floating cranes, dredges, pilot boats, tugs, a frigate and a floating dock were willingly sent to the bottom of the Canal and its approaches. There were a total of fifty one wrecks in all, of which twenty-two, varying in weight from 100 tons to 4,000 tons were sunk in Port Said Harbour. They made a dramatic spectacle since, while some were completely submerged, others had masts and superstructures above the water and six were sunk in shallow water.<sup>(127)</sup>



Port Said harbor littered with scuttled ships by Egyptians forces to hinder the advance of Franco-British invasion troops.

Photo Credit: The Egyptian Chronicles

The British “cooperated” with the Egyptians by blowing up the Ferdan rail-and-road bridge across the Canal near Qantara, a vital link between the Sinai and the rest of Egypt. The British wanted to prevent the Egyptian armoured units from crossing back from the Sinai, while the Egyptians wanted to add another obstacle to strengthen the blockage of the Canal. The Egyptian units had to rely, therefore, on a pontoon crossing in light of the destruction of the fixed bridge at Ferdan. Many ships that escaped damage, intentional or accidental, during the hostilities remained trapped in the Canal for several months. Kennet Love notes that “General Hilmy sent presents aboard at Christmas, halfway through their enforced sojourn in the Canal.”<sup>(128)</sup>



The Ferdan Bridge across the Suez Canal Scuttled during the Fighting.

Photo Credit: United Nations / DPI

## Assigning Blame

After the end of hostilities, the Egyptian government's position was that the British and French bombardment was completely responsible for the sinking of the ships in the Canal. Of course this was not entirely true, but it was not far from the truth. Once their commanders realized the Egyptian intention of blocking the Canal, British and French war planes attacked the commandeered ships in an attempt to sink them before they reached the deep navigation channel of the Canal. The aerial attacks managed to sink several ships before they reached their destinations (the first ship to actually block the navigation in the Canal was sunk by British bombers), but several others under forced Egyptian control managed to continue even after being hit, and they were scuttled in the middle of the Canal as originally intended. Moreover, several ships already travelling through the Canal in their usual deep channel "convoy" were mistakenly attacked by British pilots, greatly facilitating Egyptian intentions.



Destruction in Port Said. November 1956.

Photo Credit: TRH Pictures

## **Clearing the Canal**

The Egyptian concern for unobstructed navigation through the Canal was reversed after the war. Egypt's government insisted on keeping the Canal closed and refused offers to clear the damaged and sunken vessels blocking the waterway until all foreign troops had evacuated Egyptian territories and the Gaza Strip. Israel delayed the implementation of the UN resolution, which ordered the withdrawal of all the occupying forces, unless it was allowed access to the Suez Canal and the Gulf of Aqaba. Egypt held firm on the Suez Canal but quietly allowed Israeli shipping through the Gulf of Aqaba, an undertaking sponsored by the US. Israel obtained undeclared assurances from the US President for free access through the Straits of Tiran, at the entrance to the Gulf of Aqaba, with the tacit but unacknowledged approval of Egypt, as the price for completing the Israeli evacuation. However, no such arrangements were extended to Israeli passage through the Suez Canal. The Egyptian Government was not ready to compromise on this particular issue.

Eventually Israel was compelled to complete its withdrawal in the middle of March 1957. Only then was the Canal reopened for navigation (preliminary preparations for the clearing were already underway, headed by US army engineer General Wheeler). Egypt refused the involvement of any British or French ships or technicians, even if they were placed under UN command. Navigation through the Canal resumed on 8 April 1957.



Clearing the Suez Canal, April 1957.

Photo Credit United Nations / DPI

### **The Egyptian Declaration on the Suez Canal**

After the withdrawal of the invasion forces from Egypt, the dust had begun to settle following the full deployment of UNEF, and Egypt issued a Declaration (S/3818) on 24 April 1957 to record its legal position on the Suez Canal.<sup>(129)</sup> Legally, the Declaration constituted an international instrument concerning the Suez Canal and its operations, in accordance with the accepted obligations under the six principles of the earlier Security Council resolution (Resolution S/3675 – 13 October 1956). The Declaration was intended by Egypt to be complementary to the Constantinople Suez Canal Convention of 1888 and the UN Charter, and to enter into record Egypt's understanding of the Security Council resolution of 13 October 1956 governing the operations of the Suez Canal. In the Declaration, Egypt: one, reaffirmed its adherence to the “terms and spirit of the Constantinople Convention of 1888 and the rights and

obligations arising therefrom”; two, committed itself not only to the respect of the freedom of navigation [Egypt still excluded Israel for being in a state of war], but also; three, to the maintenance of tolls in accordance with existing agreements; four, to the progressive maintenance and development of the Canal; five, to the autonomous management of the Canal by the Suez Canal Authority; six, to the establishment of a Suez Canal Capital and Development Fund into which shall be paid 25 per cent of all gross receipts to meet the needs of development and capital expenditures; seven, to proclaim a Canal Code embodying the regulations governing the operation of the Canal; eight, to the equal treatment of all Canal users; and nine, to submit any complaints or violation of the Canal code to international arbitration under the direction of the International Court of Justice.

The Declaration was registered with the United Nations Secretariat. The Secretary-General of the UN, in response, sent a letter (UN Document S/3819) to the Foreign Minister of Egypt stating his understanding that “the government of Egypt considered the Declaration an engagement of an international character coming within the scope of Article 102 of the (UN) Charter.”<sup>(130)</sup> In another follow-up Declaration, Egypt confirmed its intention of accepting the compulsory *ipso facto* jurisdiction of the International Court of Justice, in accordance with Article 102 of the UN Charter, by signing its accession to the jurisdiction of the Court under (Article 36, Para. 2) on 18 July 1957.<sup>(131)</sup> Egypt linked its accession to the jurisdiction of the Court to its earlier Declaration on the Suez Canal Operations. It was feared earlier by some members of the Security Council that Egypt could revoke its Declaration any time prior to its irrevocable accession to the provisions of the International Court of Justice. But such fears evaporated after Egypt’s accession.



## Suez and the End of Empire

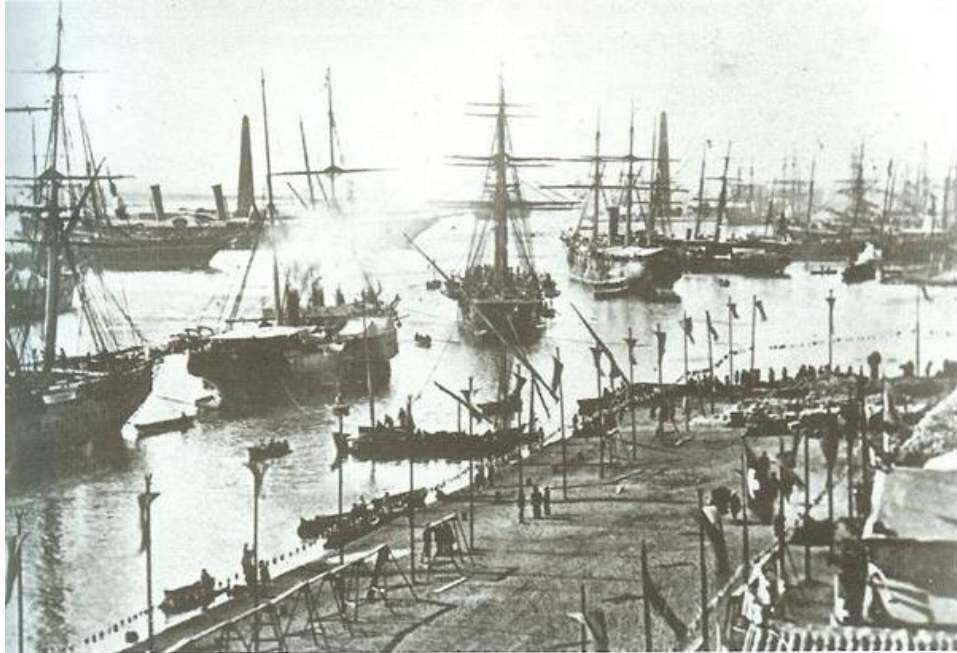
In his study of *The End of the British Empire*, John Darwin concludes that, contrary to the prevailing views at the time, definitive British decolonization, following the independence of India, was “already in train before the Suez Crisis.”<sup>(132)</sup> Similarly, Gorst and Johnman in their introduction to *The Suez Crisis*, contend that “while Suez may not have caused the major changes in Britain’s status in the world, it both highlighted and accentuated developing trends. Suez on this reading is a catalyst rather than a harbinger of change.”<sup>(133)</sup> Whether a catalyst or a harbinger, “There is little doubt that the end of the imperial era was greatly accelerated by the squalid little war in Egypt.”<sup>(134)</sup> The *Times* commenting on the fiftieth anniversary of the Suez War and Eden’s role in it, noted that Eden “was the last prime minister to believe Britain was a great power and the first to confront a crisis which proved she was not.”<sup>(135)</sup>

Moshe Shemesh notes that the impact of Suez on the Middle East and the Western powers represented a turning point in the history of the region:

The West, and in particular Britain, did not grasp the significance to Egypt and to the Arab world of the decision to nationalize the Suez Canal ... They neither appreciated nor understood the new political process taking place in the Arab world as a result of the revolution in Egypt and the emergence of Nasser.

Shemesh continued: on the other hand, Nasser did not understand that he had very seriously wounded British Imperial pride ... The gap between Eden and Nasser was historical. In this situation, armed confrontation was inevitable. <sup>(136)</sup>

Shemesh creates a symmetry between Nasser and Eden where symmetry does not exist. The armed confrontation was perhaps inevitable. But it should be labelled for what it was, a premeditated aggression by one side against the other. There is no symmetry in aggression, particularly when the victim had no aggressive intent and was operating legally, peacefully and entirely within universally-acknowledged sovereign rights.



The Opening of the Suez Canal on 17 November 1869 by Egypt's Khedive Ismael and French Empress Eugénie.

Photo Credit: Otto Herschan/Hulton Archive/Getty Images

## The Fishbone

There is no doubt that Suez evoked many responses among Britons. Recording the views of many leading British politicians and public figures Russell Brandon notes, “the majority of Britons today are certain that Suez 1956 sounded the death knell of their country’s imperial greatness.”<sup>(137)</sup> Brandon quotes British politician Enoch Powell lamenting the agreement for the withdrawal of British troops from the Suez Canal in 1954: “the Suez Canal, with its British garrison, was the keystone in the Imperial arch.” By removing the keystone Powell believed “that arch was one day bound to collapse.”

Lady Gaitskell was quoted as saying “Suez...did infinite harm.” Lord Boothby offered “Suez was only the final shock in the disintegration of Empire that began with World War II.”

Brandon captures Anthony Nutting's views, saying that Suez was both "the complete end of an era", and "the beginning of the end...it drained us of both cash and stamina." Brandon offered his own summing up comment on the fate of empire,

No matter how they differ as to the event that precipitated the decline of imperialism they all agree that Suez caused its death. Whether Suez was a crisis, an adventure, a war, a turning point, a milestone or a non-event, it seems to have stuck like a fishbone in the gullet of Britain's self-esteem.<sup>(138)</sup>

The renowned British historian, Corelli Barnett affirmed in 2007 that the Suez War "was the last thrash of empire...A last attempt by a British government to do the old imperial thing...It was a complete folly". Barnett also observed that Britain's Government at the time was suffering from "Delusions of Grandeur" (folie de grandeur). Britain's return to reducing its set of overseas commitments after Suez, albeit under American leadership, is "the lasting legacy of our transient world hegemony." Barnett added that "Britain's economic standing did not and does not justify its claim to be a major power."<sup>(139)</sup>

Nasser & Eden during a happier time in Cairo, 1955.

Photo Credit: Wide World Photos



## British Leadership & the Suez War

Kelly and Gorst present an important examination of the decision-making and the various positions adopted along the road to Suez. Sir Norman Brook, the Cabinet Secretary and the Head of the Civil Service, thought that Anglo-French intervention in Egypt was “folly”. Brook was also aware, they report, that Prime Minister Eden knowingly “lied to Parliament about Suez”: Brook was convinced that Eden was determined to topple Nasser without declaring this as an aim of British policy. But the British cabinet was very sensitive to not having its own position as seen completely allied with Israel’s.<sup>(140)</sup>

The official “operational objectives” of the British Government for the Suez expedition were summed up by Sir Norman as “to destroy the Egyptian Army, to bring down the Nasser Government and to control the Suez Canal.” The objectives were to be followed by the installation of a “co-operative...successor Government” to head an administration capable of continuing to function efficiently.<sup>(141)</sup>

The political directive issued to the Allied Commander, Sir Charles F. Keightley, was more precise with the aim of bringing about:

the formation of a new Egyptian government which will disavow Nasser’s policies, undertake the pacification of the country, order co-operation with Allied forces and be ready to negotiate an international regime for the Suez Canal.<sup>(142)</sup>

Although “It fell to Brook to undertake the unpleasant task of destroying any incriminating documentary evidence of collusion”, the sordid details eventually found their way to the public domain. A section appearing in the British political directive to the British Commander for the Suez operation, which was not deleted, concerned the anticipated role of Israel in the plan. The section stated that “...It is politically most important that...there should be no association or appearance of association between your forces and Israeli forces...” It is not really shocking,

given the stakes involved, to uncover the efforts of the co-conspirators in ensuring – in vain - that their tracks were covered. It is unbelievable that the two empires could actually think that they could get away with concealing the plot. How the mighty had fallen!<sup>(143)</sup>

With a run on the British pound as the invasion failed, Britain needed a US-backed IMF loan. But the Americans refused to provide any support. Britain's closest ally "pulled the plug". Eisenhower's response was pointed and unequivocal, "no ceasefire, no loan". In a study of Eden's quandary, Stone-Lee stated "The Suez invasion may have been a folly, but it was the pressure from the US Treasury on the pound which forced him to accept a ceasefire and proved the ultimate humiliation."<sup>(144)</sup> The British Empire had to toe the American line. It agreed to a ceasefire and eventual withdrawal from the Suez, which turned into a "complete fiasco" after the Americans refused to back an IMF loan to Britain in order to stave off a run on the pound, according to Barnett.<sup>(145)</sup>

The US rebuked Britain with charges of an "act of aggression" in Suez, as described by Ian Gilmour, a future Conservative cabinet minister, and as quoted by Michael White. Suez in this reading:

marked a turning point in Britain's retreat from empire and ensured that London would never again attempt global military action without first securing the acquiescence of Washington.

In other words, there should be "no solo flying" by post-imperial Britain. During the Suez War, the customary British "special relationship with the USA" lapsed. Labour's Attlee "foresaw Britain's retreat from the Middle East in the 1940s". Even Churchill, the ultimate imperialist, conceded that "it was someone else's turn –America's- to do the heavy lifting" in the Middle East. Churchill, moreover, learned the lessons of the past concerning Britain's world role,

coining the “dictum: We must never get out of step with the Americans – never”. For the British Empire, “Suez remains the moment of truth.”<sup>(146)</sup>

What is clear from the examination of Eden’s position before the Suez War, as revealed from the Minutes of the British Cabinet, was that he did not subscribe to Churchill’s position on the primacy of keeping in step with the Americans. Eden was operating under a different sort of preconceived notion when on 4 October 1955 (almost a year before the war started) he said in Cabinet that:

The British should not allow themselves to be restricted overmuch by reluctance to act without full American concurrence and support. We should frame our own policy in the light of our interests and get the Americans to support it to the extent we could induce them to do so.<sup>(147)</sup>

In a revealing and candid admission, Prime Minister Anthony Eden wrote to his Cabinet Secretary, Sir Norman Brook, from his temporary exile in Jamaica on 16 January 1957, that:

I was wrong...in understanding the American – or rather the Ike-Dulles – hostility. I suppose they had always wanted us out of the Middle East, or at least Dulles did. I was warned of this years ago when the Republicans came in, but I did not believe it. Now I do.<sup>(148)</sup>

The by-now famous, or infamous, instruction issued by Prime Minister Eden to his junior Foreign Office Minister, Anthony Nutting, prior to the Suez War, “Can’t you understand that I want Nasser murdered (destroyed)”, betrayed Eden’s worries about the deteriorating position of the British Empire in the face of the rising anti-colonial tide spear-headed by Nasser. The instructions from Eden came after Nutting proposed a scheme simply to isolate and neutralize the Egyptian President. Earlier, Nutting described Eden’s rising anger against Nasser as making him akin to “an enraged elephant charging senselessly... in the international jungle.”<sup>(149)</sup>

The exchange between Eden and his Foreign Minister reveals the extent to which the British Prime Minister was prepared to go to end Nasser's leadership and the challenge the Egyptian president represented to the British (and French) imperial position. Nasser, on the other hand, was equally antagonistic towards Eden. After what appeared to be an early genuine and "warm" encounter between the two leaders in Cairo in 1955, Nasser later said of Eden "I can deal with someone I hate but not with someone I despise."<sup>(150)</sup>

It is not surprising that at the end of the hostilities in Egypt in 1956, and with the deployment of the United Nations troops in the Canal region to oversee the final Anglo-French withdrawal from Port Said on December 22, 1956, the Commander of the United Nations Forces, General E.L.M. Burns,<sup>(151)</sup> observed that this event marked,

the last time that an Empire (here two Empires in association) would seek to impose its will by force on a weaker nation. It marked the end of an epoch.

Accurately predicting the eventual realignment of the great powers, the general continued by calling the moment,

Perhaps only the end of an epoch for Britain and France, for they were really withdrawing under the pressure of greater Powers than themselves.

Of course, historically speaking, empires come and go, depending on the global distribution of power and the interests at play at any given historical junction. Other empire(s) or power concentration(s) in one form or another will appear on the world scene when domestic and world factors allow it.

### **Israeli Post-War reflection**

Yitzhak Rabin, the late Prime Minister of Israel and the signatory of the Oslo Peace Accords with the Palestinians, commented in 1990 on the Suez War and the "limits of power" in conflicts among nations. He espoused the view that Israel could not impose its "political will" on

unwilling Arabs by “military means.” Rabin continued, “Peace cannot be imposed on our neighbours, nor can force of Israeli arms change their political systems or control them.” He went on to say, in a self-indulgent mode, that “I do not believe that the superpowers would allow Israel to operate as a free agent or that they would stand aside if Israel attempted to achieve political goals by military means.” Nevertheless, Israel has been –and never stopped-using military means to achieve political ends since its inception in 1948. Rabin even praised Israel’s late Prime Minister, David Ben-Gurion, for having the “courage and wisdom to shift from the illusion of far-reaching political changes in Egypt and the region to far more limited goals”, since he had agreed to withdraw from the occupied lands conquered in 1956.<sup>(152)</sup> This delusional account of Israel’s position in 1956 does not factor in the prevailing international political alignments that temporarily forced Israel to abandon its conquest. Ben-Gurion would have kept his territorial gains in 1956 and expanded them even further if he was able to do so. A future Israeli leadership, however, acted on his plans. The region is still paying dearly for the instability caused by the Israeli expansionist objectives.

Rabin seemed to have forgotten the pressures exerted on Israel to disgorge its illegal booty, and without such pressures Israel would not have easily given up on its occupied territories and plans for annexation. Rabin seemed to have forgotten as well that he planned for the 1967 War as Israel’s Chief of Staff with the active acquiescence of the United States, which resulted in massive new territorial and political gains on the ground. The amnesia also extended to the fact that Israel did precisely what he declared about the limits of Israeli power to impose new political realities. This latter day repentance does not change the fact that indeed Israel has used its military power to achieve political ends from 1947 – even before its formal independence - until the present.



## Imperial Failure & American Ascendancy

Long before the US contended for world supremacy at the expense of the British, Theodore Roosevelt, then the Assistant Secretary of the US Navy, addressed the US Naval War College in 1897 and declared that the British Empire was showing definite signs of waning. He concluded that the US must strive to replace it and become the world's premier power.<sup>(153)</sup>

In his 1990 assessment of the European imperial position in the Middle East following the Suez debacle, Julian Amery, one of the main leaders of the "Suez Group", British politicians who opposed the 1954 Anglo-Egyptian Treaty for abandoning control over the Suez Canal, highlighted two points:

The first related to the imperial position in general. Amery stated:

The failure of the British and French to succeed in what should have been a relatively minor effort of gunboat diplomacy was psychologically disastrous for their prestige in the rest of the Middle East and Africa...After Suez, both (Britain and France) felt themselves cut down to size.<sup>(154)</sup>

The second point concerned France in particular. Amery stated: The "failure at Suez led directly to the collapse of French policy in Algeria."

There is no doubt, however, that Britain's role in the Middle East until 1958 constituted an asset to the US position in the region. Following World War Two, however, the British had their doubts about the suitability of the Americans to inherit the imperial mantle in the Middle East. The head of the Eastern Department in the Foreign Office, D.H.M. Riches, rejected the notion that in the aftermath of Suez Britain should consult with America over Middle East issues.

In a non-diplomatic and somewhat patronizing tone, Riches wrote:

The Americans are ignorant and impossible in colonial and semi-colonial situations in the Middle East... We should enlighten their ignorance but not give them responsibility until we are quite sure they will shoulder it...we should certainly not wish to appear that we are being ousted in any respect by the Americans.<sup>(155)</sup>

For a while, Britain resisted US engagement in the Middle East, especially in the Gulf, Aden and Yemen, but eventually realities on the ground resulted in assertions of US leadership regardless of British reservations. The “*Eisenhower Doctrine*” introduced following the Suez War signaled the American intent of getting engaged in the Middle East on a grand scale, despite some old imperial protestations. However, Nasser’s antagonism towards the West had added a new American face to the older powers. The golden opportunity for Egyptian and Arab cooperation with the West, and primarily with US, floundered on the rocks of the West’s anti-Communist crusade, as well as its antipathy towards anti-colonial nationalist movements.

The Foreign Office wanted to avoid giving the impression that Britain was surrendering its Middle East position and influence to America. Fortified by this position, the new British Prime Minister, Harold Macmillan, announced during a summit meeting with US President Eisenhower in Bermuda in March 1957 that “despite recent events [the Suez War!]...the United Kingdom still has an important role to play in the Middle East.”<sup>(156)</sup>

R. F. Holland believes that:

the post-war desire of the US to play a leading international role and to have access to British-controlled colonial regions and markets caused the danger of clashing US and British interests. The British were prepared to accept a subordinate role during the War, but resented American designs to accord them a permanent inferior status.<sup>(157)</sup>

Suez forced British politicians to rethink the limits of their imperial pretensions and to undercut unrealistic aspirations to continue a world role larger than their capacities could handle. For a time it seemed that the London-Washington axis was teetering and there was for a brief period in the second half of the 1950s a “congruency of aims between American strategy and anti-colonial nationalism”. But that illusion was shattered quickly when the US realized that the colonial nationalists were not in the mood for a change of colonial lords. US hunger for resources and its

desire to deny access to Soviet power ensured the continuation of an anti-Western mood in the emerging Afro-Asian world.

### **The Eisenhower Doctrine**

The United States involvement in, and impact on, the Middle East had begun long before Suez. Following World War One, the US ignored the pleas of the Arabs for independence at Versailles. The recommendations of the King-Crane Commission on Palestine were concealed and ignored. The US played a vital role in ensuring the passage of the UN Palestine Partition Resolution in 1947. Many US battle-hardened demobilized servicemen were allowed to participate in 1948-49 in the Arab-Israeli war on the side of the new Israeli state.

The US intervened to ensure Israel's control of the Negev in 1949. In 1950, the US was one of the powers behind the Tripartite Declaration, which, in effect, froze the military situation in the Middle East in favour of Israel. For years, following World War Two, Egypt was subjected to a relentless campaign to join a Western-led Middle East alliance. For years, the British secured American support for their position on maintaining control over the Suez Canal Base despite Egyptian attempts to dislodge them.

The US (with British help) intervened to overthrow Prime Minister Mohammad Mosaddegh of Iran in 1953 because he had nationalized his country's foreign-owned oil industry. The US turned down Egypt's repeated requests from 1952 until 1955 for arms to defend itself against continued Israeli aggression. The Baghdad Pact was set up with American backing to counter Nasser's nationalist anti-colonial appeal. Financing for the High Dam project in Egypt was sabotaged and then cancelled by the US and Britain in 1956. Western pressures against Nasser's Egypt in 1955-56 aimed at overthrowing the Egyptian leader (Operations Omega I and II).



The Eisenhower-Dulles (Vacuum) Doctrine, 1957.

Photo Credit: The White House

The US Administration had been (and still is) providing massive political, economic, and military support for Israel, maintaining in the process a decided superiority against the Arab countries combined. In the spring of 1956, the US approved “Operation Stockpile” to store weapons in the Mediterranean and Europe for use against any aggressor in the Arab-Israeli dispute. The American plan was not implemented when Israel attacked Egypt later in the same year. Enunciation of the Eisenhower Doctrine in 1957 marked the latest attempt by the US to gain some measure of control in the Middle East in the face of a militant anti-colonial and anti-Western tide. The post-Suez US position has to be viewed in light of the history of American engagement in the Middle East.

Much has been said about the role played by the US in opposing the tripartite invasion of Egypt. The angry Eisenhower administration was furious at being deceived and not consulted, despite the common wish among the Western powers to see the end of the regime of President Nasser in Egypt. Was the anger a case of an emerging superpower no longer tolerating its junior partners' challenge to its own plans for the region? Or did its fury flow from a sense of its own prerogative to pull the strings financially, politically, and militarily for the entire Western alliance, including the old empires? In objecting, the USA was signaling to the fading empires to not ignore the new power realities. The irony is that the US also had its own plans, utilizing Israel, to topple the regime of President Nasser and end his revolutionary challenge to Western colonial interests.

While the US was in the process of unofficially inheriting the colonial privileges in the Middle East, its Secretary of State was careful to announce that: "The United States cannot be expected to identify itself 100 per cent with the colonial powers", or to endorse obstacles in the face of Third World desires for "getting independence as rapidly and as fully as possible". He thus admitted on 2 October 1956 that there were "differences of approach" regarding the Suez dispute arising from different "fundamental concepts."<sup>(158)</sup> The dilemma was palpable when Eisenhower exclaimed in frustration, in defining the US position over the Suez War, "How could we possibly support Britain and France if in doing so we lose the whole Arab world?"<sup>(159)</sup>

Nevertheless, "The United States' attempts to mold British policy in accordance with Cold War imperatives frequently foundered on British determination to pursue its own imperial interests." Cooperation occurred only when containment and imperial concerns converged. Even the post-Suez attempts of British Prime Minister Macmillan to "forge Anglo-American

interdependence”, based on an ideology of “special relationship”, bogged down in the face of America’s ascendancy and Britain’s imperial limitations. The British lion, showing unmistakable signs of deterioration and decline, was giving way to the soaring American eagle, young, inexperienced but brash and self-confident.<sup>(160)</sup>

Regardless of the increasingly controversial and competitive US and British positions in the Middle East after the Second World War, both countries were part of a larger Western front, even if they were temporarily at odds with each other. Eisenhower was disappointed that he did not realize political capital from the US position during the Suez Crisis and felt let down by Nasser. The US President told his Secretary of State that “we regard Nasser as an evil influence...While we share in general the British and French opinion of Nasser, we insisted that they chose a bad time and incident on which to launch corrective measures.”<sup>(161)</sup> The US dispute with the aging empires was simply about means not ends. Both wanted Nasser and the anti-colonial movement to face defeat. Britain’s –and in particular Eden’s- rush to deploy a premature military approach without due regard to the changing world situation and the rise of US, led Saul Kelly to conclude that “if Eden had waited until after the U.S. presidential election, the Americans would have helped him to bring Nasser down.”<sup>(162)</sup> (This judgement was based on the assessment of Sir Roger Makins, Britain’s Ambassador to Washington). Certainly, President Eisenhower years after the Suez Crisis ended admitted that “not supporting Eden over Suez had been his greatest foreign policy mistake.”<sup>(163)</sup>

Prior to the start of the Suez War, President Eisenhower had still showed a reluctant willingness to give Nasser some room to manoeuvre, despite a long-standing US desire to snuff out the revolutionary challenge of the Egyptian leader. Eisenhower, who was not as ideologically

rigid as Dulles, took a more conciliatory approach to the conflict. On 9 August 1956 he informed the US National Security Council that:

if Nasser were to prove 1- that Egypt could operate the Canal and 2- would indicate an intention to abide by the Treaty of 1888, then it would be nearly impossible for the United States ever to find real justification, legally or morally, for the use of force.<sup>(164)</sup>

He followed that observation by declaring on September 5, 1956 that “the United States is committed to a peaceful solution of the problem”. And if there was any doubt about US intentions and its position on the conflict, he answered a question on 11 September 1956 about whether Britain and France would be justified in the use of force by saying “We established the United Nations to abolish aggression, and I am not going to be a party to aggression if it is humanly possible.” Eisenhower, moreover, rejected Anglo-French claim that “Egypt had become an aggressor by grabbing the Canal.”<sup>(165)</sup>

Eisenhower, though not in favour of Nasser’s nationalization of the Canal Company, was able, nevertheless, to correctly assess the legal and moral issues involved. But more importantly, he maneuvered to allow the United States to exploit the crisis to its advantage. Having staked America’s position clearly against military intervention, he must have rubbed salt in the British and French wounds because Eisenhower believed that Nasser, despite the conflict with the West, was a true leader. International Communism was not about to take hold in the sands of the Middle East; the only future threat to Egypt and the Arabs seemed to be coming from Israeli expansionist designs. It was Israel that had formally announced the annexation of the Sinai after its invasion in 1956. The Soviets were not seen by Nasser as a threat to Egypt, having helped condemn the invasion of Egypt.

It must be stated that the US Administration tried very forcefully to dissuade the British from resorting to military action against Egypt very early after the nationalization of the Canal

Company. America was concerned about the possible repercussions of a precipitate British action for the entire Middle East and the Third World. Almost immediately after Nasser's nationalization act, the British government, at the behest of Prime Minister Eden, made a decision to go to war to reverse the Egyptian step. Such determination was communicated to Washington. Upon receiving the news of British intentions, the US leadership reacted very clearly, regardless of the consequences to US-British relations. First, Secretary Dulles informed the British Ambassador in Washington, Sir Roger Makins, on 30 July 1956 that "the United States Government would not be in sympathy with any attempt to make the Egyptian Government rescind their nationalization decrees or, to regard them as inoperative, under the threat of force."<sup>(166)</sup>

The next day (31 July 1956), President Eisenhower wrote to Prime Minister Eden and unambiguously criticized his decision "to employ force without delay", without first attempting peaceful methods. "Public opinion here and, I am convinced in most of the world, would be outraged should there be a failure" to engage peacefully first. The President concluded his message to Eden by informing him of "the unwisdom even of contemplating the use of military force *at this moment*", and he suggested that the two countries could lead public opinion "in support of a reasonable and conciliatory, but absolutely firm position."<sup>(167)</sup> US Secretary of State Dulles followed Eisenhower's warning by one of his own directly to Prime Minister Eden delivered face-to-face in London on 1 August 1956. Dulles warned against the use of force, but agreed that Nasser should not "get away with it", and that had to be brought to "disgorge" his booty.<sup>(168)</sup>

In all the American warnings about the use of military action against Nasser, there was a common thread. The Americans were opposed to Nasser's unilateral move and they wanted him



out of the picture. US policy makers, however, alternated between describing Nasser's nationalization act as a threat, and on the other hand, as a legal move by a sovereign country. Their vacillations coincided with the intensity of the British response and perceived plans against Nasser. When the British struck in October 1956, the Americans were furious and vociferous in their opposition to the British.

The USA, the non-imperial/new-imperial superpower, did not exhibit a principled position in defence of Egypt, a country under attack and facing treacherous aggression; rather, its position reflected American priorities, not the lofty principles of international law or the UN Charter. Barely a few days after the withdrawal of the Anglo-French invasion forces from Egypt on 22 December 1956, the United States unveiled the Eisenhower Doctrine. On 5 January 1957, President Eisenhower addressed a joint session of the American Congress on the critical situation in the Middle East:

Just recently there have been hostilities involving Western European nations that once exercised much influence in the area. Also the relatively large attack by Israel in October has intensified the basic differences between that nation and its Arab neighbors. All this instability has been heightened and, at times, manipulated by International Communism.<sup>(169)</sup>

This declaration was delivered well before the completion of the Israeli military withdrawal from Egypt and Gaza on 14 March 1957. The doctrine – actually authored by Dulles (who also called it the “Power Vacuum Doctrine”) – involved an attempt by the US to formally take the place of the defeated British and French empires in defending Western strategic interests in the vital geo-strategic region of the Middle East.

The doctrine's main thrust was aimed at the Soviet Union. It stated that at the president's discretion the USA could ‘use armed forces’ on behalf of any Middle Eastern state being threatened by armed aggression, in order “to secure and protect the territorial integrity and political independence of such nations, requesting such aid against armed aggression from any

nation controlled by international communism.” The wording of the doctrine made it clear that the target was not just the Communist Eastern Block, but countries and leaderships in the Middle East “controlled” by Communism. The unmistakable inference was that it was targeting Nasser’s leadership and Egypt’s role in the anti-colonial agitation.<sup>(170)</sup>

This new doctrine aimed at “Filling the Vacuum” in the Middle East in the wake of the old imperial order, ostensibly to prevent the Soviets from infiltrating into the Middle East. It was the source of a growing friction between Nasser and the US Administration. Nasser was not prepared to replace the British and French occupiers with a new American hegemony.

This newly proclaimed Eisenhower Doctrine was explained and defended by Dulles when he said that:

there is a highly dangerous situation in the Middle East, and that there is today a [vacuum of power] as a result of the recent British-French action, so that if we do not find some way in which to put our support back of the free nations of the area to reassure them and give them strength, then that critical area will almost certainly be taken over by Soviet Communism.<sup>(171)</sup>

The Egyptian leadership was incensed at the unveiling of the Eisenhower/Vacuum Doctrine, ostensibly proclaimed to repel Communist-supported invasion, when the only invaders were British, French, and Israeli. Egypt was still indeed struggling to expel the Israeli forces from the Sinai and the Gaza Strip. King Farouq had played the Communist card before the 1952 overthrow of the monarchy in seeking British arms during the 1948 war with Israel. The British Ambassador in Cairo, Sir Ronald Campbell, had reported to his Government on 20 May 1948 saying that the Egyptian Prime Minister, Nokrashi Pasha:

based his request on the conviction that any Zionist state would have strong if not real Communist complexion, and he hoped that HMG would therefore regard Egypt and other Arab states as pioneers in claim against spearhead of Communists in the Middle East and be ready to cooperate on that basis.<sup>(172)</sup>

Yet Britain had not been forthcoming then with military supplies to Egypt as per their 1936 treaty responsibilities. Thus, when Britain –supported by the US- tried in the later 1940s and early 1950s to create an anti-Communist block in the Middle East, ignoring the danger of the Israeli presence to the Arabs, their efforts failed in the face of the surging anti-colonial tide.

Nasser led the charge against the new Western attempt to gain traction in the region following the disastrous Suez War. He remained steadfast, as he had done against the previous overt and covert Western attempts to co-opt him, and failing that to bring about his downfall. American foreign policy makers –similar to their previous European imperial cousins- had consistently misread the Arab mood and had undermined Arab aspirations since World War One. The drive for Arab independence was viewed as purely anti-Western in nature instead of being correctly assessed as anti-colonial.

The Americans wasted a golden opportunity to develop a new partnership with the Arabs, but their Cold War phobia with its strategic calculations prevailed, and their own imperial ambitions took hold. The Americans were also subjected to a domestic pro-Israel lobby directed against the Egyptian leadership.<sup>(173)</sup> Israel was increasingly viewed by the Arab countries as the West's proxy. In this reading, Israel was not just a country engaged in territorial disputes, but it had another function to perform as the West's willing and able ally. Israel's role was deliberately, or as a by-product, utilized by the Western powers to keep the restive and rising Arab world at bay. The new American Doctrine, which totally ignored Arab concerns about the Israeli threat, has led Richard Miller to conclude that “the Doctrine was not worth the price it cost the United States in goodwill among Middle East countries.”<sup>(174)</sup>

In the face of the emergence of Nasser as a major player threatening the established order, the Eisenhower Doctrine also sought, in Schulzinger's view, “to project the United States

as the savior of conservative Arabs from Nasserism.”<sup>(175)</sup> The US dual objective of confronting perceived growing Soviet influence in the region and defending the old monarchical Middle Eastern regimes against an invigorated and anti-colonial Nasserist republican tide, created a major flash point in US-Arab relations. The earlier attempts before Suez to include the Middle East into a string of defence pacts against the Soviet Union, “had been replaced by a doctrine which projected the international hunt for communists into Arab politics.”<sup>(176)</sup> With the increasing irrelevance of the pro-Western Baghdad Pact, and its eventual demise in 1958, the US had emerged as the leading anti-Communist power in the Middle East, although some strands of Arab opinion also viewed it as an anti-nationalist force.

In its first test of the Eisenhower Doctrine, the US invoked its provisions in the Jordanian crisis in April 1957 to prevent pro-Nasser elements in the Jordanian Cabinet and Army from overthrowing King Hussein and declaring a Republic, which would end the old strings with Britain. The US sent its fleet to the Eastern Mediterranean and reinforced its troops in Turkey in an unmistakable show of force in support of Hussein’s move against the rebels. However, the “intervention placed the United States in the eyes of the Arabs in a position ‘hardly distinguishable from that which the British had just been forced to relinquish.’”<sup>(177)</sup> Practically, the proverbial fig leaf fell off the American pretention of only engaging in an anti-Communist crusade in the Middle East. A fundamental purpose of the doctrine was exposed for what it was: a policy designed to contain anti-colonial revolts against the old Western-dependent Arab regimes.

Again, in July 1957 the US Administration applied the provisions of the Eisenhower Doctrine in Lebanon by dispatching 14,000 marines, supported by the US Sixth Fleet, to shore up the Maronite Christian Lebanese president’s attempt to stay in power past his constitutional term.

The Lebanese leader was a pro-Western politician facing the revolt of pro-Arab nationalists. International Communism was not involved in the conflict despite contrary American claims. As in Jordan, the US was trying to prevent forces inspired by an anti-colonial and pro-nationalist ideology from gaining power and challenging Western interests in the region.

In Schulzinger's evaluation, by 1957 the Eisenhower Government was attempting to apply what it believed were the three principal lessons of Suez: First, the United States had greater influence in the Middle East than any other outside power; Second, Communism was the major problem of the Arab Middle East; Third, Gamal Abdel Nasser of Egypt was an agent of the Soviet Union. The results failed to confirm these propositions.<sup>(178)</sup>

A veteran American diplomat of the Middle East affirmed years after the Suez debacle that the Eisenhower Administration "failed to understand" the depth of the resurgent Arab nationalist movement, failed to understand the wounded Arab rejection of Israel, and finally failed to understand the sense of deep Arab humiliation and resentment at their military and political weakness, all of which Nasser was able to articulate. The US emerged in the eyes of the Arabs after the Suez Crisis as a power that intended to continue the British colonial policy of domination, albeit with an American face and accent. The Eisenhower Doctrine was viewed in much of the Middle East as "an effort to ensnare the Arabs in a neo-colonialist embrace."<sup>(179)</sup> The United States' popularity in the region in the immediate aftermath of the war tumbled and almost evaporated in Arab eyes.

Israel's reaction to the Eisenhower Doctrine was non-committal. Some Israeli officials saw value in it if Israel was included in the policy objectives of the doctrine. Israeli diplomat Abba Eban mockingly called it the "Doctrine of the Immaculate Assumption,"<sup>(180)</sup> based on the

unlikely idea that the Arab States would be willing to adopt anti-Communism in place of anti-Zionism.

### **Canada's Position**

Although the US's opposition to the Suez invasion –based on calculations of national interest– was vigorous and almost indignant, Canada's role in Suez was more subdued and circumspect. Canadian documents reveal that the Canadian government made its strong opposition to the British-led military action in Suez in direct and confidential exchanges with the British government. Canada as a member of the Commonwealth and NATO, as well as a close ally of the United States, had to play a delicate balancing act to stay in the good books of all its allies. Canada's role was crucial as its foreign minister, Lester Pearson, shepherded the creation of an international peacekeeping force to restore peace in the wake of the Suez invasion. Naturally, feathers were ruffled on both sides of the Atlantic, and a hugely embarrassing international crisis loomed since Egypt initially refused to sanction Canada's participation in the international force.

Canadian official documents, however, reveal a nuanced position on the Suez Crisis. The Canadian government was greatly disturbed by the Anglo-French ultimatum issued to Egypt and Israel. Almost from the start of the crisis, on 27 July 1956, the Canadian High Commissioner to Britain, Norman Robertson, counselled patience and international cooperation through the United Nations. Robertson expressed his hope to the British government that “the United Kingdom would not be too quick to gather too many spears to its own bosom.”<sup>(181)</sup>

With the commencement of hostilities, Pearson asked Canada's High Commissioner in London to convey to the UK government Canada's “grave anxieties” over the decision to issue the ultimatum. Moreover, the Canadian secretary of state for external affairs told the Canadian ambassador to the United States that the Canadian government had the “impression” that “the

British and the French had been cooking this up.”<sup>(182)</sup> On the same day Pearson repeated his government’s position on the ultimatum by calling Canada’s high commissioner in the UK to ensure that he was able to express to the British government Canada’s feeling of “bewilderment and dismay.” Pearson also noted that the ultimatum “seems to be much more anti-Egyptian than anti-Israel.”<sup>(183)</sup>

During the crisis the British and Canadian prime ministers exchanged several messages that revealed the deep disagreement between the two governments. The Prime Minister of the UK, Anthony Eden, wrote to Canada’s Prime Minister, Louis St. Laurent, on 30 October 1956, saying that the UK “cannot allow a war between Israel and Egypt to block the Suez Canal.” He then utilized the deception plan agreed to in the Sèvres Protocol by stating that “Israel has accused Egypt of aggression and is delivering a counter attack.”<sup>(184)</sup> Eden knew full well when he wrote those words that there was no aggression committed by Egypt, and that the Israeli action was not a counter attack but a premeditated invasion carried out to justify British and French intervention, as previously planned by the three countries.

St. Laurent replied by commenting on the “grave steps in Egypt” following the “action of Israel”, saying that Canada “cannot come to the conclusion that [Israel’s] penetration of its troops into Egypt was justified” nor could it accept that the situation “necessitated the decision of the UK and France to post forces in the Canal Zone.” In this letter, St. Laurent also informed the British Prime Minister that Canada had “suspended all shipments of arms to Israel...in conformity with what we regard as our obligations under the Charter of and our membership in the United Nations.” St. Laurent, moreover, outlined three areas of anxiety caused by this “distressing situation”: first, the “effect on the United Nations”; second, the “danger of a serious division within the Commonwealth”; and third, the “deplorable divergence of viewpoint and

policy between the United Kingdom and the United States...which is a matter of deep and abiding interest to Canada.”<sup>(185)</sup>

The Canadian High Commission in London reported that the British Government was “aghast” at the tone of St. Laurent’s letter to Prime Minister Eden, and that it came as a “great surprise.” According to the same report, the positions of St. Laurent and Pearson represent “the first occasion on which Canada had ‘parted company’ from the United Kingdom in public.”<sup>(186)</sup> A few days later, Eden wrote to St. Laurent defending the Anglo-French intervention in Egypt, invoking moral pieties as the foundation for a futile cover-up, by describing the “operation” in Egypt as a “life-saving one.” Eden informed the Canadian Prime Minister that the Arab countries, under Egypt’s leadership, were about to “set about Israel”, thus necessitating the life-saving intervention.<sup>(187)</sup> It is worth noting that the St. Laurent Liberal Government was accused by the Canadian Conservative Opposition of betraying “Britain in its hour of need.” Pearson defended Canada’s position by stating that his government pursued a policy to help in “bringing together the two pillars of the Western alliance – the United Kingdom and the United States – which would hold the Commonwealth together, including the three Asian members.”<sup>(188)</sup>

Canada was not incapable of employing some political-diplomatic gimmicks of its own. Shortly before the crisis came to a head, Canada had contracted with Israel for the sale of some F-86 Sabre jet aircraft (as it was requested to do by the United States). Canada had “reserved the right”, however, to suspend the shipments of the fighter jets “if Israel committed aggression”, according to a cabinet decision.<sup>(189)</sup> However, after the hostilities had commenced with “the invasion of Egypt by Israel and the subsequent action of the United Kingdom and France”, the Canadian Cabinet agreed that “all arms shipment to Israel be suspended.” In an act of gamesmanship the Cabinet also “suspended all arms shipments to the Arab countries.” However,



it was agreed that “the public statement on this subject [was] to refer only to the F-86 aircraft to Israel.”<sup>(190)</sup>

Canada’s ambassador to the United States, Arnold Heeney, communicated to the government in Ottawa Eisenhower’s message to the British and French Prime Ministers (before it became public) regarding the Franco-British ultimatum in which Eisenhower expressed dismay at “the ‘great unwisdom’ of taking the threatened ‘drastic action’ when the matter was still under consideration in the Security Council.” The ambassador also conveyed the official feeling in Washington that “the failure of the UK and French Governments to consult or even to inform the USA Government in advance...has been a severe shock...and a very serious blow to the Western alliance.”<sup>(191)</sup>

With the acceptance of the ceasefire following the UN resolutions, the Middle East entered in November 1956 a new phase in politics and a new experiment in peacekeeping that prevented military confrontation from escalating, but that would also freeze in place for over a decade the underlying causes of the conflict.

## Summary

The Suez War brought into relief the end of the European empires. The anti-colonial resistance in the Middle East, led by Egyptian President Nasser, represented the ultimate challenge to colonial control. The confirmation of the United States as the leading Western power, hastened the realization of the limitations of the imperial staying power.

Israel played a major role in this dramatic historical juncture in the service of its own political and territorial objectives, as well as in the imperial and Western designs for the region. The Sèvres\_Agreement between Britain, France and Israel confirmed the reliance of the European empires on a locally-supported ally to defend their interests in the region.

The US –which wanted the anti-colonial challenge defeated- was, nevertheless, opposed to the tripartite action in Egypt for fear of endangering the Western position in the Middle East.

The Egyptian bold challenge to the Western attempts to impose a regional agenda symbolized by the nationalization of the Suez Canal Company resulted in a major political and military confrontation. The Suez War ushered in a new UN-based international solidarity against imperial gun-boat diplomacy.

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## **Chapter 3**

### **UNEF at Centre Stage:**

### **The Political and Legal Foundations**

#### **New Role**

The situation in Suez was about to enter a new phase with the involvement of the United Nations, and in the process a new international intervention regime would be established for conflict resolution. The crucial role played by the UN in this crisis set in motion a new willingness to censure international aggression, and a new approach to defusing a serious conflict endangering international peace and security. In this new uncharted territory a majority vote in the UN General assembly let the international community impose its will without resorting the Chapter VII Security Council enforcement measures, while at the same time upholding the Principles of the UN Charter against aggression and violation of international law.

The agreement to establish the United Nations Emergency Force (UNEF) in November 1956 and its eventual birth (a stillbirth was not far from reality at many stages of the tortured negotiation process) was a problematic and very complex process. Multiple disputes revolved around almost every aspect of this new international force coming into being. The international political struggle around the concept of creating a UN force to replace the occupying forces in Egypt and Palestine (Gaza Strip) was challenging. Its mandate, composition, name, uniform, and legal status, as well as the sovereign consent of the host country or countries, all were sources of serious wrangling and contestation. Undoubtedly, Egypt needed international intervention to help it redress the illegal tripartite invasion and its aftermath. But Egypt was equally concerned that such international/UN help should not occur at the price of diminishing Egypt's sovereignty or

territorial integrity, or of creating new conditions or privileges not previously enjoyed by the aggressors in violation of or undermining the status quo ante.

The birth of UNEF occurred when the Egyptian armed forces – after suffering grievous harm in the Sinai and battered military infrastructure elsewhere - were trying to regroup, contain the Anglo-French presence in Port Said, and bring about Israeli withdrawal to the Armistice Demarcation Lines in place on 29 October 1956. Egypt's limited military capacity, the overwhelming superiority of the forces arrayed against it, and the intricate pressures of the raging Cold War, all combined to limit Egypt's options. On the other side of the, Egyptian resistance was resolute (e.g. the anticipated collapse of the popular will did not materialize), and there was overwhelming support obtained in the UN General Assembly and among most of the developing and non-aligned countries, not to mention outraged world public opinion (even in Britain). After securing the evacuation of the British troops in the Suez Canal base on June 18, 1956 (only few months prior to the start of the Suez War), Egypt was not prepared to compromise on having new forces of occupation returning to the country, or on seeing its control over its territory and sovereign rights violated.

### **Suez Ceasefire**

Just before the ceasefire resolution at the UN, General Hilmy<sup>(1)</sup> was reconnoitering the area in the marshes around intended British targets just before the planned Egyptian attack on the British positions south of Port Said. He then received an urgent request to go to Cairo at once for a meeting with President Nasser. As he recalled in his memoirs, "I was ushered into Nasser's office immediately upon arrival. I apologized for being late and for my appearance. I had not slept or shaven for a few days, my trousers and boots were covered with mud from the swamps of the lake. He himself looked haggard but neat. I assured him that the two British posts would

be wiped out. I touched on the fact that the attack on Port Said from the Lake was found to be difficult, if not dangerous, without adequate preparations”. After initially “listening to my assessment of the military situation and the plan for attacking the Anglo-French forces,” Nasser suddenly said:

The war is over—there will be no attacks—there is a ceasefire. Forces from the United Nations will be sent to the area. I called you because I want you to be responsible for them—you will see the cables between Dr. Fawzi [Egypt’s Foreign Minister] and Dag Hammarskjold [UN Secretary General] in this respect. Dr. Fawzi is on his way here now. You will meet him with me also.



President Nasser meeting with General Hilmy in Cairo  
Photo Credit: Al-Ahram

The undeclared power struggle between Nasser and Amer was again confirmed by the fact that Egypt’s War Minister was not aware of the details of the impending ceasefire given to Hilmy by Nasser. “Before meeting Nasser,” Hilmy stated “Amer had told me to report to him what it was the President wanted me for.” Later on, with the beginning of the arrival of the UNEF contingents, Nasser telephoned Hilmy in Abu Suweir to enquire about the weaponry brought by



the UN forces. He ended the call by saying, “Call me direct by phone or come to my office or house anytime you feel it is important.” Hilmy observed that “Once again I felt strange that though I was a general in the Armed Forces, and as such under the command of General H. Amer, yet I was given free access to the President, bypassing Amer.”

### **The Miraculous Birth**

The situation facing the world and its global organization in the fall of 1956 was without precedent. The UN sponsored action in Korea was considered a collective military intervention relying on unity in the Western ranks, and it was made possible only by a Soviet abstention in the Security Council. In the Middle East, Western armies other than the British and French were not getting ready to intervene, the NATO alliance itself was fractured, and the two superpowers were on the same side of the conflict. The possibilities considered by the United Nations in dealing with the crisis in the Middle East included: first, collective sanctions and the use of collective military forces; second, conciliation through negotiation and mediation; and third, some combination of the two. Yet these three options could not be relied upon to bring about a resolution to the conflict in a timely fashion consistent with the principles of the UN Charter.

The West would not contemplate using military force against prominent members of NATO, and the Third World could not tolerate the continuation of old-style colonialism. In this situation, Canada’s Lester Pearson advocated a course, through diplomatic channels, to bring about peace on terms acceptable to all parties through the immediate involvement of the UN in the process. Remarkably, Pearson proposed the creation of a UN Force “large enough to keep those borders at peace while a political settlement is being worked out – a truly international peace and police force.”<sup>(2)</sup> Such a proposal assumed that the invading forces would withdraw to

the borders, and that a peace mechanism would be implemented to bring the original conflict to a close.

This was indeed a visionary position which, unfortunately, was only partially implemented, for a resolution to the original conflict was deemed unrealizable at the time and ignored.



Secretary-General Dag Hammarskjöld conferring with Canada's Foreign Minister Lester Pearson on the UNEF Resolution in New York, 12 November 1956.

Photo Credit: United Nations / DPI

In fact, however, Pearson's vision almost floundered before it even began. The Canadian statesman envisioned a plan wherein the British and French invading forces in Egypt would be allowed to remain in place but now be designated within the United Nations framework as an intervention force performing "police action" on behalf of the UN, a plan mirroring the Anglo-French declaration. Pearson's intent was undoubtedly, as William Frye concludes, "to extricate

Britain and France from their difficult situation, to save their face, and to cement the crack in their relations with the United States.”<sup>(3)</sup>

This proposal was a non-starter as far as Egypt was concerned. To reward the invading armies by allowing them to remain at “the scene of the crime” and then appointing them to function as a police force entrusted with upholding international law was an insult to the victim and completely out of the question. As A.L.M. Zeidan notes,

Mr. Pearson abandoned this idea very soon after reaching the United Nations headquarters and sampling the mood of anger, alarm, and fright which, while strongest among the Afro-Asian delegations, was not confined to them.<sup>(4)</sup>

The majority mood at the UN was to brand Britain and France (as well as Israel) as aggressors under the Charter and to apply the appropriate sanctions. To propose instead that the first two countries perform police enforcement on behalf of the world community, defied logic and political realities, not to mention the majority of an enraged world public opinion.

Facing such an indignant reaction in the UN General Assembly, Pearson submitted a draft resolution requesting the Secretary-General of the United Nations, Dag Hammarskjöld, to propose a plan “with the consent of the nations concerned” to set up an “emergency international force” to “secure and supervise the cessation of hostilities” and the withdrawal of the invading forces. From that point onward, Pearson’s plan became increasingly the responsibility of the UN Secretary-General, who shepherded it until UNEF became a reality. Hammarskjöld thereby fashioned UNEF into a “sword for peace” for the United Nations.<sup>(5)</sup>

Not surprisingly, the British Prime Minister, Anthony Eden, tried to take credit in his memoirs in 1960 for the creation of UNEF by declaring that “The action we took has been an essential condition for ... a United Nations force to come into the Canal Zone itself.”<sup>(6)</sup> Eden, however, had insisted during the British House of Commons debates on 1 November 1956 that

the United Nations Organization did not have the capabilities of intervening in small wars (he was referring to the invasion of Egypt by Israel, with the full support of the British and French), and that gave Britain and France the right to act. If the UN, he continued disingenuously, “were then willing to take over the physical task of maintaining peace in that area, no one would be better pleased than we.”<sup>(7)</sup> Anthony Eden did not mention that the Anglo-French action was not an innocent foray to separate combatants, but was part of a conspiracy to invade Egypt in order to achieve military and political objectives. The Good Samaritan camouflage wore very thin and was indeed insulting to the intelligence of most UN members, i.e. those who did not wear blinkers.

The Labour Party responded to Mr. Eden’s claims when Mr. Aneurin Bevan said that it is “exactly the same claim which might have been made ... by Mussolini and Hitler, that they made war on the world in order to call the United Nations into being.” Less charitably, Bevan continued, “If it were possible for bacteria to argue ... they would say ... that their chief justification was the advancement of medical science.”<sup>(8)</sup>

### **The Role of the Secretary-General of the UN**

Hammaraskjold was so shaken by the brazen attack against Egypt undertaken in flagrant violation of the UN Charter, despite the agreed 6-point Council resolution that had been reached on 13 October 1956. He urgently addressed the UN Security Council on 31 October 1956. In his address he emphasized that the duty of the Secretary General of the UN is to uphold the principles of the UN Charter, which all member nations are pledged to respect. Therefore, he said he would exercise the right to censure any violation of the Charter. If the member states did not agree with his interpretation of his duties as the Secretary General, then he was ready to resign.



UN Secretary-General Dag Hammarskjöld addressing the Security Council

Photo credit: United Nations / DPI

In the address, entitled “Declaration of Conscience”, Hammarskjöld outlined the principles under which he could continue to serve as Secretary-General:

The Principles of the Charter are, by far, greater than the Organization in which they are embodied, and the aims which they are to safeguard are holier than the policies of any single nation or people. As a servant of the Organization, the Secretary-General has the duty to maintain his usefulness by avoiding public stands on conflicts between Member Nations unless and until such an action might help to resolve the conflict. However, the discretion and impartiality required of the Secretary-General may not degenerate into a policy of expedience. He must also be a servant of the principles of the Charter, and its aims must ultimately determine what for him is right and wrong. For that he must stand. A Secretary-General cannot serve on any other assumption than that within the necessary limits of human frailty and honest differences of opinion – all Member Nations honour their pledge to observe all Articles of the Charter.... Were the Members to consider that another view of the duties of the Secretary-General than the one here stated would better serve the interests of the Organization, it is their right to act accordingly.<sup>(9)</sup>

Although Hammarskjöld thought the Secretary-General had to be impartial and had to retain the confidence and trust of the member nations, he nevertheless held that he had a “political role” to play in international affairs and that Article 99 of the UN Charter provided a ‘legal basis’ for such capacity. Hammarskjöld actively developed this role during the Suez Crisis

while defending UN principles. His foray into high stakes political negotiations was a clear testimony of his activist-internationalist approach. Brian Urquhart, a former Under Secretary-General of the United Nations, described Hammarskjold's post-1957 period as even more "preventive" than "corrective" as became clear in Lebanon, Jordan and Tunisia.<sup>(10)</sup> In a memorial lecture in Uppsala University, Urquhart stated that Hammarskjold hoped that the United Nations "would gradually be transformed from an institutional mechanism into a constitutional instrument recognized and respected by all nations."<sup>(11)</sup> Urquhart, who worked closely with Hammarskjold, considered the Secretary-General a visionary and a pioneer in his own right. As Harry Kreisler notes, "Hammarskjold was the person who made the UN an active peace organization rather than the diplomatic, bureaucratic outfit it had started as. He was the person who developed peacekeeping, and he became the world's chief negotiator of really difficult problems."<sup>(12)</sup>



Dag Hammarskjold, UN Secretary-General in his office in the UN H.Q. in New York. Photo Credit: United Nations, DPI.

Undoubtedly, the role played by the Secretary-General in the crisis was pivotal in moving the events in the direction they took. His integrity and the force of his personality coupled with his impeccable neutral pedigree ensured that he was capable of confronting all sides (as he did) with the need to respect the UN Charter and international legality. His skills as an international and diplomatic negotiator who knew when to compromise and when to apply pressure were indispensable in diffusing the crisis and in reaching an agreement to speedily intersperse UN troops between the warring parties leading to the successful withdrawal of the invading troops from Egyptian soil.

Despite Hammarskjöld's unmatched qualities and dedication, his formula for deploying UNEF in the Middle East eventually foundered in the face of a determined contestation of the concept of sovereign consent. Moreover, the Arab-Israeli conflict was left to fester without serious attempts to bring the parties to a just and equitable settlement despite the opportunity offered by the presence of UNEF. The Secretary-General had to shoulder some of the blame in not persisting in pushing the parties –under international supervision- towards accommodation. Indeed, other factors were present to prevent an Arab-Israeli rapprochement.

But the question must be asked: What was the role of UNEF and why did this international Force stay in place after accomplishing its initial responsibilities of bringing about a ceasefire and ensuring withdrawal of the invasion forces according to UN resolutions? UNEF could have been withdrawn in March 1957 without at all changing the profile of the Arab-Israeli confrontation. There is no doubt that the presence of UNEF was instrumental, at least psychologically, in preventing continued hostilities. But the fact also remains that hostilities could be and were renewed almost immediately when political circumstances changed without any existing mechanism to prevent a return to armed confrontation. Was UNEF's prolonged

deployment, then, a waste of time, resources and opportunity for a lasting peace? Unfortunately the answer must be, on balance, in the affirmative.

### **The Underlying Principles of the International Force:**

According to Hamilton Armstrong, the *raison d'être* of UNEF and its mandate as viewed in international law can be described as follows: “Its main task was to help bring about the status juris existing before the Anglo-French-Israeli invasion of Egypt.”<sup>(13)</sup> In essence, according to this legal view, UNEF was created for a specific purpose which was spectacularly achieved. The fact that the architects of UNEF did not include an internationally-supervised binding mechanism for a conflict resolution, as could have been based on numerous existing UN resolutions, was not the fault of the international force. Rather, it lay with the planners of the post-Suez UN intervention, as well as the complicated international balance of power.

Several principles underlined the formation and deployment of UNEF based on legal interpretations and UN General Assembly deliberations:

*First*, the cardinal rule agreed to by the UN as stated by Secretary-General Hammarskjöld, was that UNEF cannot “be stationed or operate on the territory of a given country without the consent of that country.”<sup>(14)</sup> Public international law, according to Herbert W. Briggs confirms that:

The obligation imposed by international law upon a State not to exercise its power, in the absence of a permissive rule to the contrary within the territory of another State is the counterpart of the right of the State to maintain the inviolability of its territory. States are entitled to regard as violations of international law breaches of their territory committed by foreign military or naval authorities.<sup>(15)</sup>

*Second*, sovereignty prohibits the “entry of foreign forces, without consent, into territory of a State unless such forces were dispatched by the Security Council according to Chapter VII



of the UN Charter.”<sup>(16)</sup> According to Hammarskjöld’s second Report, A/3943 on UNEF, the main function of UNEF, after securing a cease-fire and the withdrawal of the invading forces, was to maintain quiet and secure compliance with all relevant UN resolutions.

*Third*, it is assumed in international law that practically, politically and legally “the consent of the host State to a UN peacekeeping force on her territory must be a *continued* one.”<sup>(17)</sup> Moreover, as the succeeding Secretary-General U Thant reflected in his own Report (18 May 1967) it is:

very doubtful that member States would agree to the establishment of a precedent that might empower the General Assembly ...to decide to station such force on the territory of a sovereign state without her consent, or not to withdraw it when the host State demanded withdrawal of the force.<sup>(18)</sup>

*Fourth*, each UN peacekeeping operation is by definition a “temporary operation” established on an “emergency basis” to help restore or bring about a cessation of hostilities in a crisis situation. The model for this principle was laid down with UNEF. The “length of assignment” of UNEF was uncertain and could not be predicted at the outset, except to delineate a set of objectives to be realized at the earliest practicable opportunity as a result of the deployment of the international force. In the interpretation of Article 22 of the Charter, the “temporary nature” and the “length of assignment” in relation to UNEF were “being determined by the needs arising of the present conflict.”<sup>(19)</sup> Clearly, the General Assembly saw the purpose of UNEF as “temporary” tied to ending the crisis at hand, namely the tripartite invasion, and as nothing more that might require the stationing of UNEF indefinitely. The use of the description “emergency” in the name of the international force could only confirm the transient nature of the mission.

*Fifth*, the creation of UNEF was not intended to influence or change the military and political balance in the conflict except to secure a ceasefire and withdrawal of invading troops, or a return to the *status quo ante bellum*. Peacekeeping must be a neutral operation except when UN Charter Chapter VII is involved. It was hoped, nevertheless, that the injection of an international third party buffer would help the two sides during the cessation of hostilities work on a political accommodation to resolve the underlying conflict. Clearly, the deployment of UNEF did not result in any form of political agreement or a fundamental resolution of the overall impasse.

*Sixth*, the host country had the right to ask for and obtain at any time the removal of the international force from its territory without objection or obstacles, unless there was an unambiguous agreement in place to organize the withdrawal on a different basis. In the agreement reached between Egypt and the UN on the stationing of UNEF in Egypt, the host country's sovereign consent was clearly acknowledged.

*Seventh*, UNEF was a creation and a subsidiary organ of the UN General Assembly. The Force was, therefore, responsible and answerable only to the General Assembly. As an international body, UNEF's chief responsible officer was to be appointed by and answerable to the United Nations and its General Assembly. The role of the head of UNEF was assumed to be neutral and independent of the policies of any nation, including his own. Moreover, UNEF itself was not to be subject to interference by any country. Political neutrality of the international force was to be grounded in its international loyalties as the collective creation of the international community through the United Nations.

*Eighth*, UNEF was not deployed to bring about a military objective by force. UNEF was instead tasked with *securing* a ceasefire and withdrawal of foreign troops, and not *enforcing* such

an objective militarily. In other words, the UNEF was not a belligerent force. Moreover, it was not in any sense to be a successor to the invading forces. Its purpose was to separate the combatants thus achieving a ceasefire and to bring about a withdrawal as required by the UN. UNEF acted as a shelter between armies and created a buffer zone and a safety cordon to help achieve its UN-mandated objectives.

### **Sovereign Consent**

In the autumn of 1956 the UN faced a fundamental test of its *raison d'être* as the pre-eminent world organization charged with maintaining peace and preventing aggression. The Suez Crisis occurred at a historical juncture when the international system was undergoing new challenges related to the post-war weakening of the European imperial domains and the geo-political complications associated with the Cold War. The United States was poised to inherit Western imperial dominance at a time when the colonial world was striving for independence and freedom. US leadership was challenged by Britain and France, which launched the Suez War without any prior coordination. In response to the challenge, the US submitted a draft resolution to the UN Security Council calling upon Israel to immediately withdraw its armed forces behind the armistice lines established in 1948-49.<sup>(20)</sup> Britain and France again challenged the US by exercising their Security Council veto rights and blocked the resolution. The US was not prepared to be ignored and it supported moving the centre of opposition to the invasion to the UN General Assembly, thus bypassing the veto barrier.

The UN General Assembly passed Resolutions 998 (ES-I) and 1000 (ES-I) on 4 and 5 November 1956. They recalled the provisions of the UN General Assembly Resolution, “Essentials of Peace”,<sup>(21)</sup> which called upon every nation to “refrain from threatening or using force contrary to the Charter”, and the provisions of the UN General Assembly Resolution,

“Uniting for Peace”,<sup>(22)</sup> which stated that the “failure of the Security Council to discharge its responsibilities on behalf of all the member states...does not relieve Member States of their obligations or the United Nations of its responsibility under the Charter to maintain international peace and security.” These new Resolutions created an “emergency international United Nations Force”, and appointed Canadian General E. L. M. Burns as Chief of Command to “secure and supervise the cessation of hostilities” and to implement Resolution 997 (ES-I) of 2 November 1956, which requested that member states involved in the recent hostilities agree to implement an “immediate cease-fire” and “promptly to withdraw all forces” involved in the invasion.<sup>(23)</sup>

It cannot be overstated that the legal-political considerations surrounding the creation of the UN Force were daunting and involved considerable negotiations and maneuvers. The principle of *sovereign consent* was a key issue in shaping the deployment of the international Force, as well as the foundation of its mandate. What became clear during this period was that Egypt and Israel were both very reluctant to accept the presence of UNEF. Egypt was not prepared to accept an exchange of one set of occupiers for another. Nasser demanded iron-clad guarantees about its precise role, its mandate, its proposed functions and responsibilities, and binding assurances that Egypt’s consent and control over the continued presence of the international force on its territory was indisputable.

Because of the sovereign equality of nations under the UN Charter -- and Chapter I, Article 2 (7), which prohibits the UN from intervening in the domestic affairs of member states - peacekeeping operations could not commence without the consent of the host nation. Chapter 27, Article 2 (7) states, “Nothing ... shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state”. In other words, according to Davis Brown (New York University School of Law), “U.N. peacekeeping operations cannot

violate a state's sovereignty.”<sup>(24)</sup> The single exception allowed to Chapter I, Article 2 (7) is provided by Chapter VII, which authorizes the Security Council to act regardless of the requirements of national sovereignty if a threat to international peace and security exists.

However, UNEF was not authorized as a Chapter VII resolution. As events in the UN had clearly demonstrated during the early phase of the crisis, the UN Security Council was not involved in its creation at all due to veto power paralysis. It was merely informed by the Secretary-General of the General Assembly's Resolutions to create UNEF. Indeed, it was a UN General Assembly Resolution which activated the international Force (in defiance of the Security Council veto power). Due to the jurisdictional stipulations within the UN Charter, however, the issue of national sovereignty became an integral issue in the negotiations for the establishment of UNEF.

The UN Secretary-General, due to the urgency of the situation, communicated to the Government of Egypt his interpretation of the General Assembly Resolution 998 (ES-I) of 4 November 1956 requesting “a plan for the setting up, *with the consent of the nations concerned*, of an emergency international United Nations Force”. Such interpretations and recommendations in his first Report to the General Assembly (A/3289) of 4 November 1956 were accepted by the General Assembly Resolution 1000 (ES-I) of 5 November 1956. His second Report (A/3302), of 6 November 1956, defined the concept of the new Force, its basic rules, and the guiding principles of its organization and functioning. The second Report, crucially, confirmed the principle of consent by stating clearly that the General Assembly “could not request the Force to be stationed or operate on the territory of a given country without the consent of the Government of that country.” The General Assembly also accepted this Report (including the principle of consent) through Resolution 1001 (ES-I) on 7 November 1956.<sup>(25)</sup>

On the same day (7 November 1956), Israel's Prime Minister David Ben-Gurion, declared in the Israeli Knesset (Parliament) not only the abolition of the Armistice Agreement with Egypt and the consequent annexation of the invaded Egyptian territories, but he stated Israel's position on the acceptability of UNEF:

On no account will Israel agree to the stationing of a foreign force, no matter how called, in her territory, or in any of the areas occupied by her.

“On hearing of this statement, the Secretary-General immediately wrote the Minister for Foreign Affairs of Israel, Mrs. Golda Meir, to inform her that this position was in violation of the resolutions of the General Assembly and, if maintained, would seriously complicate the task of giving effect to those resolutions.”<sup>(26)</sup>

Taking advantage of the issue of required consent, the Israeli representative in the UN, Abba Eban, immediately staked Israel's position. He stated that “the stationing of any force in a territory under Israel's jurisdiction or control is not possible in law without the Israel Government's sovereign consent”. Israel, taking a leaf from Egypt's reservations about consent, rejected the placement of UNEF on its side of the armistice lines.<sup>(27)</sup> It would have been possible, or perhaps probable, that the 1967 War could have been prevented if UNEF had been placed on the Israeli side as well. But as the American news analyst, Eric Sevareid stated “History does not reveal its alternatives.”<sup>(28)</sup>

UN General Assembly Resolutions 998 and 1001 not only constituted the basis for the establishment of the international force, but they also established the principle that UNEF could only “enter Egyptian territory with the consent of the Egyptian Government”, as the international action was not authorized as an enforcement action under Chapter VII of the UN Charter. Having satisfied the consent issue, and Egypt's acceptance of the force (by accepting Resolution 1000),

the Secretary-General pushed for an immediate dispatch of the advance elements of the force to begin implementing the relevant UN Resolutions. His provisional message to the Egyptian Government (which was approved by the Advisory Committee set up according to Resolution 1001) was that the UN would not infringe on Egyptian sovereignty, and that *UNEF would continue its presence in Egypt only with Egypt's consent.*



General Hilmy Receiving UN Secretary-General Dag Hammarskjöld in Egypt  
Photo Credit: Al-Ahram (November 1956)

### **The Good Faith Agreement**

In a meeting in Nasser's office with Foreign Minister Fawzi and General Hilmy the complexities of the UNEF mission were tackled. First, Nasser said that the most important issue in the cable exchange between Hammarskjöld and Fawzi was the phrase "the continuous

approval of the Egyptian Government.” Hilmy recounts that Nasser referred to the phrase and told him, “Remember this phrase, it is most important” for the continuous operations of UNEF “on Egyptian soil or on territories under Egyptian control.”<sup>(29)</sup> This emphasis by Nasser was due to his paramount concern for ensuring Egyptian control over the continued presence of UNEF, and to prevent the Force’s status from being transformed from temporary to permanent with an open-ended presence without Egyptian consent. When Egyptian fears were allayed with assurances that the international force would not operate outside of Egyptian control, Egypt gave its consent for the arrival of the United Nations Forces on 14 November 1956. The first contingents flew from the staging area at Capodichino airfield in Naples, Italy, to the Egyptian air base in Abu Suweir near the Canal Zone on 16 November 1956, a mere nine days after the UN General Assembly endorsed the Secretary-General’s second Report. Initially the UN Force was airlifted using the ‘neutral’ airline Swissair. Subsequently, the airlift was continued by the Royal Canadian Air Force and the Italian Air Force.

The operation intended to deploy UNEF in Egypt as early as was practically possible almost came to an abrupt halt because of the dispute over its precise mandate. Both Egypt and the Secretary-General, however, sought a stand-alone document spelling out clearly and unambiguously the legal status of both parties. A decade later, this insistence on safeguarding Egyptian sovereignty would paradoxically prove detrimental to the very sovereignty Egypt was trying to protect. The decision to exercise this right of sovereignty by ordering the UNEF out in 1967 opened the door to Israel’s “Operation Kadesh II”, which aimed at occupying the Sinai Peninsula.

Because of the complexity and sensitivity of the issues involved, Hammarskjöld went to Cairo on 15 November 1956, accompanied by his UN Secretariat advisors, in order to confer



with Nasser directly and attempt to arrive at a workable arrangement acceptable to all sides. The first item raised by Hammarskjold was his interpretation that the UNEF could only be withdrawn from Egypt with the approval of the UN. Nasser would have none of that: Egypt must retain the right to make the ultimate decision. But Hammarskjold was careful to assure Nasser that “the UNEF can be temporarily stationed on your territory only with your consent.”<sup>(30)</sup> The Secretary-General tried to dispel Nasser’s misgivings about the expected role of UNEF, but he warned the president about “the danger Egypt would run of alienating general sympathy if she created difficulties in establishing the UN force in the theatre.” The president was also told that “The presence of the force would help rectify the situation produced by the aggression and would symbolize the solidarity of the majority of the General Assembly with Egypt.”<sup>(31)</sup>

Hammarskjold also wanted to provide UNEF with diplomatic immunity in Egypt. Nasser countered by offering certain guarantees for the operations of the forces but insisted that foreign personnel operating on Egyptian soil would have to be subject to Egyptian law. A comprehensive agreement on the status of UNEF personnel in Egypt was eventually arrived at in February 1957.

In marathon political-legal negotiations from 15<sup>th</sup> – 18<sup>th</sup> November, the Egyptian authorities and the UN personnel, headed by Hammarskjold, tackled the terms of the deployment of UNEF on Egyptian soil. President Nasser was most insistent on clarifying the consent issue; the UNEF’s length of stay; the areas of deployment of the international force (the ADL and the Canal Zone); the composition of the contributing countries to the force and their positions toward the conflict; and finally, the overall operational terms of reference of the force. Hammarskjold’s personal preference to resolve the dispute over consent and withdrawal was to create an “agreement on withdrawal” between Egypt and the UN in which it would be declared that

“withdrawal should take place only if so decided by the General Assembly.” Nasser was most insistent on maintaining the decision entirely in Egyptian hands.

Finally, a “workable compromise” formula was arrived at by which a “dual statement” included mutual promises of performance by both sides in *good faith*. The agreement reaffirmed UN respect for Egypt’s sovereign rights, and Egypt’s acceptance of the need for fully implementing the applicable UN resolutions. The draft of the formula was negotiated and amended until it took its final form.



Egyptian President Nasser and UN Secretary-General Hammarskjöld  
During negotiations on UNEF status in Cairo, November 1956. Credit: S.I.S.

The talks were an exercise in high stake gamesmanship, during which Nasser threatened not to approve the agreement, and Hammarskjöld threatened to walk out and pull UNEF out of Egypt. Successive amendments proposed by both sides averted a diplomatic catastrophe, as the two sides finally accepted the terms of the Agreement, as submitted to, and later approved by, the UN General Assembly. The accord hammered out in Cairo became known as the Good Faith Agreement. The principles of the agreement were included in an “Aide-memoire on the basis of

the presence and functioning of the United Nations Emergency Force in Egypt.” The aide-memoire was submitted to the UN General Assembly on 20 November 1956 as document (A/3375). The General Assembly approved the document in Resolution 1121 (XI) on 24 November 1956.<sup>(32)</sup>

The operational principles in the Good Faith Agreement document include the following stipulations:

- 1- The Government of Egypt declares that, when exercising its sovereign rights on any matter concerning the presence and functioning of UNEF, it will be guided, in good faith, by its acceptance of General Assembly Resolution 1000 (ES-I) of 5 November 1956.
- 2- The United Nations takes note of this declaration of the Government of Egypt and declares that the activities of UNEF will be guided, in good faith, by the task established for the Force in the aforementioned resolutions; in particular, the United Nations, understanding this to correspond to wishes of the Government of Egypt, reaffirms its willingness to maintain UNEF until its task is completed.

Undoubtedly, this agreement was a brilliant feat of international diplomacy and legal astuteness.

In the face of a determined Egyptian position on sovereign consent, Secretary-General Hammarskjold managed the impossible, an agreement that neutralized the reservations of both Egypt and the United Nations Organization. For Egypt, the UN accepted Egypt’s sovereign rights in relation to UNEF. For the UN, Egypt accepted the presence of the UNEF until its task, as accepted by the Egyptian Government, would be completed. Both sides were under obligation to act in good faith, a novel concept in international relations. Despite the diplomatic triumph of crafting the Agreement, the ambiguity embedded in it would prove detrimental to the status of UNEF a decade later. The obvious lack of an acceptable, clearly enunciated mechanism to terminate the presence of the force would shatter ten years’ worth of quiet on the front lines.

In a surprising entry in General Hilmy’s memoirs, the general mentions that President Nasser gave him (as the person in charge of liaison with UNEF on behalf of the Egyptian Government) a copy of a “secret agreement” between Nasser and Hammarskjold known only to

a “chosen few.” The “Fourteen Points Agreement”, as it was called “has never been made public”, but it stipulated that “the agreement governed the relations between the UN and Egyptian Forces, airfields to be used by both, joint Palestinian-UN patrols in Gaza Strip along the Armistice Demarcation Line ...and so on ...” At the same time, “The other open parts of the agreement regarding customs, immunities, privileges, ports of entry, were published in the official gazette and the necessary laws.”<sup>(33)</sup> It is not clear whether the “secret agreement” remained secret or was eventually incorporated into the Status of Forces Agreement finalized later.

One explanation for the secrecy of the agreement could be that it was made to assuage Nasser’s fears about encroachment on Egyptian sovereignty. Hammarskjöld could have accepted such an agreement as it was within the spirit of the UN-Egyptian understanding on the basis of UNEF operations. Hammarskjöld was almost certainly most anxious about the chances of UNEF actually coming into being if an agreement with Egypt addressing fears about sovereignty was not dealt with immediately. Undoubtedly, Hammarskjöld had a great leeway in negotiating on behalf of the UN, given his interventionist-activist bent. But to sign a secret agreement with the government of a member state was unorthodox, unless of course he judged the situation critical and the agreement was absolutely necessary to save the UNEF project. Hilmy did not elaborate on the agreement further as he considered it a confidential undertaking entrusted to him and few others in the government only.

Another difficult issue concerned navigation on the Suez Canal. This matter too was handled between the Egyptian President and the UN Secretary-General. Nasser was adamant that Israel could not gain any political rewards emanating from its illegal invasion of Egyptian territory. The parties were still in a state of war and only the provisions of the armistice

agreement of 1949 between them could be enforced. Nasser was not prepared to make Israel's withdrawal from Egyptian territory conditional on Israel's gaining the right to use the Canal, thus changing the status quo ante in favour of one of the aggressive belligerent parties and realizing a political advantage in the process. In their meeting in Cairo following the tripartite invasion, President Nasser said "Dr. Hammarskjold, I am going to speak to you completely frankly. As long as I am in this country no Israeli ship is going to pass through the Canal. The idea is totally unacceptable." The Secretary-General still tried to persuade Nasser by saying that Israel expected that if Hammarskjold failed in letting Israeli ships through the Canal he would have to resign. Nasser replied by saying "And if they go through the Canal I shall have to resign."<sup>(34)</sup>

### **Status of Forces Agreement**

The Status of Forces Agreement followed the Good Faith Agreement and was finalized on February 8, 1957. It was made retroactive to the date of the arrival of the first UNEF units in November 1956. The Agreement was the result of detailed discussions between the UN Secretariat (the Secretary-General and the Advisory Committee established according to Resolution 1001-ES-I) and the Egyptian Government covering in a comprehensive fashion the various aspects of the operational status of UNEF in Egypt. In addition to accepting the principle of sovereign 'consent', and the separation of the issue of the reopening of the Suez Canal from the operational responsibilities of UNEF, it was agreed that the area to be occupied by UNEF after Israel's withdrawal would be subject to an agreement between the two sides, and that UNEF would have no function or presence in the Port Said or the Suez Canal region following the withdrawal of the Anglo-French forces.

The Agreement was formalized through an exchange of letters between the Secretary-General of the United Nations and Egypt's Foreign Minister (A/3526 - I & II), which was

endorsed by UN General Assembly Resolution 1126 (XI) on 22 February 1957. Finally, UNEF was established as a ‘subsidiary organ of the UN General Assembly’ on the basis of Article 22 (regulation # 6) of the UN Charter. This legal structure was chosen to offer the UN protection on the ground for the force in the theatre of operation, and structure a chain of command under the General Assembly (which created UNEF in the first place), thus removing UNEF from the Security Council squabbling and interference.<sup>(35)</sup>

### **Regulations of UNEF Operations**

After consultation with the Advisory Committee on UNEF, the participating states, and the Commander of the Force, the Secretary-General issued the *Regulations of UNEF* governing all the administrative and executive functions of the Force established under the authority of the UN General Assembly. The Regulations were proclaimed on 21 February 1957.<sup>(36)</sup>

### **Naming the International Force**

The name proposed for the international force was not free of controversy either. This time it was Egyptian Foreign Minister, Dr. Mahmoud Fawzi, who objected to the earlier proposed name “International Police Force”, citing British Prime Minister Eden’s description of the war as a “police action”. The UN Secretariat suggested the names “Emergency International United Nations Force” for the Force, and “Chief of Command” for the leader of the troops. The “emergency” description was deliberately used to indicate that the force was deployed to deal with a temporary situation and was not as a permanent occupation force. It was the Force’s first commander who suggested the name change to “United Nations Emergency Force”, and also proposed to change his own title from the proposed “Chief of Command” to “Commander”. Both suggestions were adopted by the UN on 8 November 1956.<sup>(37)</sup>

## **Consent by Participating UNEF Countries**

The sovereign consent by Egypt was not the only instance of state consent required to formalize UNEF's operations. The consent of the member states contributing national contingents to UNEF was also "a fundamental pre-requisite." On 21 June 1957, the UN and particular member states entered into a formal agreement based on an exchange of a letter between the UN Secretary-General and the acceptance of the letter by the countries concerned. Enclosed with the UN Letter to the participating countries were copies of the Status of Forces Agreement and the UNEF Regulations. The UN letter and the accompanying agreement and regulations, along with the individual replies formed the combined legal basis for the consent by the participating states for the participation in UNEF. With the exchange of the documents a legally binding agreement was formalized. The Secretary-General's letter emphasized that "It is the intention that this letter together with your reply accepting the proposals set forth herein shall constitute an agreement ... It is also intended that it shall remain in force until such time as your national contingent may be withdrawn from the Force."<sup>(38)</sup> The UNEF Regulations and the members' consent, as well as "the UN 1946 General Convention on Privileges and Immunities" formed the basis for operations by UNEF on Egyptian soil.

## **Choosing UNEF Participating Countries: The Case of Canada**

At this early stage of the UNEF's birth, not just the mandate of the force but the choice of the countries contributing to the force became an issue of major contention. Egypt was not expecting any participation from the Security Council permanent member states, as Britain and France were party to the conflict. The participation of the Soviet Union and the United States was avoided because of their Cold War rivalry. The Guomindong regime in Taiwan, which held China's place in the UN and thus on the Security Council, was in no position to send troops.

No member states in NATO were acceptable to Egypt because of their treaty alliance with the aggressors, Britain and France. This added another element of complication to the situation as two of the countries proposed for the international force, Denmark and Norway, were members of the NATO alliance. Finally, Canada, the author of the resolution to send peacekeepers was not acceptable either because, as President Nasser and Foreign Minister Dr. Fawzi both reasoned, Canadian soldiers owed ultimate allegiance to the British Queen as the head of the Canadian state as well as of the UK. How could Egypt accept Her Majesty's soldiers to help in supervising the evacuation of Her Majesty's soldiers? The British and Canadian uniforms, moreover, were virtually identical, which could lead to confusion or unforeseen confrontations with the Egyptians.

Both General Burns and General Hilmy confirmed the Egyptian objections over Canada's participation in UNEF. In a meeting with Egyptian Foreign Minister Fawzi on 8 November 1956 in Cairo, Burns was told that Canada's inclusion presented a host of problems for Egypt. Burns informed Fawzi that if Canada was excluded he would not be able to serve as the Commander of UNEF. Fawzi assured him that the Egyptian Government "had confidence in my impartiality as a servant of the United Nations, etc."<sup>(39)</sup> On 12 November 1956, Nasser raised the same issue with Burns in the presence of General Hilmy. Nasser asked Burns "How do you expect me to accept Her Majesty's Forces from Canada (The Queen's Own Rifles) to come to Port Said to kick out Her Majesty's Forces from Britain?" To this question Burns answered appropriately, "Sir, this is a political matter. I shall raise it with the Secretary-General since I was told to go to New York for briefing."<sup>(40)</sup>





UNEF soldiers in the Middle East

The British Prime Minister did not make it easier for Egypt to accept Canadian participation when he declared to the British House of Commons, justifying withdrawal, that, “while one lot of Her Majesty’s troops were moving out, another lot (Canadians) were moving in”.<sup>(41)</sup> And to add to the quandary facing both the UN and Egypt, the Canadian unit chosen to participate in the UNEF structure was indeed none other than the “Queen’s Own Rifles”, a name evoking a lot of discomfort and mistrust among the Egyptian leadership. This choice even prompted the Canadian general designated to lead UNEF to question why “out of Canada’s six regular infantry regiments this one had been selected.”<sup>(42)</sup>

Two more contentious Canadian positions contributed to the Egyptian reluctance to accept Canada’s participation in the proposed international force. The *first* was Prime Minister Louis St. Laurent’s declaration that the Canadian troops’ “presence in Egypt did not depend on the will of the Egyptian government.”<sup>(43)</sup> Lester Pearson, Canada’s Minister of External Affairs

and the force behind the proposal for the creation of an international peacekeeping force, amplified his Prime Minister's position by asserting that, "once Egypt had accepted their (UNEF) entry she could not insist on their withdrawal."<sup>(44)</sup> This Canadian stance was in direct contradiction to the need for a "continued sovereign consent" which Egypt adamantly insisted on. The *second* obstacle complicating the issue of Canada's participation in the force was Pearson's proposal at the UN for placing the Gaza Strip (occupied by Israel during the tripartite invasion) "under UN control."<sup>(45)</sup> The Canadian approach raised serious suspicions among the Egyptian leadership. Egypt, moreover, had not forgotten that Canada only abstained and did not vote for the UN General Assembly Resolution 997 calling for the immediate withdrawal of foreign troops from Egyptian soil.

### **Canada's Appeal**

After difficult negotiations involving India, the United States, and the Secretary-General, the Canadians, as well as the Danes and the Norwegians were accepted as participants in UNEF. Canada's contribution, however, was confined to administration, logistics, signals and air transport duties, and it was allowed no combat role. Although many quarters intervened to resolve this impasse over participation, it was a personal appeal by Lester Pearson to President Nasser for an apparent save-facing outcome to avoid a national humiliation for Canada and a personal one for Pearson that produced the compromise.

In his memoirs, General Hilmy shed some light on the efforts made by Canada to secure its participation in UNEF. He explains "Nasser called me again to his office in Cairo" and enquired why "I had prevented the Canadians from coming to Port Said." I answered that "I was carrying out his orders". I reminded him about what he said to me earlier about "Her Majesty's forces coming in to kick out Her Majesty's forces." Upon which "he opened a drawer in his desk

and produced a letter” and asked me to read it. “The letter was signed by Mr. Lester Pearson.” The letter mentioned British Prime Minister Eden’s criticism of Pearson for threatening “to pull out from the British Commonwealth because of Egypt.” And now, Eden reminded Pearson, the Egyptians are refusing “to accept the Canadian forces” in UNEF. Pearson admitted to Nasser in the letter that “it had been a bad but unintended mistake to choose a Canadian unit with the name the Queen’s Own Rifles.” He assured Nasser that the unit was “excluded.” Nasser felt that “reading between the lines ... the letter was an appeal to save Pearson’s face.”<sup>(46)</sup> Hilmy continues:

Nasser asked for my opinion. I replied that Pearson’s criticism of the “British attack” and his threats to break with the Commonwealth were courageous, and “his efforts in the United Nations” were very positive. Nasser agreed and “gave me the green light to receive the Canadians, preferably administrative and not combat units.” The Canadian troops had been kept in Naples and denied permission to come to Port Said on my orders. “After meeting the President, arrangements were made to receive the ship ... I personally welcomed the Canadians in Port Said” on board the *Magnificent*. General Burns and the Canadian Ambassador to Egypt, Herbert Norman, were also on hand to meet the Canadian troops.<sup>(47)</sup>

Pearson’s appeal had been delivered directly to Nasser by E. (Egerton) Herbert Norman, Canada’s newly appointed ambassador to Egypt. He told Nasser that he could not understand Egypt’s position in light of Canada’s record in the Middle East conflict (that was in fact a diplomatic stretch, given Canada’s behind-the-scene proxy military support for Israel). Apparently, Nasser was partially swayed by the ambassador’s pleading to allow the entry of at least non-combatant reconnaissance troops. Norman stressed to Nasser that opposition to Canada’s participation “was unreasonable.” Nasser was clearly under pressure to allow Canada’s inclusion in light of its leading role in proposing the international force.



Canada's Ambassador to Egypt, E. Herbert Norman, presenting his Official Letter of Accreditation to President Nasser in Cairo in 1956.

Photo Credit: The Egyptian Presidency

However, the ambassador's role in convincing Nasser was more than saving the reputation of Canada and the United Nations: it also amounted to "saving 'his boss's political skin.'" Pearson was being severely attacked at home, and Canada's successful inclusion in UNEF would have weakened the charges leveled that he was the "United States chore boy", and that he had "run out on Britain." Yet, what was at stake here was not just saving Pearson, Canada, or the UN's reputation: Pearson's efforts were in fact a "face-saving means" offered to Britain, France and Israel to "disengage" from the awful mess they had mired themselves into without incurring further condemnation from the rest of the world.<sup>(48)</sup>



General E.L.M. Burns, Ambassador E. Herbert Norman, Captain A.B. Fraser, and General Amin Hilmy II aboard the Canadian carrier '*HMCS Magnificent*' receiving the Canadian contingent in UNEF at Port Said, Egypt, on 19 January 1957.

Photo Credit: University of British Columbia, Rare Books and Special collections, (BC2-124-145) & United Nations / DPI

A closer look at the ambassador's mind-set at the time of the Suez Crisis might explain his success with Nasser at such a crucial time. Norman was accused by the CIA of being a Communist agent. In a letter he wrote to his brother and sister-in-law from Cairo during the Crisis, dated 24 November 1956, he described the Suez conspiracy, saying "This whole episode will go down in history as one of the sorriest bits of tragic fiasco." His disenchantment shows in the statement: "It is amazing what a favourable press Israel enjoys through the West." Finally, he showed an inner understanding of the dilemma facing the Arabs despite the prevailing spirit regarding Operation Omega in Western capitals, writing "I can see why the Arab nations around Israel have good cause for worry and concern with this tough, intransigent and aggressive neighbor planted down in their midst." Perhaps faced with such an attitude on the ambassador's part, it was not difficult for Nasser to be receptive to the Canadian diplomat's interjection.



1956. In a meeting between Nasser and Burns, the Egyptian leader elaborated his opposition to a more prominent role for Canada in the international force, saying that, “he hoped that Mr. Pearson would understand his position, and that there was no prejudice against Canada.”<sup>(50)</sup>

### **Dual Allegiance of Participants**

Contractually, members of the participating countries in UNEF “although remaining in their national service”, were designated, “during the period of their assignment with UNEF, international personnel under the authority of the United Nations and subject to the instructions only of the Commander and his chain of command.”<sup>(51)</sup> The accepted legal *modus operandi* for the presence of UNEF in Egypt rested on the United Nations acknowledging “the obligation of its personnel and the members of the Force to respect the laws and regulations of Egypt and to refrain from actions incompatible with their international status.” On the other side of the ledger, the participating troops in UNEF enjoyed a qualified legal immunity from criminal prosecution by the Egyptian legal authorities, because members of the Force were “under the exclusive jurisdiction of their respective national states.” However, the Agreement between Egypt and the UN stipulated that “immunity from the jurisdiction of Egypt is based on the understanding that the authorities of the participating States would exercise such jurisdiction as might be necessary with respect to crimes or offences committed in Egypt.”

The Secretary-General, therefore, sought assurances from each participating government that it would be prepared to exercise this jurisdiction as to any crime or offence which might be by a member of its contingent.” As far as civil jurisdiction was concerned, members of the Force enjoyed legal immunity “in any matter relating to their official duties”. On the other hand, in other civil cases involving the troops, “where jurisdiction...might be exercised in Egypt, there

are agreed measures to prevent the proceedings from interfering with the performance of ...official duties.”<sup>(52)</sup>

## **UNEF Composition**

Ten participating countries formed the combined strength of UNEF, totaling over 6,000 troops. The contributing countries to UNEF were Brazil, Canada, Columbia, Denmark, Finland, India, Indonesia, Norway, Sweden, and Yugoslavia. UNEF had six Commanders from four countries: Canada (General E.L.M. Burns), India (General P.S. Gyani and General Indar J. Rikhye), Brazil (General Carlos F. Paiva and General Syseno Sarmiento), and Yugoslavia (Col. Lazar Musicki). The deployment of UNEF began in association with the withdrawal of the invading troops in the Suez Canal area first, then moved into Sinai, and into the Gaza Strip, followed by Sharm el-Sheikh, and finally the length of the Armistice Demarcation line.

## **Uncharted Course**

The arrival of UNEF troops on Egyptian soil marked the beginning of a decade-long interaction characterized by initial tension and uncertainty, and the subsequent easing into routine cooperation that was marred by occasional bouts of friction. Despite the ups and downs, the overall experience before 1967 could only be described as positive. The first units of UNEF arrived on Egyptian soil in November 1956. The last contingent left Egypt in June 1967, following the 1967 Six-Day War earlier that month. UNEF thus arrived in Egypt in the midst of one war (1956) and left the country during another (1967). Eventually, the absence of war provided by UNEF was erased as if it had never happened, as the antagonists re-engaged in deadly confrontation.





General Burns and General Hilmy discussing POWs exchange, in the buffer zone in El-Cap, Suez Canal Region, Egypt, 21 December 1956. Photo Credit: United Nations / DPI

A golden opportunity for sanity needlessly elapsed. Yet the region at least benefited from a war-free decade under the scrutinizing eyes of international observers who constituted a buffer. Many quarters contributed to the success of the UNEF intervention and the fulfillment of its mandate in avoiding military confrontation for a decade, but two men on the ground were particularly instrumental in guiding the force from its initial uncharted course to a fairly smooth, even routine, phase of operations. They were the first ‘Commander’ of UNEF, Canadian General E.L.M. Burns, and the first ‘Egyptian Chief Liaison Officer’ with the international force, General M. Amin Hilmy II.

## **The Two Generals**

The difficult birth and continued constructive survival of the UNEF, which lasted close to eleven years in all, owed a great measure to two generals, one Canadian and the other Egyptian. Both men were hard-working and tenacious in carrying out and defending their respective responsibilities. Both worked with integrity and dedication to ensure the success of UNEF and its international mandate, as well as to safeguard Egyptian sovereignty. Though they often butted heads, they never lost respect for each other, or lost sight of the overall objective of the mission with which they were entrusted. In fact, the generals ended up forming a genuine personal friendship. The following is a summary of their respective backgrounds.

### **General Eedson Louis Millard (E. L. M.) Burns**

Nicknamed “Tommy”, also known as “Smiling” Burns for his serious no-nonsense old school demeanor, General Burns was a veteran of both world wars. Following the first Arab-Israeli war in 1948-49, he was appointed Chief of Staff of the United Nations Truce Supervisory Organization in Palestine (UNTSO), a post he held from 1954 until the end of 1956 when he was called upon to command the newly formed UNEF.

General Burns was born on 17 June 1897 in Montreal, Quebec. After working his way through the ranks, he received his officer training at the Royal Military College in Kingston, Ontario where he graduated in 1914. He then joined the Royal Canadian Engineers, receiving a commission as a lieutenant in 1915. He served in Europe in both World Wars and eventually in 1944 rose to command the 1<sup>st</sup> Canadian Corps. Born and Wycznski describe him as possessing “penetrating intellect and ‘*avant-garde*’ thinking, [traits that] combined with his prolific writing, have left an indelible record which easily establishes Lt Gen Burns as one of Canada’s best, if

not only, intellectual generals”.<sup>(53)</sup> But he was considered a dour intellectual, one lacking charisma and not a field leader.

By the end of World War Two, Burns had had a checkered career in the Canadian Forces. A rising star in the Canadian military during his youth, he suffered a professional setback for committing a marital indiscretion that resulted in his demotion. The military brass refused to take into account the illness of his wife, to whom he remained committed to the end of her ordeal. He recovered quickly from the setback, however, and resumed his upward progress. Another setback occurred in Italy during World War Two when he was relieved of his command of the 1<sup>st</sup> Canadian Corps in Europe (despite success on the battlefield) for not showing enough leadership quality. One assessment read: “Burns was a first class, damn good, excellent staff officer.....but not cut out to be a field commander.”<sup>(54)</sup>



General Burns in Larino, Italy during World War Two, 18 March 1944  
Photo Credit: Sean M. Maloney's Collection, appearing in  
 The Canadian Army Journal, Vol. 9, No. 2, Summer 2006.

A division commander under Burns offered this assessment, “He moved slowly, gave orders in a monotone manner and lacked the charisma to sell the plan.”<sup>(55)</sup> Yet another evaluation concluded that Burns was difficult, cold, sarcastic, and unable to secure the devotion of his subordinates. But he was seen to possess exceptionally high qualifications and one of the best brains in the army. Judged to be only adequate in the field, he was therefore deemed best suited as a staff officer.<sup>(56)</sup>

Burns admitted that he did not possess the “Montgomery technique” that let one jump on the hood of a jeep to address the troops. Moreover, Burns was not liked by his British colleagues or superiors during the war: There were complaints he was not “British Army enough”. His Canadian characteristics: diffidence, smarts, moderation, and an introverted nature did not endear him to the British brass, so he was not accepted into the old boys’ club. In this respect he was like many other Canadian officers, who were referred to by their British peers as “TGs” or Temporary Gentlemen.<sup>(57)</sup> Burns may also have annoyed the British because “he was, as a nationalist, concerned about the British using Canadians as cannon fodder”.<sup>(58)</sup> The “Empire” mentality was still alive and kicking during the war, although the Empire itself was soon to witness its final sunset.

Despite having serious handicaps in the eyes of his contemporaries, Burns proved the critics’ dismissive attitude wrong after the first Arab-Israeli War. He employed his superior intellect and firm discipline to successfully command UNTSO, which had the difficult task of administering four tricky Armistice Agreements between Israel and its Arab neighbours. He then spectacularly succeeded in laying the groundwork for and organizing the first international peacekeeping operation, UNEF, after the Suez Crisis.



General Burns in Deir El-Balah, Gaza Strip, 1959.

Photo Credit: Hanny Hilmy

In a declassified report by the Directorate of History at Canada's National Defence Headquarters, some "impressions" of the UNEF operations were recorded. The not very flattering report written by a Canadian officer attached to UNEF described General Burns in the following terms:

A grim, colourless personality who seemed singularly lacking in a sense of humour. He was very deliberate. He dealt with all contingents impartially as was illustrated by his wearing a UN uniform believed to be of his own design as opposed to Canadian uniform, and the meticulous way in which he attended all contingent functions. He seemed to be the right man to command a force committed to an inactive role, and hedged around with political booby-traps.<sup>(59)</sup>

Burns served as UNEF's first Commander from November 1956 until December 1959.

Throughout his service as a special UN emissary in the Middle East he was involved in the many attempts to arrive at an Arab-Israeli peace settlement as a special emissary. After leaving the UNEF, General Burns served as Canada's Principal Disarmament Negotiator from 1960 to 1968,

and he did a stint as Deputy Minister of Veteran Affairs. From 1969 to 1975 he held the chair of Strategic Studies at the Norman Patterson School of International Affairs, at Carleton University in Ottawa. In 1975 he served as the President of the United Nations Association in Canada.

Why did the UN and Canada choose General Burns to lead the UNEF? From Canada's point of view, Burns was an experienced field officer used to leading large formations in battle. His removal from command during World War Two at the instigation of a British officer did not please the Canadian brass. His UNEF command was not exactly a rehabilitation –he was already involved with the UN- but certainly it represented a Canadian vote of confidence in the general. From the perspective of the UN, Burns was already familiar with its set-up in the Middle East, being in charge of UNTSO. He was also very involved in the Arab-Israeli conflict, supervising the implementation and the observance of the Armistice Agreements, as well as being an emissary between the involved capitals and familiar with the various political leaderships in the region. Moreover, choosing a Canadian general was a UN nod of recognition to Canada for Lester Pearson's efforts in sponsoring the UNEF resolution to end the military confrontation in Suez.

### **General M. Amin Hilmy II**

Hilmy was a trilingual Egyptian artillery officer as well as British-trained staff officer. Hilmy too was a veteran of World War Two, during which he served as an Egyptian Army liaison officer with the British and Allied forces stationed in Egypt. He was responsible for coordinating Egyptian anti-aircraft action with the Allied air forces, first in the Western Desert and then for Greater Cairo, where he was based in Helwan, in the largest British air base in the region. Unlike Burns, he was known for his legendary sense of humor.

Hilmy was born in Cairo on 5 October 1916. As a boy growing up, he travelled with his father (who was also a general in the Egyptian army) across Egypt and the Sudan on various army postings. Amin Hilmy thus grew up in a military family environment and wanted to continue the tradition (although his first love was medicine). After graduating from the Royal Military Academy in 1938 with a Bachelor of Military Science he was posted to the artillery corps, and he went on to earn his staff designation in 1945 when he earned a Master of Military Science. He participated in World War Two (1939-1945), the Palestine War (1948-1949) and the Suez War (1956). Hilmy was involved in organizing resistance against the British military presence in the Suez Canal Base in the late 1940s and early 1950s. He also played a crucial role in the success of the 1952 army revolt with his timely intervention in Alexandria, where he secured the control of the city and the Royal Palace against attempts by the Royal Guards and certain Navy and Coast Guard units to oppose the rebellious troops marching on the city from Cairo.

Hilmy firmly believed that once the army's objectives of overthrowing the regime were accomplished, the soldiers should go back to their barracks. He refused repeated offers to get involved in the political process, preferring to remain a professional soldier. Under Nasser, he held senior army positions in Cairo, Alexandria and Ismailia in the Suez Canal Region, where he again played a major role during the Suez War. In particular, in 1954-56 he was Chief of Staff, Eastern Command, in charge of the implementation of the Anglo-Egyptian Treaty of 1954. Hilmy assumed acting command of the Eastern Command in 1956, following the incapacitation of the Commander, General Ali Amer during the Suez War.



Cadet Hilmy in front of his platoon. Behind him, Cadet Nasser (front row, 4<sup>th</sup> from left), and Cadet Sadat (front row, 7<sup>th</sup> from left). Royal Military College, Cairo 1937.

Photo Credit: Hilmy's private papers

He was also in charge of organizing Egyptian defences against the British south of Port Said in November 1956. As we have seen in the previous chapter, he was also the mastermind behind the blocking of the Suez Canal during the fighting which was done to prevent the British and French from seizing control of the vital waterway. His involvement with UNEF at the end of the Suez War, at the request of President Nasser, shifted his focus more towards diplomatic-legal work. His contribution towards laying the groundwork (in association with General Burns) for the deployment and functioning of UNEF on Egyptian soil was indispensable for the success of the international force in the face of many political and legal obstacles.

General Hilmy joined the Egyptian diplomatic service in 1960 and became the Head of the Palestine Affairs Department in the Ministry of Foreign Affairs (he remained Chief Liaison Officer with UNEF during 1961 in addition to his work at the Foreign Ministry). He then held ambassadorial posts to the United Nations in New York (1964-1968), India, Nepal, Vietnam



(1968-1974, concurrently) and was the Arab League Representative at the United Nations (1974-1978). (Hilmy was also a member of the International Board of Directors of the International Peace Academy based in New York).

Why did Nasser choose Hilmy to lead the Egyptian liaison responsibilities with the UN for the deployment of UNEF in Egypt? Nasser knew Hilmy very well from their officers' cadet college days. They also went through staff college training designation later on and became instructors in the military academy at the same time. While Nasser was busy building his Free Officers Movement inside the army, Hilmy was organizing resistance to the British presence in the Suez Canal Region. The two officers were supportive of each other's role but were not organizationally connected, as Hilmy refused to join any political structure, whether Nasser's Free Officers or the King's Iron Guard.



General Hilmy receiving advance UNEF Unit from Denmark in Abu Suweir Air Base near the Suez Canal, November 1956. Photo Credit: Al-Ahram

However, Nasser took notice of Hilmy's activities in the Canal Region and wrote in the clandestine Free Officers publications for distribution in the army, praising Hilmy's work against the British.<sup>(60)</sup> Hilmy's intimate knowledge of the Suez Canal Region from his time as a young officer and later as Chief of Staff in charge of the implementation of the 1954 Agreement with Britain gave him a unique perspective for the role chosen for him by the president. Nasser also took notice of Hilmy's role in consolidating the Free Officers' success by securing Alexandria against the King's supporters in the Northern Command, especially by refusing the local Commander's orders to intervene on behalf of the King. Hilmy also arrested the members of the Egyptian Government residing in Alexandria (the summer capital of Egypt) and flew them under military guard to Cairo. Some members of the deposed government promised Hilmy that he and his mad colleagues would be executed in public squares in Cairo.

Hilmy knew the majority of the members of the Revolution Command Council who took over Egypt's governance after the 1952 military takeover. They had been colleagues, both professionally and socially, in the military cadet college or while serving in the army. Although Hilmy was not an official member of the Free Officers Group, Nasser knew him well and was certain of his nationalist credentials and his ability to carry out the job entrusted to him. For his part, Hilmy had great respect for Nasser's integrity and his single-minded dedication to his objectives, but not necessarily his political methods.



General Amin Hilmy II in his office in Gaza in 1959.  
Photo Credit: Hilmy's private papers

While Burns was Chief of Staff for UNTSO in 1954-56, Hilmy was Chief of Staff, Egyptian Eastern Command in the same period (1954-1956), until he also was called upon to head the Egyptian Liaison responsibilities with UNEF. In contrast to Burns' brilliant but serious and cautious demeanor, Hilmy had a sunny personality and was not afraid to take action regardless of the challenges or the obstacles. The two generals, however, managed to fashion a successful and respectful cooperation lasting throughout their respective mandates and beyond. Eventually and despite many initial pitfalls and testing encounters while launching UNEF operations on the ground, the two generals developed a great respect for each other and a genuine friendship. Although they sometimes clashed fiercely over issues of jurisdiction and control, they genuinely tried to resolve any outstanding issues affecting the operations of UNEF in Egypt. Years later, when General Burns passed away in Canada in 1985, General Hilmy

(Ambassador Hilmy at the time) flew to Ottawa to attend General Burns' funeral, stating that he came to say farewell to his "friend".

## **Egyptian-UNEF Cooperation**

General Burns describes his first encounter with General Hilmy and his overall assessment of his Egyptian counterpart, writing:

Having been informed that President Nasser would see me on the 12<sup>th</sup>, I flew to Cairo that day with the UNEF headquarters nucleus staff ... At this meeting the President introduced to me Brigadier (later Major General) Amin Hilmy, the officer he had designated chief liaison officer to the UNEF ... The President made a very fortunate selection of Brigadier Hilmy as the force's chief liaison officer---that is to say, the officer through whom we would work in our dealings with the Egyptian Army and Air Force, and in most of our dealings with the Egyptian Government and local authorities. Brigadier Hilmy had extensive experience in staff appointments and also in dealing with other departments of the Egyptian Government.

His previous appointment as Chief of Staff of the Eastern Command carried over authority which enabled him to get action which otherwise might have been slow and difficult. However, it was his personal character which made him particularly suitable. Courteous, friendly, and good-humoured, he also was quick in action and showed an ability to get results, to produce the co-operation UNEF needed. He appeared to take very seriously the orders to give UNEF every co-operation, which he told me he had received personally from the President (they had been instructors at the Egyptian Staff College together). Of course, from time to time there were arguments and difficulties, but one felt in dealing with him there was always goodwill, and a sincere intention to treat UNEF as one would treat an ally in wartime, at the least. His help to the UNEF was invaluable, and one does not like to think of the difficulties we might have met had an officer of another type been appointed.<sup>(61)</sup>

The genial relations that quickly developed between General Burns and General Hilmy seem to have been an integral component in UNEF's successful functioning. A few examples may help to illustrate the tone of that relationship.

The following account of their settling in the temporary front lines headquarters relies on General Hilmy's memoirs.<sup>(62)</sup> Early in their relationship, the two generals flew together over the Canal region to reconnoiter a suitable temporary headquarters for UNEF. El-Ballah, 30 miles north east of Abu Suweir on the Canal (north of Ismailia and south of Port Said), was chosen. A

school was selected to house General Burns and his staff. General Hilmy arranged for office furniture and supplies to be brought to the new HQ. He also ordered a field bed, a table and a few chairs for Burns' sleeping quarters. To show their hospitality, Egyptian Army HQ ordered - on a top priority basis - the needed items from one of Egypt's best furniture manufacturers, located in the city of Damietta. Twenty four hours later the furniture was delivered.

General Burns entered his new sleeping quarters to be greeted by a double-poster bed raised like a throne with most elaborate bed covers, with golden and red draperies hanging around it. There were also a chaise-lounge to match, a table with three-sided mirrors for make-up, an elaborate chest of drawers, two bed side tables, a large mirrored closet, and a dressing table. In fact Burns had been gifted a "bridal suite". The following morning Burns went to Hilmy's office, which had a regular military field bed folded into one corner. Unaware of the furniture overkill for Burns, Hilmy asked Burns about the sleeping accommodation. Without batting an eye Burns replied: "Where is the bride?" Although Burns was not known for his easy sense of humour, after explaining the new exquisite accommodation to Hilmy, the two generals were heard howling with laughter. Later, during a meeting Hilmy had with the president, who was enquiring about the status of the UNEF forces and their accommodation, he told Nasser Burns' bridal suite story. "When I told him about what had been sent to General Burns in his field headquarter and Burns' comment, he almost choked with laughter... One of the President's aides observed that he had never before heard so much laughter from the President, ever."

Other Egypt-UNEF encounters illustrate the goodwill that Egypt accorded to UNEF members, considered guests on Egyptian soil. With the arrival of the UNEF troops, catering had to be arranged in a hurry. General Hilmy contacted the general in charge of the Logistics Branch in the army suggesting the catering be provided by the Swiss-owned establishment, Groppi's, the



most famous restaurant and pastry shop in Egypt. There was a genuine disappointment among the UNEF troops when the catering responsibilities were turned over to their HQ and their own participating governments, and the superb *Groppi* cuisine (the premier watering hole for the Egyptian elite, the British establishment in Egypt, and Allied troops during World War Two) was cut off. Additionally, the Egyptian army assigned a Rolls Royce limousine for the use of General Burns in Egypt. Unfortunately, the car was involved in a serious accident near UNEF temporary HQ at Abu Sweir. General Hilmy, sportingly, lent Burns his own staff car until a replacement car was provided for the UNEF commander.



General Hilmy Arriving in Canada on an Official Visit (Behind him is Air Vice- Marshall Fred Carpenter) Photo Credit: Canadian DND, June 1960

Later on in 1960 (17 June – 9 July) General Hilmy, in appreciation of his work with UNEF, was officially invited to visit several Canadian military installations, particularly those of

units participating in UNEF. In a dispatch by the Egyptian ambassador to Canada, Abdel-Hamid Saoud, to the Foreign Ministry in Cairo, the ambassador confirmed that the general's visit was very successful and that the Canadian authorities went out of their way to welcome him. Several functions were arranged for him by the Department of National Defence and the Department of External Affairs (Foreign Affairs, Trade and Development now). A guard of honour greeted him at his arrival and departure in the presence of high ranking Canadian officials. Some of the officials informed the ambassador that they were honouring Hilmy as a repayment for his hospitality to the members of the Canadian contingent during their service with UNEF.

General Hilmy was invited to attend Canadian military maneuvers of two brigade groups, afterwards the Egyptian general held talks with the Canadian chief-of-staff and the Canadian Air Force commander, followed by an extensive round of meetings at the Department of External Affairs. The main topic discussed during these meetings was 'the Canadian role in peace-keeping operations in the Middle East'. The ambassador took this genuine Canadian hospitality as an indication that Canada was keen on improving Canadian-Egyptian relations.<sup>(63)</sup> During Hilmy's visit to Canada, Air Vice-Marshal Freddie Carpenter, a key member of the UNEF structure in charge of air transport for the whole UNEF operations, accompanied Hilmy throughout the visit and invited him for an aerial excursion in a Canadian Air Force plane reserved for visiting dignitaries and personally piloted by him.

Beyond the extensive program involving military and government functions, Hilmy was taken to the Canadian North where, after visiting arctic installations, he promptly planted an Egyptian (UAR then) flag to claim a Canadian arctic island under Egyptian sovereignty! The Government and military brass were initially horrified, but the incident was taken as a light-hearted prank. Not so by many journalists and foreign observers. Even the Egyptian Geographic

Society contacted the general to enquire about the exact coordinates of the new territory to include it in its records.

### **Meeting an Old Enemy-Friend**

En route to Canada from Al-Arish, the Canadian Air Force North Star plane carrying General Hilmy stopped at Gibraltar for refueling. The then Governor-General of the British colony was none other than General Charles Frederic Keightley, the over-all military Commander of the doomed Suez Expedition.



Sir Charles Frederic Keightley, 1949.  
Photo Credit: Wikipedia

The Canadian government informed the colony's government, as a matter of protocol, that General Hilmy was en route as a guest of Canada. General (by then Sir Charles Frederic) Keightley arranged an official reception for General Hilmy, although diplomatic relations were still severed between the two countries, and the two men had faced each other in battle in the Suez War not too long earlier. During the reception, Keightley said to his guest "The best time I had in my life was the time I spent in the Canal Zone". Since Keightley was in the Canal Zone for two different assignments, the first as the commander of the British Forces in the Middle



East, and the second as the commander of the Suez invasion force, Hilmy asked tongue-in-cheek, “Which of the two times do you refer to Sir Charles?”.

Keightley answered “You know well the time I refer to”, then he added “I am sorry about the whole Suez Affair. It was a controversial issue in England. But you and I were both soldiers doing our duty”. Keightley was very diplomatic in his response, not openly criticizing the Suez Affair (only a hint) but not endorsing it either. It was generous on his part to receive his old enemy and treat him as a guest, given the fact that he was principally involved in the invasion planning and was, unlike Lord Mountbatten, a strong supporter of the tripartite action.<sup>(64)</sup> One can only speculate whether the Keightley-Hilmy encounter was, like Hilmy’s reception in Canada, intended as a sign that Britain too decided to mend fences with Egypt.

### **Egyptian – UNEF Agreements**

Despite various thorny issues related to UNEF adjustments and the construction of an effective relationship with its Egyptian host, the UN Forces were able before long to reach practical accommodations and strike agreements on routine issues such as settling claims arising from traffic accidents involving UNEF and Egyptian vehicles, and injuries and damage to properties. General Burns, on behalf of the UNEF, wrote to General Hilmy, representing the Egyptian (UAR) Government, proposing in 1959 a “reciprocal elimination of claims which UNEF and the UAR Government may have against each other in connection with traffic accidents”. The UNEF proposal suggested that both sides agree to “waive and consider as non-existent claims resulting from traffic accidents” involving all claims for the loss or damage to the property of either side. The UNEF-proposed agreement was “not intended to affect claims for death or bodily injury” resulting from traffic accidents. After the proposal went through the appropriate legal channels, General Hilmy wrote to General Burns’ successor, the Indian General

Gyani, stating that “I have the pleasure to advise you that the appropriate authorities in the UAR have agreed and accepted all the items in your letter”. The agreement was put into effect, based on the exchange of letters, on 17 October 1960.

As we have seen, the Status of Forces Agreement between the UN and Egypt provided immunity to the members of UNEF from the criminal jurisdiction of the host country for alleged crimes committed by members of UNEF in Egypt, transferring such responsibility to the national judicial authorities of the participating countries to exercise such jurisdiction for alleged crimes committed by their own nationals. However, in some civil cases, the UN Agreement with Egypt did allow Egyptian jurisdiction to be exercised. For example, as a gesture of goodwill and cooperation between the two sides, Egypt relaxed this right of civil jurisdiction and entered into agreement with UNEF allowing the two sides to waive all claims (except death and injury) relating to traffic accidents.<sup>(65)</sup> This can be seen as another step in the building of amicable relations between UNEF and its host country. One should not think, however, that relations were always rosy.

## **Egyptian-UNEF Friction:**

### **A- UNEF Presence in the Canal Zone**

A large point of contention for the Egyptian Government, as confirmed by General Burns, was that “the Egyptians suspected that the UN Emergency Force might remain in Port Said and elsewhere along the Canal after the British and French had left, and would constitute the international control which the British and French, and to some extent the other “users” of the Canal, had been demanding since the Canal Company had been nationalized”. The main fear for the Egyptian Government was the possibility of a plot to force the internationalization of the Suez Canal using UNEF as a cover for this objective. “In the circumstances, the suspicions of

President Nasser and his colleagues were not surprising”, wrote Burns. The Force Commander thus assured President Nasser that “the UN General Assembly ... would never permit the force to be used to compel the internationalization of the Canal.” However, “President Nasser wanted specific assurance on this from the Secretary-General.” In this way the Egyptian president sought to remove any doubt about the actual mandate of UNEF vis-à-vis the status of the Canal in the wake of the Anglo-French withdrawal. Egypt would not accept any role for UNEF that would threaten or reduce its sovereignty and control.<sup>(66)</sup>

Although Israel denounced the 1949 Armistice Agreement with Egypt and annexed the Sinai Peninsula during the 1956 war, as documented above, the US ambassador to the UN, Henry Cabot Lodge, sought to confer on the proposed UNEF force a function that Egypt considered political and not in accord with its proposed mandate. The US representative stated that the role of UNEF would be “as a restraint against any attempt to exercise belligerent rights or to engage in hostile actions contrary to the armistice agreement, the decisions of the Security Council or the resolutions of the General Assembly.”<sup>(67)</sup> Such an interpretation for the UNEF was clearly designed to meet some of Israel’s demands for political engagement by the force and did not involve its immediate purpose of securing disengagement and withdrawal of the occupying forces. To underscore Egypt’s position regarding the expected role of UNEF in the conflict, the Egyptian Foreign Minister, Fawzi, firmly and unambiguously informed the UN General Assembly that the UNEF “is not in Egypt as an occupation force, not as a replacement for the invaders, not to resolve any question or settle any problem, be that in relation to the Suez Canal, to Palestine or to the freedom of navigation in territorial waters.”<sup>(68)</sup> Naturally, if a political role had been assigned as part of an overall approach dealing with all the issues of the conflict, the future trajectory of the conflict may have looked very different indeed.

## **B- Control of the Gaza Strip**

One of the most contentious issues concerning the invasion and the complex withdrawal negotiations centred on “who would end up in control of the Gaza Strip and under what conditions.” Both the Afro-Asian bloc, spearheaded by India and its colourful defence minister, Krishna Menon, and the Soviet bloc were behind the principle that there should be “no ‘reward’ for the aggressor.” This meant unconditional withdrawal of the invading troops without any change in the status quo ante. Moreover, as the victim of aggression, Egypt was not prepared in the least to concede any change in the status quo prevailing prior to the start of the invasion precisely because such a change would be a “reward” resulting from an illegal, unprovoked act of war based on a conspiracy. The 1949 Armistice Agreement in place between Egypt and Israel until the start of the Suez War recognized Egypt as the power in control of the Gaza Strip.

Having failed in its attempt to annex Egypt’s Sinai Peninsula because of threats of international sanctions (including US sanctions), Israel was determined to prevent Egypt from regaining full control over the Gaza Strip (as well as Sharm El-Sheikh, which controls the Straits of Tiran, at the entrance to the Gulf of Aqaba, and thus access to the Israeli port of Eilat). Initially, Israel was planning to keep the Strip under its permanent control and promising to absorb the Palestinian residents numbering approximately 350,000. General Burns, based on his prior experience in the region, wrote that any suggestion of letting Israel keep the Gaza Strip would have to come with a proviso by the UN that Palestinian refugees expelled by Israel who resided in the Strip should be settled in their former homes inside what had become Israel. Burns was skeptical of this prospect, however. He wrote:

But Israelis had a record of getting rid of Arabs whose land they desired...I have been credibly informed that what the Israeli authorities really had in mind, if they had been able to keep the Strip, was to absorb only about 80,000 of the strip’s population. The remainder would have been ‘persuaded’ to settle elsewhere.

In other words, Burns foresaw that they would be expelled. Burns came to the conclusion that allowing Israel to keep the Strip “was not politically realistic”.<sup>(69)</sup> It subsequently did not take place (until the renewed occupation in 1967).

When outright annexation failed, Israel proposed to hand over control of the Gaza Strip to UN administration and not to the Egyptian authorities, who had held the legal governing status in the territory until then. Israel was in the process resisting any return to the *status quo ante*. The internationalization of the Gaza Strip and the termination of Egyptian control over the territory would have been considered a partial triumph for the aggressors and a “reward” for aggression. A final outcome and a fair resolution of the Palestinian problem would have also been prejudiced by such a move. Most of the UN General Assembly member states –through their voting during the conflict- believed that Israel should not effect territorial changes on the ground through aggression and without a balanced and comprehensive political settlement to the overall Arab-Israeli conflict. Any such settlement, they held, must include the legitimate grievances of both parties, not just the claims of Israel alone.

Complicating the situation further, Canada’s Lester Pearson formally introduced a resolution in the UN General Assembly on 26 February 1957<sup>(70)</sup> to place the Gaza Strip under UN control. The Pearson Plan included the appointment of a “United Nations Commissioner for Gaza” working with the “Commander of UNEF” and the “Director of UNRWA” (United Nations Refugee and Work Agency) to replace the Israeli occupation and administer the Strip. Pearson also added that any final agreement on the status of the Gaza Strip should be the responsibility of the United Nations. Mr. Pearson’s position was one of the accumulated reasons Egypt viewed Canada’s role with suspicion and distrust.

The Gaza population was not prepared to accept any notion of internationalization. With the arrival of advance UNEF troops in Gaza in the wake of the Israeli withdrawal on the night of 6-7 March 1957, “wild demonstration for Nasser broke out in the Strip,” confirming the popular feelings. A race developed between the UN machinery and the Egyptian authorities to wrest control of the Gaza Strip in the wake of Israel’s withdrawal. General Burns labored under the notion that it was UNEF’s responsibility to take possession of the Strip from the Israelis. General Hilmy was acting in the belief that Egypt was entitled to regain control over the Strip in order to reinstate its legitimate control according to the 1949 Armistice Agreement and to restore the status quo prior to the illegal invasion. General Burns and UN senior official Ralph Bunche, who had negotiated the 1949 Armistice Agreements, concluded that the popular agitation “could get out of hand if Egypt were not restored to at least nominal authority in the Strip.” Meanwhile, the Egyptian Government announced separately the immediate appointment of an Administrative Governor for the Strip, an announcement that “came as a shock.”<sup>(71)</sup>

General Burns confirmed the same sentiments prevailing among the Egyptian authorities regarding the volatile situation in Gaza by expressing the belief that “an Arab Government” must be restored to Gaza, and that “the Egyptians must at least have nominal authority.” Burns continued that not to “re-enter the Strip” would be “politically impossible” for the Egyptian Government, as “[i]t would have amounted to an abandonment of Egypt’s rights in the Strip, set forth in the armistice agreement.”<sup>(72)</sup>

Acting on behalf of the Egyptian Government, Hilmy had already installed an Egyptian Governor for the Strip taking over all administrative and security functions. To inject a sense of humour in this saga of international gamesmanship, Hilmy arranged for Burns to be met upon his arrival in the Strip with an Egyptian guard of honour for the “visiting” dignitary. When Burns

complained about the turn of events and the prevention of UNEF from securing the territory under UN control, Hilmy responded “General, you are not here to strip us from the Strip.”<sup>(73)</sup>

It is generally accepted that the final cause of an Israeli withdrawal from the Gaza Strip (and Straits of Tiran), despite previous stubborn Israeli refusals, was US pressure, as well as an overwhelming push in the United Nations to impose sanctions against Israel for its continued refusal to implement repeated UN resolutions demanding compliance. On 11 February 1957, US Secretary of State Dulles delivered an *aide mémoire* to Israel stating “Israeli withdrawal from Gaza should be prompt and unconditional”. To this, Israel’s Ben-Gurion responded in his own *aide mémoire* on 15 February 1957 “there is no basis for the restoration of the *status quo ante* in Gaza”. In response, Eisenhower seriously considered joining the UN majority in imposing sanctions against Israel. Countering Israel’s efforts at applying pressure on the US government through pro-Israel domestic US support, including influential elements of the Congressional leadership, Eisenhower sought to refute the notion that United States policy ... is “controlled by Jewish influence in the United States”, a view which he thought could “drive the Arabs to see Russia as their only hope.” He instead advocated “a resolution which would call on all United Nations members to suspend not just governmental but private assistance to Israel.” In the case of the US, such assistance amounted to hundreds of millions of dollars annually.<sup>(74)</sup> Eisenhower followed his threat by sending a warning cable to Ben-Gurion and made a televised speech to the American people in which he said:

Should a nation which attacks and occupies foreign territory in the face of United Nations disapproval be allowed to impose conditions on its own withdrawal? If we agree that armed attack can properly achieve the purpose of the assailant, then I fear we will have turned back the clock of international order.<sup>(75)</sup>

Israel, in its determination to hold on to conquered Egyptian and Palestinian territories, communicated its intentions through its Ministry of Foreign Affairs to General Burns on 4

November 1956 – at a point when he was still the chief of staff of the United Nations Truce Supervision Organization. Based on this contact, the Secretary-General issued on the same day the following notice:

The Secretary-General was informed by General E.L.M. Burns, Chief of Staff of the United Nations Truce Supervision Organization, that the Ministry of Foreign Affairs of Israel, in a communication of 4 November said ‘Israel representative stated in the Assembly last night the Government’s position that the General Armistice Agreement had become a fiction and no longer had validity. The Government did not intend to return to the General Armistice Agreement with Egypt. United Nations Truce Supervision Organization personnel had no function to perform in Gaza or Beersheba and I was asked to give orders for their withdrawal. Report (A/3284)

In his reply dated 4 November, General Burns referred to the instructions of the Secretary-General (paragraph 7 of A/3267), and stated that:

in view of his instructions he was unable to accede to the demand for withdrawal. General Burns added that if the Government of Israel disagreed with his decision, their representative might be instructed to take up the matter with the Secretary-General.<sup>(76)</sup>

A few days after the Israeli Foreign Ministry declared the Armistice Agreement a fiction with no validity, the Israeli Prime Minister, in support of a such position, announced (on 7 November 1956) in the Knesset that both the 1949 Armistice Agreement and the armistice lines with Egypt were dead and vanished. Using the *fait accompli* of the military occupation, Israel wanted to turn the conquest into a permanent annexation by unilaterally cancelling the demarcation lines with Egypt in total violation of the UN Charter and the signed international agreements.

Secretary-General Hammarskjöld believed that any negotiations over the Middle East dispute had to be based on the 1949 Armistice Agreements and that the rapid withdrawal of the occupying troops and the re-establishment of the agreed demarcation lines had to have top priority. Based on his January 24, 1957 Report to the UN to that effect, Hammarskjöld in reflecting the views of many governments could not but concede Egypt’s right to re-establish



control over the Gaza Strip despite massive efforts to deny Egypt's return to the territory.

Formulating a general rule concerning territorial acquisition by force as the result of an armed conflict, the Secretary-General stated in his Report of 24 January 1957 that effective UN measures for conflict resolution must be anchored within the following limitations:

The United Nations cannot condone a change of the *status juris* resulting from military action contrary to the provisions of the Charter. The Organization must, therefore, maintain that the *status juris* existing prior to such military action be re-established by a withdrawal of troops, and by the relinquishment or nullification of rights asserted in territories covered by the military action and depending upon it.

Applying the interpretation of this fundamental principle to the issue of the deployment of UNEF in Gaza, the Secretary-General made it clear that “any broader function for UNEF” or “a widening of United Nations administrative responsibilities”, as demanded by Israel and proposed by Canada in the UN, “in view of the terms of the General Armistice Agreement and recognized principle of international law, would require the consent of Egypt.” The Secretary-General continued that even if the UN General Assembly were to recommend such changes, “it would lack authority” to force compliance from Egypt. The Secretary-General made it very clear that Egypt had given its consent for UNEF operations for the objectives of “withdrawal of foreign forces from the territory of Egypt, including territory covered by the General Armistice Agreement between Egypt and Israel [Gaza and al-Auja] ... Activities beyond this required additional consent”. Clearly, Israel, and other interested parties, failed in this juncture to achieve the objective of annexing the Gaza Strip and, failing that, to place the territory under UN Administration, thus illegally affecting the Armistice Agreement with Egypt and undermining the principles of international law.<sup>(77)</sup>

### **C- UNEF- Israel Spy-Sex Incident**

One episode that represented an important test of the Status of Forces Agreement between Egypt and the UN was a 1959 spying scandal. Clearly, the arrest of Israeli citizens inside the Gaza Strip smuggled across the Armistice Demarcation Lines by Canadian members of UNEF constituted a breach of UNEF neutrality, particularly if the involved Israelis had been engaged in more than “recreational” activities and thus endangering Egypt’s national security. As members of the Force were immune from the criminal jurisdiction of the host state because they were under the exclusive jurisdiction of their respective national states, the Status of Forces Agreement (para. 11) dealt with this jurisdictional vacuum for alleged crimes committed on Egyptian or Egyptian-controlled territories. The Agreement stated that “immunity from the jurisdiction of Egypt is based on the understanding that the authorities of the participating States would exercise such jurisdiction as might be necessary with respect to [alleged] crimes or offences committed in Egypt.”<sup>(78)</sup>

These arrangements were agreed to because some participating States might have standards of justice different from the Egyptian justice system. What is considered a crime and its corresponding punishment, if required, can differ greatly from society to society. Not only could sentences differ widely, but conditions of incarceration, in cases of conviction, could be unacceptable to the participating states who were concerned with the welfare of their citizens in legal troubles. As part of the Agreement with Egypt, the UN Secretary-General sought contractual assurances from the contributing states that they were prepared to exercise such jurisdiction in place of Egypt in return for the host country’s waiving its right to criminal jurisdiction on its soil. The Gaza incident witnessed the implementation of the Agreement between Egypt and the UN without a hitch. Undoubtedly, however, the involvement of some

members of UNEF, particularly “Her Majesty’s troops” from Canada, in potential spying activities against Egypt (on top of the obvious purpose of the liaison between the Canadian soldiers and the Israeli women), could only inflame public feelings and increase suspicions towards the UN, and especially Canada.

In January 1959, Sargent Harold Carter, a member of the Canadian contingent in UNEF, was spending holiday time in Israel, where he met three Israeli citizens named Janet Rachel Ahovadi (22), Marcel Dalia Shouan (21), and Rachel Zaltès (25). Carter drove the Israeli women in his UNEF military vehicle across the ADL from Israel into Gaza where he “hosted” them in the UNEF guest house for a couple of weeks. Three other Canadian military personnel participated in offering “hospitality” to the Israeli women.

Upon discovery of the women by Egyptian security and police forces, all the involved were arrested. The three Israeli women were charged with crossing the borders without authorization for the purpose of spying. They were tried by an Egyptian court and sentenced to five years in prison and five hundred pounds penalty each. Sargent Carter was ordered deported immediately from Gaza and turned over to the UNEF Headquarters for appropriate procedures in accordance with the Agreement between Egypt and the UN.

The UNEF legal branch then proceeded to court-martial four Canadian military personnel. They were found guilty of providing shelter to Israeli citizens in Gaza, contrary to the neutrality expected from a United Nations authorized operation. They were sentenced to prison terms ranging from 60 to 90 days and were ordered deported immediately to their country of origin, as required by the Egypt-UNEF agreement on immunity and criminal charges.<sup>(79)</sup>



The published court verdict in the case of UNEF and the accused Israeli spies  
Photo Credit: Al-Ahram (16 February 1959)

Surprisingly, the reporting by the authoritative newspaper, *Al-Ahram*, was subdued and factual. The verdict of the trial was reported without inflammatory comments. Perhaps the Egyptian authorities did not wish to escalate the situation by turning the incident into a full-fledged confrontation with the UN. First, Egypt would not have gained any advantage by stirring the pot with the UN. Second, the Egyptian Government must have realized that there was not a serious breach of national security resulting from the infiltration of the three Israelis (spies or otherwise) with the help of the Canadian soldier. If this operation was a serious espionage attempt, it amounted to a flimsy effort because without giving the agents credible credentials for operating behind enemy lines, they were bound to be discovered and apprehended, as actually did happen. On the other hand, it is very doubtful that this apparent sex escapade would have taken place without the prior knowledge, planning and sanction of the Israeli authorities. The Israel spy agency, MOSSAD, was known for mounting many espionage operations using professionally trained female agents

who could infiltrate Arab territory and entrap important Arab officials. To target Canadian members of UNEF would have been a change in tactics, perhaps not well thought-out or organized, unless, of course, the Canadians were only used to gain access, receiving sexual services in exchange for their assistance in breaching Egyptian lines.

One can conclude that the Gaza escapade was probably no more than an attempt to get some information on the UNEF presence and its interaction with the local authorities and inhabitants, and to do so by seducing few unsuspecting Canadian soldiers. The relative speed with which the infiltrators were discovered and arrested demonstrated the surprising lack of thought given to the operation by the Israeli handlers. The *Globe and Mail* reported on 21 January 1959 that the Egyptian authorities had placed the Canadian soldier suspected of organizing the affair under surveillance for two months. A report by the same *Globe and Mail* newspaper a year and a half earlier (11 April 1957), had revealed that Egyptian Army officers (not specified) had complained that UNEF soldiers in the Gaza Strip “are falling for pretty Israeli girl soldiers across the demarcation line.” The *Globe* reported also that the Egyptian weekly paper *Akhir Saa* (no date) “published photographs of girls in Israeli Army uniforms dancing with UNEF soldiers to accordion music provided by Israeli soldiers.” The Egyptian officers, continued the paper, emphasized their trust in the UNEF soldiers but wanted “to make sure Israeli girls don’t talk military secrets out of UNEF soldiers.” This UNEF-Israeli fraternization had occurred less than a month after Israel finally completed its withdrawal from Egypt and Gaza. It is remarkable in light of the fact that UNEF was supposed to provide a buffer presence between Egypt and Israel in complete neutrality, and its deployment was confined to the Egyptian side of the ADL (due to Israel’s refusal to accept UNEF troops on its side of the Line). The early UNEF fraternization with Israeli troops was, therefore, ill-advised and was bound to create problems for the Force in Egypt.

## **D– Operational Fine-Tuning: A Revealing High-Level UN-Egyptian Meeting in Cairo (January 1959)**

A meeting between Egyptian and UN officials in January 1959 clearly illustrates the struggle of the two sides (despite ample goodwill) to defend and maintain their respective understandings and control of the mandate governing the operations of the international force on Egyptian soil. There were arguments over many contested issues, such as the Egyptian claim to have a right to patrol the border zone with Israel, against UNEF insistence on its having exclusive rights to operate in the zone. Egypt's repaving of the Sinai roads next to the borders was also disputed. Control and access to Egyptian air space was the subject of a heated exchange. The role of Palestinian police in patrolling the border was a further area of disagreement. Egypt's right to fight border smuggling was another issue of debate. The UN officials advanced the position that UNEF needed freedom of action without Egyptian restrictions or interference. Clearly, the two parties were at odds on many issues: their differences put into focus some of the difficulties an international operation faces while functioning within a sovereign domain.<sup>(80)</sup>

The minutes of the January 1959 meeting give a rare inside look at the original and unpublished record of the interaction between Egyptian and UN officials. They throw light on how the two sides grappled both with sensitive issues and with their different interpretations, and how they did so at the highest level with intensity, but equally with respect. There was a desire on both sides to facilitate the operations of UNEF, and equally to take into account Egyptian sovereign requirements.

## **E. UNEF Casualties**

The UN Force suffered several casualties over the course of its deployment in Egypt and Gaza. UNEF suffered 110 fatalities in all, 31 of them were Canadians.<sup>(81)</sup> The casualties occurred as a result of land mines, mistaken exchange of fire with Egyptian or Israeli units, road accidents, and the fighting during the 1967 War. Major Charles Goodman,<sup>(82)</sup> Canadian Army, confirmed that upon his deployment in Rafah in March 1957 (where the Canadian contingent to UNEF was based) he was tasked by the commanding officer, Col. Ross Heuchan, to arrange the funeral of four members of the Canadian Reconnaissance Squadron. The Canadians came under fire while on patrol along the Demarcation Line. Both the Egyptians and the Israelis accused the other side of opening fire on the Canadians. General Hilmy offered Egypt's official condolences to the Canadian contingent in person. The Canadians soldiers were buried with full military honours in the Commonwealth Cemetery in Gaza.

## **The 'UNEF-Local Population' Encounter: An Assessment**

In a landmark study undertaken in February 1964 on the effects of the deployment of United Nations Forces, a "Pilot Project" was carried out in the Gaza Strip by Norwegian social scientist Johan Galtung.<sup>(83)</sup> This study was meant to gauge the interaction between UNEF and the local population. The aim of the research was to define and study the "factors that facilitate or impede the acceptance of such forces." It was "concerned with patterns of attitudes and interactions between civilians...and the UN forces." Previous studies of the history of UN peacekeeping in Gaza, Congo, and Cyprus had focused mainly on the reaction of the main antagonists (governments or civil war factions), and the role played by UN forces as the only issue that mattered. Such studies were weakened by not taking into account the importance of the reaction of the civilian environment in which the forces are embedded.



Professor Johan Galtung  
Pioneer of peace research

The Gaza Strip, a sliver of the former British-Mandate Palestine, remained under Egyptian temporary trust-control following the Arab-Israel 1948-49 War. In total, the Strip housed three UN bodies interacting on a daily basis. The *first* was UNRWA (United Nations Relief and Works Agency) established by the UN in 1949 for Palestinian refugees in the Middle East. The agency is still in operation today in Gaza and throughout the Middle East. The local Palestinian attitude towards UNRWA was a resigned acceptance, as the Agency was there to help. But a typical attitude was that if Israel had not seized the land of the Palestinians, they would not have needed this humiliating international charity. A *second* and much smaller organization, present in the Gaza Strip was UNTSO (United Nations Truce Supervision Organization) which was in charge of administering the Armistice Agreements between Israel and the Arab countries. As noted, General Burns, the first Commander of UNEF, was the head of UNTSO until his appointment in 1956 to head UNEF. Finally, the *third* UN structure added to



the mix was UNEF, deployed in Gaza in March 1957. The Strip housed the UNEF HQ and most of the branches of the administrative structure for the international force.

Galtung's study was concerned with the third UN organizational presence in Gaza, UNEF, which invariably influenced and was influenced by the other two. This report examined how UNEF's presence and its interaction with the population was affected by politics, culture, customs, and varied expectations. The study presented several notable findings.

Although UNEF was basically considered by Palestinian refugees in Gaza as an internationally-imposed barrier<sup>(84)</sup> between them and the return to their homes in what was - in their view - an Israeli-occupied Palestine, only very low level incidents occurred that required the attention of UNEF (individual crossings or shootings across the Armistice Demarcation Lines). The study likened the refugees in Gaza to a "population in a prison" <sup>(85)</sup> condemned to an undetermined period of incarceration with a typically high degree of frustration (as based on observed prison studies). Such an attitude was demonstrated when it was publicly announced that the UNRWA mandate had expired on 30 June 1963 (though it was immediately renewed). Riots took place not because of anger against UNRWA but because of the "symbolic significance"<sup>(86)</sup> of the fact of renewal. It represented an indefinite extension of the population's confinement to the refugee camps without hope of ever returning to their homes.

Galtung's study was supportive, therefore, of setting no "time-limit"<sup>(87)</sup> for the UNEF operations, thus raising (or lowering) hope among Palestinians for the end of their ordeal. Based on my own personal observations, however, during four years spent in Gaza in the late 1950s and early 1960s and interacting with Palestinians in school, in refugee camps, and in the broader society, there was an overwhelming desire among Palestinians to retain their refugee status and not to be settled on a permanent basis, lest their status and political demands for repatriation be

compromised. Collectively, the refugees resisted perceived attempts by others, which they saw as “buying the Arabs off and tying them to the Gaza Strip.” As a matter of fact, any refugee who wanted to lead a semblance of a normal life, or to support a Palestinian political entity (al-Kayan al-Falastini) carved out of Gaza and the West Bank alone (as proposed in some Arab circles as a solution to the problem), was fearful of being labeled a traitor to the cause of freedom for the whole Palestine. This was confirmed by the study, which stated that “to improve [local conditions] was to settle and to settle was treason.”<sup>(88)</sup>

Cultural sensitivity played an important role in affecting UNEF’s relations with the Palestinian environment in Gaza where they were deployed. According to Galtung, UNEF was generally successful in hiding the huge disparities between the relatively high living standard of the international Force and the miserable conditions of the Palestinian refugees.<sup>(89)</sup> Also, the less than puritanical behavior of members of the force was “successfully concealed from the eyes of the local population” behind closed doors or in the various UNEF clubs in the area. Arab taboos and local customs related to sex and alcohol were reinforced by “military orders” prohibiting UNEF members from associating with local women.<sup>(90)</sup> Cairo and Beirut were used for recreational activities by UNEF members on leave, and these were the places where they spent most of their cash, not locally in Gaza. In general, “behaviour defying” customs was “well checked”, according to the Galtung report.

The study suggests, however, that such “conspicuous puritanism” should not be taken for granted as a requirement of acceptance, because of the high degree of “trained tolerance” by the Arabs for less puritanical habits expected from members of foreign cultures. In other words, in Galtung’s opinion puritanism “should not be deduced” as an “infallible key” required for acceptance wherever an international force comes in contact with local populations.<sup>(91)</sup> The local

population also held views of the national characteristics of the participating national contingents in UNEF in line with widely held stereotypes. The study warned that negative stereotypes of participating nations (Nordic liberal attitudes towards sex and alcohol) could adversely affect relations with the international force in general. Such attitudes should be taken into consideration, Galtung argued, when deciding on the composition of an international force proposed for any region of conflict.

Building trust between the local population and members of UNEF was crucial in ensuring a cooperative co-existence. Many contingents in the UNEF engaged in good-will activities among the Palestinians residents of the Strip. These activities ranged from collecting donations and organizing activities for the children to building a hospital (Canada), providing medical care (Sweden and Norway), and providing scholarships for education and vocational training. (Educational rates among the Palestinian refugees in Gaza under the Egyptian administration were among the highest in the Arab world with 100% attendance for school age children, independent of modest UNEF contributions). Other trust-building activities included adopting a refugee child for special educational purposes, providing drinking water and medical care to the Bedouin tribes, and even helping the monks in the remote St. Catherine Monastery in the Sinai (which was far away from UNEF deployment positions). Galtung suggested that the extra activities undertaken by UNEF were similar to the activities of American Peace Corps volunteers. The value of such good-will creating engagements, moreover, was that they were not expected at all. The good deeds were not conceived as part of the activities of military units poised on the highly-charged confrontation lines between two bitter enemies - hence their positive impact.<sup>(92)</sup>

Maintaining a general perception of symmetry in the Arab-Israeli confrontation helped in easing tensions in the region. One of the most difficult situations facing UNEF concerned perceptions of its even-handedness, or lack thereof, vis-à-vis the Israelis. As a third-party observer of the conflict, UNEF was expected to act as an honest intermediary, with a basic responsibility for keeping the antagonists apart. Any uneven contact, therefore, with the Israelis (suggesting asymmetry of commitment) was viewed with extreme suspicion. Fraternizing with the Israeli forces on the “other side of the ADL”, such as “throwing gifts to Israeli women soldiers” on patrol, was seen as a violation of neutrality. (It is interesting that UNEF’s charitable work with the Palestinians was not considered a violation of neutrality). Since UNEF was stationed, however, on the Arab side of the Armistice Demarcation Lines (and had no presence on the Israeli side), its greater interaction with the local Palestinian Arab population was inevitable. Many Palestinians believed that UNEF was deployed “only to watch the Arabs [and their misdeeds] and not the Israelis.” This was reinforced initially due to the refusal of Israel to allow UNEF on the other side of the ADL, strongly emphasizing the lack of “symmetry” in the situation. The impression created among the Palestinians, therefore, was that the international community was concerned only with problems expected to occur from the Palestinian side.<sup>(93)</sup>

In fact, day-to-day contacts between UNEF and the local Palestinian population (both refugees expelled by Israel and the original residents of Gaza) were limited and confined to normal commercial activities in the markets and shops, or transportation when off-duty. Contacts with families were rare, as some neighbours viewed any hospitality offered to UNEF members with suspicion. The Galtung study was not definitive on the policy that should be adopted in relation to contacts between an international force and the local population in the theatre of its deployment and operation. “It is very difficult to know where the line should be drawn”, Galtung

wrote. Too much contact would create “empathy and identification”, while, on the other hand, restricted contacts would reinforce the sense of distance required for the use of force or threats of force by the international troops.<sup>(94)</sup>

The generally ambiguous attitude towards UNEF in Gaza was influenced by the international nature of the force. On the one hand, the UN was an ally that had “helped Egypt beat the joint assault of France, Britain and Israel.” On the other, the UN had never succeeded in implementing several of its own resolutions against Israel. The UN (and the UNEF by extension), therefore, was seen as “at least partly responsible” for the “miserable situation” of the Palestinians. However, in line with the saying, “misery loves company” or, as the study put it, “the enemy of my enemy is my friend”, a certain affinity developed between the Palestinians and the UN due to the fact that the Israelis were violating UN principles “by not obeying its recommendations and resolutions.” The refugees and the UN were seen, therefore, tied together as “victims of Israeli disrespect, arrogance and non-cooperation.”<sup>(95)</sup>

The success of UNEF was dependent on the perception that the international force was not an “occupation” force (following the initial attempts to change the legal status of the Gaza Strip by Israeli annexation or internationalization by the UN). Compared to the “horror stories” associated with the Israeli occupation of the Gaza Strip from November 1956 to March 1957, the return of the Egyptian administration and the deployment of UNEF, were seen in a positive light. This contrasted with the atmosphere of “permanent fear and danger” prior to the arrival of UNEF. The local Palestinians were also aware of the instructions issued to UNEF of “not to fire except in self-defence”, which removed any sense of danger associated with the international force. Moreover, UNEF’s primary function was the creation of a buffer or a “neutral zone” separating the Arabs and the Israelis. Within that limited function, UNEF itself could not punish

violators of the Armistice Demarcation Lines. UNEF was also not allowed to “maintain law and order” in the Gaza Strip, nor was its responsibility “to interfere in case of a declared or undeclared war.” The only argument against the continuous presence of UNEF was the fear that it would “freeze the status quo”, precluding any satisfactory solution to the Palestinian predicament.<sup>(96)</sup>

Galtung’s study was a very important contribution to the pioneering field of peacekeeping. It highlighted many of the problems and issues surrounding the interaction resulting from the introduction of an international peace force into a conflict zone and into the midst of population with major grievances and demands. The fact that UNEF managed for a decade to navigate its presence with only minor friction was a testament to the success of the experience. Similar studies could be very helpful if carried out in relation to interactions between UN (or regional organizations) and local populations in other conflict zones.

## Summary

UNEF came into being during a period of major historical changes. The process of approving and constituting the international force was far from smooth. Both Canada's Lester B. Pearson and the UN's Secretary-General, Dag Hammarskjöld, played a major role in shepherding the birth of UNEF.

The creation of the UN force was, in effect, a challenge to the authority of the Security Council by the majority of the UN membership through the utilization of the "Uniting for Peace" UN resolution born during the Korean conflict in the early 1950s. This groundbreaking resolution was described as a *de facto* amendment of the UN Charter.

Fundamental legal principles were involved during this difficult process. Foremost among the political and legal deliberations surrounding the creation of UNEF was the issue of continued sovereign consent of a host nation vis-à-vis the presence of an international force on its territory.

Two agreements were reached between Egypt and the UN on regulating the presence of UNEF on Egyptian soil. The first, was the "Good Faith Agreement" (approved by the UN on 24 November 1956), and the second, the "Status of Forces Agreement" (approved by the UN on 22 February 1957).

Initially, Canada's participation in UNEF was disputed by Egypt. The remarkable cooperation, however, between the force Commander, General Burns, and the Egyptian Chief Liaison Officer, General Hilmy, went a long way in smoothing the presence of UNEF in Egypt.

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88. *ibid*, p.19.
89. *ibid*, p. 5.
90. *ibid*, p. 6.
91. *ibid*, p. 6.
92. *ibid*, p. 8.
93. *ibid*, pp. 8-9.
94. *ibid*, pp.9-10.
95. *ibid*, pp. 10-11.
96. *ibid*, pp. 11-15.

## **Chapter 4**

### **The 1967 Middle East War and the Demise of UNEF: The Political and Legal Aspects and Their Ramifications**

#### **A Controversial End**

The UNEF peacekeeping operations began and developed without ground rules governing either its mandate or its performance. The inability to structure a regional peace during its decade-long existence inevitably led to the resumption of hostilities between Israel and Egypt and the involvement of Syria and Jordan as well. The success of UNEF in overseeing the withdrawal of the invading forces from Egypt and Gaza in 1956-57, and its role as barrier between the warring parties for many years, as important as they were, ultimately ended in failure; the lack of formal peace agreement meant there was no obstacle to the resumption of war. Besides the Status of Forces Agreement between Egypt and the UN governing the operations of UNEF, no political mechanism was developed to oversee the termination of UNEF's mandate peacefully and to prevent war from reoccurring by helping the antagonists achieve a peaceful breakthrough. The painstaking efforts expended over a decade to prevent war crumbled in just a few weeks in June 1967, leaving the international community with a profound sense of failure and betrayal, and the Middle East in a more dangerous and unstable situation than it ever was. The UN's greatest pioneering peacekeeping success turned into the organization's abysmal failure and a colossal wasted opportunity for laying the foundations for a permanent Arab-Israeli peace.

## Build-Up to War

On April 7, 1967 Israeli jets infiltrated Syrian air space and inflicted heavy losses against the Syrian air force. In May 1967 Egypt received intelligence reports from the Soviet Union suggesting that Israel threatened to invade Syria sources and occupy Damascus as a retaliation against Syria's endorsement of the rights of the Palestinians to engage in armed struggle against Israel. Syrian-based infiltration against Israel had been described by Rabin in a report to the Knesset only half a year earlier (October 1966) in less threatening terms. He stated there: "there is no major wave of infiltration...Just because several dozen bandits from al-Fatah cross the border, Israel does not have to get caught up in a frenzy of escalation."<sup>(1)</sup> The Syrian-Israeli border region was already tense because of claims over the control of water sources of the Jordan River and the Sea of Galilee. But because of Israel's increasingly public threats against Syria in April and May 1967, Egypt invoked in May 1967 its Mutual Defence Agreement (signed in 1966) with the Syrians by declaring a military alert and requesting the withdrawal of UNEF from the Rafah-Taba border area only. Nasser would have lost all credibility and leadership status in the Arab world if he did not come to the aid of threatened Syria, whether the threat was real, manufactured or imagined. Undoubtedly, fractured Arab politics contributed to the gathering storm in May 1967.

The manufactured threats to Israel on the Golan Heights were put into context by General Moshe Dayan in 1976 when he admitted that the Israel's deliberate policy between 1949 and 1967 was "to seize some territory and hold it until the enemy despairs." Dayan further admitted that Israel had provoked more than 80% of the border clashes with Syria in the lead-up to the 1967 war.<sup>(2)</sup> The Commanders of UNTSO, Odd Bull (Norway) and Carl Von Horn (Sweden), both confirmed that the Israelis gradually took over positions in the demilitarized zone

established between Syria and Israel since 1949, in the process evicting Arab villagers and demolishing their homes, despite repeated protests from the UN Security Council.<sup>(3)</sup> Syria's sources claim that the escalating conflict was a result of Israel's intention to increase tension to justify a large-scale operation against Syria proved accurate.

Following the rapid withdrawal of UNEF from all its positions, Egypt closed the Straits of Tiran to Israeli shipping – breaching an unpublicized right acquired by Israel after the 1956 Suez War with the help of the US government. The closure of the Straits of Tiran would be one of the unforeseen (by the political leadership) and unplanned developments in the gathering conflict. It was the spark (justification) that ignited a war that Israel had been planning and preparing over many years. Israel wanted to make good on its aborted plans to annex Arab territories in 1956. Nasser allowed his Vice President, Abdel-Hakim Amer and the Defence Minister, Shams Badran, to dictate the scenario of the conflict. Once the closure of the Straits was ordered, Nasser had no choice but to take ownership of the decision, especially when he had been constantly attacked by other Arab leaders over Israel's free use of the Straits. This was a catastrophic failure in leadership.

### **Inter-Arab Challenges**

The following is an exploration of the contributing factors to what was described euphemistically in official Arab circles as the “setback”, when in fact, it was a catastrophic defeat not just for the Arab armies, but for the entire Arab anti-colonial nationalist-secular front.

### **The Egyptian Domestic Tug of War**

It was an irony of fate that in the 1967 War (a mere eleven years after the Suez War) it was General Amer (now promoted to Field Marshall) who panicked and ordered (without

consultation or authorization from the president) an immediate and disastrous withdrawal of all Egyptian troops from the Sinai overnight, following an initial Israeli aerial assault. This order came on top of his reckless decision of ordering the withdrawal of UNEF from the Sinai, which led to the closure of the Strait of Tiran at the entrance to the Gulf of Aqaba, again without authorization from Nasser's government, an act that gave Israel the *casus belli* for launching its attack, even though it had been planned long before. After 1964, Amer was known for his desire to expel UNEF from Egypt and Gaza due to pressures from Arab and other Muslim countries.

The well-informed study *Six Days of War* by the Israeli diplomat and official Michael Oren<sup>(4)</sup> offers a detailed look –from an Israeli perspective- at the circumstances leading up to the withdrawal of UNEF and the beginning of the 1967 War. As Oren explains, the Israeli Air Force (IAF) had a plan code-named Focus (*Moked*) for a “massive attack to destroy Egypt's air force. For years, the IAF had been perfecting such a plan”. With the escalating situation, Israel sank into an internal political war, drawing in former Prime Minister David Ben-Gurion, who was angry at the decision by Itzhak Rabin (the beleaguered chief of staff) for the massive call up of reserves. Ben-Gurion explained, “I very much doubt whether Nasser wanted to go to war...while Israel remained utterly isolated”. Without great power support for Israel against Egypt, Ben-Gurion offered, Israel's security would be jeopardized. But Rabin believed that “Israel no longer needed the protection of a Britain or a France”, as had been the case in 1956. The Israeli military had a strong belief that given the right approach, Israel could prevail militarily.<sup>(5)</sup>

With the increasingly bellicose positioning of Israel and Egypt, Rabin presented a new plan code-named *Atzmon* to capture the Gaza Strip and then trade it for Israeli free passage through Tiran if Nasser did block the Straits. The Israeli Prime Minister, Levi Eshkol, however, was inclined to listen to American advice, which was not to start the war until Nasser went too



far and Israel was in a position to strike without the kind of international condemnation it had faced in 1956. With the nervous break-down suffered by Rabin at this crucial time, Etzer Wiseman, chief of operations and the former commander of the IAF, came up with an additional plan code-named Operation *Kardom* (Axe) which proposed to strike at Egypt with land forces in the Sinai. Thus, the air attack and the capture of the Gaza Strip, combined with the strike into the Sinai, would enable Israel to implement its earlier Kadesh Plan to defeat Egypt. Success in this confrontation, the Israeli prime minister told his cabinet on 21 May 1967, would depend on “who will attack the other’s airfields first.”<sup>(6)</sup>

The deliberations of the Israeli leadership on the eve of the war reveal a mixture of high anxiety and guarded confidence. Israeli Chief of Operations Itzhak Rabin confessed that executing the Israeli war plan was not “a stroll through the park”, but there was no choice: “We must destroy Egypt’s air force with a surprise attack followed by the advance of our ground forces into Sinai.”<sup>(7)</sup> Chief of Staff Moshe Dayan (soon to be appointed Minister of Defence in the national unity cabinet formed just before the war) was blunt: “We are not England” – meaning capable of suffering defeat in 1940 before rallying to victory with the help of allies. He “recommended mounting an all-out air and ground attack against Egypt”, thus in effect resurrecting Operation Kadesh.<sup>(8)</sup>

But it was Foreign Minister Abba Eban who emphasized the absolute necessity of Israeli “deterrence”. He cautioned, “Unless a stand was made here, nobody in the Arab world ... would ever again believe in Israel’s power to resist.” However, he advised caution, suggesting Israel accept a “consultation period” as he negotiated a proposal from the United States indicating that Washington “would consider mobilizing a multinational convoy to escort Israeli ships through Tiran.”<sup>(9)</sup> Israel was thus hesitant but determined to initiate hostilities at any cost, in order not to

give Egypt the opportunity to deploy its air force and armored corps in a bid to destroy Israeli troop concentrations and military bases in the Negev. It was imperative that the Egyptian Air Force be destroyed at the outset of the war to give Israel the freedom to initiate its lightning strike in the Sinai and secure a quick victory. Once the Straits of Tiran were officially closed by Egypt in late May on Amer's order, Israel was about to launch its military operations, but had to delay because of U Thant's arrival in Cairo for talks with Nasser. Now the Egyptian president was desperately trying to de-escalate the situation by agreeing to U Thant's proposal for a moratorium on implementing the blockade.

Nasser also agreed both to receive US Vice President Hubert Humphrey for talks in Cairo (on 3 June 1967) and to send Vice President Zakaria Moheidin to Washington (on 5 June 1967) for talks with President Johnson, the purpose of which would be to find a way out of the crisis. "The United States was holding direct talks with Nasser, and hoped to buy time by inviting his vice president, Zakaria Muhiedin, to Washington, and sending Vice President Humphrey to Cairo."<sup>(10)</sup> Fearing that success in the diplomatic moves underway would mean a missed Israeli opportunity for realizing its long-sought goal of reducing Egypt's military capabilities, Israel struck in the morning of the first scheduled negotiations in Washington. The history of the Middle East took a decidedly different course after the first bombs exploded on the Egyptian runways in the Sinai and elsewhere in Egypt.

Although Nasser was content to have UNEF withdrawn only from the armistice lines with Israel (from Rafah to Taba), his hand was forced when Vice President Amer engineered UNEF's total withdrawal (from along the armistice lines on the Gaza Strip and the all-important Straits of Tiran in the Gulf of Aqaba as well). Such total withdrawal was the inevitable outcome of the formal request Egypt made to the UN. With the Straits back under Egyptian control, the

inevitable (and yet reluctant, at least for Nasser), next step was to blockade Israeli naval access to the Gulf. In Egyptian and Arab views, Egypt had been justified in refusing to join the “1958 Geneva Convention” on the international status of Straits because “Israel had occupied Eilat illegally after signing the Armistice” agreements with Egypt and Jordan in 1949. For Nasser, and especially for Amer, failure to blockade after the withdrawal of UNEF would have been an intolerable “disgrace.” Nasser was worried about the military consequences of the decision, but Amer gave the president his now infamous assurance “on my neck” that the army was ready.<sup>(11)</sup> According to Oren, nothing seemed left for Nasser but to go along with a disastrous decision with earth-shaking results, which as president he had the duty and the opportunity to avoid.

Expanding on the challenge Amer posed to Nasser’s leadership, Oren quoted the Egyptian Ambassador to Washington, Mustafa Kamel, assuring the American administration that Nasser was committed to keeping the confrontation with Israel “in the icebox.” Moreover, the US National Security Advisor, Walt Rostow, confirmed this reading of Nasser’s intention by writing a memo to President Johnson, stating “Nasser ... has restrained wilder Arabs who have pushed for a disastrous Arab-Israeli showdown.”<sup>(12)</sup> However, according to Oren, there was “a countervailing force in the Egyptian military, one that assiduously pressed for war,” but was unknown to the Americans.<sup>(13)</sup> This “countervailing force” was more than matched, Oren might have added, by the assiduous forces existing in the Israeli Army and political class aiming to vanquish Egypt’s military capabilities. Incredibly, Amer informed Nasser in May 1967 that “Our armed forces are not only capable of repulsing Israel but moving eastward ... Egypt can establish a position from which to impose its own political conditions and to force Israel to respect Arab and Palestinian rights.”<sup>(14)</sup>

There is no doubt, that the popular feelings during the crisis were sympathetic to the views held by Amer, Nasser's trusted military commander. The widespread anger over Israel's threat to the Arabs and the continuous violations of the Palestinian rights, were easily exploitable for political purposes. Popular trust in Nasser's views had made Egypt's position in the eyes of the Egyptian people and the rest of the Arab world absolutely legitimate and unassailable. The state information apparatus, which took its cues from the country's leadership, spared no time in glorifying the official stand without the benefit of a free debate. Any attempt by Nasser, at this juncture of the crisis, to remove Amer from his entrenched position, would have turned the leadership problem into an open confrontation, threatening the survival of the regime itself. Moreover, opposing Amer's aggressive stand against Israel would have portrayed Nasser as a weakling who had lost his justification for holding the leadership. In the face of the escalating tension, Nasser tried to pacify Amer by offering to "appoint him Prime Minister" in return for relinquishing control over the army. Amer not only refused Nasser's offer, but ordered the mobilization of key army units and called the army reserves for active duty.<sup>(15)</sup>

As it turned out, not only did Israel have offensive plans to strike at Egypt, but according to Oren, Vice President Amer had his own offensive plan, code-named *Fajr* (Dawn) which called for strategic air strikes and the capture of the entire Eilat salient; he later expanded this goal to include the entire Negev. To avoid going through the Supreme Headquarters of the Egyptian Army, and hence bringing matters to Nasser's attention, Amer directed the preparations from his own fortified house. Oren explains, "Amer's Dawn clearly violated Nasser's strategy of drawing Israel into starting the war" with Egypt. Nasser did not want Egypt to shoulder the blame for initiating the hostilities. "Amer, alone, devised the operation in blatant opposition to Nasser's will."<sup>(16)</sup> Since Amer's intention of penetrating the Negev would "almost certainly be frustrated

by UNEF ... Amer wanted the force disbanded completely, and not merely removed from the border, as Nasser preferred.” The senior Egyptian military leadership warned Amer that his plans for Tiran would “incite the Israelis to war, but Amer ignored their advice.”<sup>(17)</sup> Only eventually was Nasser informed of Amer’s plans, but by then he “lacked the political strength to override” the scheme.<sup>(18)</sup> Clearly, this was a failure in leadership, the consequences of which would be fatal for his regime, the army and his country’s position in the region.



Nasser & Amer Inspecting the Troops before their fallout in 1967  
Photo Credit: Al-Ahram, Egypt

Nasser’s dilemma was created by his very close personal friendship with Amer. From their early association in the military academy, to their army service, and to the formation of the “Free Officers Group”, which eventually took power in Egypt, the two had been inseparable. They familiarly called each other ‘Jimmy’ and ‘Robinson’ (as Amer liked to travel). They also had family involvement through marriages, and they named their children after each other. That is why “Nasser forgave Amer his pitiable showing in the Suez Crisis ... and then his gross mismanagement of the union with Syria. He forgave, too, the bouts of alcohol and drug abuse ... and Amer’s secret marriage ... to Egyptian film star Berlinti.” Amer was also romantically

linked to the Algerian singer Warda. Since Nasser was above all dalliances, “Amer would seem [an] unlikely candidate for challenging Nasser’s rule.” Moreover, Amer had been linked to corruption in the Yemen war beginning in 1962, and he refused to “accept greater civilian control over the army”. It is thus puzzling to understand Nasser’s soft approach to Amer, which effectively ended up with him losing power and allowing Amer “to turn the army into his personal fiefdom.”<sup>(19)</sup>

The tragic background to this debacle was that in 1952 Amer had been a major in the army without any staff level training. Overnight, the new regime promoted him to general, and he became the commander of the armed forces and minister of war. His conduct in the 1956 Suez War should have earned him immediate dismissal as head of the armed forces, but it was his decisions in the 1967 War that betrayed even more fully his utter lack of suitability to command. Historically, Nasser has to bear full responsibility for allowing his personal friendship with Amer to influence his judgment and grievously affect Egypt.

Nasser’s personal ethics accorded more loyalty to Amer than was apparently reciprocated. Amer became, with or without Nasser’s approval, the “undisputed heir apparent” of the revolutionary regime. It remains an intriguing aspect of Egyptian history that “when it came to Amer, the Egyptian president was either too fearful or too enamored – or both – to act.”<sup>(20)</sup>

With the probability of war with Israel increasing by the hour, the Egyptian military leadership was torn between two opposing alternatives. Initially, the top brass were under the belief that the crisis was political in nature and that the army’s role was essentially to provide the drama required for achieving the objectives of the political leadership.



A Tragic Friendship: Nasser and Amer  
Photo Credit: State Information Service (Egypt)

When Amer proposed his *Dawn* operation, the generals balked at implementing such a huge task with the resources at hand (lack of sufficiently trained troops, inadequate proper fortifications, and inadequately serviced equipment). They also worried about the change of plans from a defensive to an offensive posture. More importantly, there were no long-term political directives for a military confrontation with Israel. Simply put, air and ground attacks against Eilat, Dimona (the nuclear reactor), Haifa (oil refineries), the Negev, and the Israeli coast were not feasible, given the prevailing conditions within the Egyptian Army.

Although General Mohamed Fawzi, the chief of staff, considered *Dawn* a disastrous plan, the entire Egyptian military leadership was responsible for the magnitude of the failure. However, when it became all but certain that war was imminent, military commanders requested permission to commence operations quickly to at least blunt Israel's expected assault. Permission was denied by Nasser because of his pledges to US President Johnson and UN Secretary-General U Thant that Egypt would not initiate hostilities against Israel. The US President, however, had other expectations for the conflict and was fully aware of Israel's impending military strike. Nasser was later blamed for this principled but disastrous stand.

In early May 1967, the Egyptian chief of staff was dispatched to Syria to inspect the Syrian-Israeli borders. Egyptian reconnaissance jets also flew over the area. However, ground and air inspections could not confirm the Soviet claims of massive Israeli military build-up near the Syrian lines. The commander of the Egyptian Air Force, General Sidqi Mahmoud, flew to Damascus to ascertain the degree of the Israeli threat, but refused to endorse a reported Syrian plan, code-named *Rashid*, to mount a joint Egyptian-Syrian offensive against Israel. Contrary to the wishes of his commander, General (Field Marshal) Amer, the Egyptian Air Force boss was more restrained and commented to Nasser, according to Mohamed Heikal, “We never talked about moving Egyptian troops into Sinai.”<sup>(21)</sup> Moreover, in a self-serving move, King Hussein of Jordan, warned the Egyptian Foreign Minister, Mahmoud Riad, on 28 April 1967 that “Syria was laying a trap”, which would result in the fall of Nasser and the disintegration of Jordan. Hussein, a veteran of Arab cut-throat politics, knew that to appear out of step with the near hysteria sweeping the Arab world, given Israel’s threats to invade Syria, would invite a dangerous threat to his throne and to the political and territorial survival of his kingdom.<sup>(22)</sup>

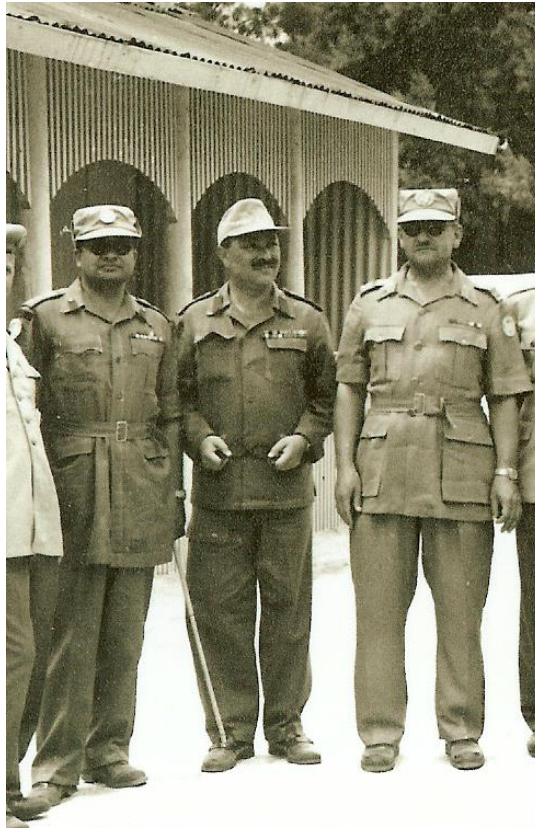
The question which remains is: why did the Egyptian leadership invoke its mutual Defence Pact with Syria and declare military mobilization in response to a non-confirmed military threat, relying only on verbal Israeli threats? The most likely answer is that Egyptian and intra-Arab politics played a major role in the move to confront Israel. Officially, the Egyptian leadership could hardly ignore the threats made publicly and repeatedly by Israel to use military force against Syria. But the same leadership was not given iron clad proof that Israel was about to strike, which would have justified an Egyptian reaction. With posturing such an essential part of conducting public policy in the Arab World, Egypt, to its peril, succumbed to the temptation of playing the hero of the moment.



In the controversial work *Nasser's Gamble*, an Israeli scholar, Jesse Ferris, links the Yemen war and the 1967 wars.<sup>(23)</sup> By all accounts, Egypt's involvement on the Republican side in the Yemen War of 1962-1970, which ostensibly marked a Nasserite victory, actually weakened the capabilities of the Egyptian military vis-à-vis Israel. Ferris advances the argument that the Egyptian involvement in Yemen overburdened Egyptian resources, coalesced internal and external opposition to Nasser, and caused a general decline of Egyptian power in the region. Such an argument in itself could have some credence, but to claim that the Yemen intervention in 1962 led to the June 1967 war is a stretch. In 1962, Egypt had no plans for a military confrontation with Israel. The Israelis, on the other hand, had their modified Kadesh plan on the shelf, ready to be dusted off and activated at the opportune time. The irresponsible ineptitude of the Egyptian political-military leadership during the 1967 crisis thus allowed Israel to deliver on its plan in a way not even Israel was capable of envisioning. A direct causation cannot be reasonably established between 1962 and 1967. An explanation of the Yemen conflict impacting the military disadvantage of Egypt in the 1967 war with Israel is indeed plausible, but Yemen did not cause the debacle in the Sinai.

Indeed, the Egyptian political-economic scene was in shambles. So was Egypt's regional political profile, not to mention its relations with the United States and even the Soviet Union. This situation was not caused by the Yemen entanglement, as multiple tensions were already at work and in manifesting themselves in various ways. It could even be claimed that the Yemen intervention gave Egypt clear bragging rights in the murky waters of inter-Arab politics. Nevertheless, Ferris' conclusion is fairly accurate that (with or without the benefit of the Yemen War) "The six-day war ended a decade and a half of Egyptian ascendancy ... Not since Muhammad Ali's defeat at the hands of Great Britain in 1840 had a rising local power suffered

such an imperial contraction ... Egypt's misfortune was more than the shattering of an imperial dream. It was the end of an era.”<sup>(24)</sup>



The Three Generals: First UNEF Commander, General Burns (right); Last UNEF Commander, General Rikhye (left); and Egyptian Chief Liaison Officer with UNEF, General Hilmy (centre).  
Photo Credit: United Nations / DPI

King Hussein and other Arab leaders had goaded Nasser to get rid of the UNEF if he was serious about confronting Israel militarily. General Indar Rikhye, the last Commander of UNEF reports in his study, *The Sinai Blunder*,<sup>(25)</sup> that Radio Amman had accused Nasser of “hiding behind the skirts of UNEF”. Inter-Arab conflicts and rivalries contributed in a significant way in escalating the conflict and cornering the Egyptians into a confrontation they had no hope of winning, especially when half their army (the best fighting divisions) were mired in Yemen fighting to save the new Republican regime in a fight with the British, Saudis, Jordanians and

CIA. Within three weeks UNEF was withdrawn and the Middle East was engulfed in war on 5 June 1967, when Israel launched a massive military attack against Egypt and then Syria and Jordan. Paradoxically and tragically, the presence of UNEF in Egypt between 1956 and 1967 offered a false sense of security and a relative calm that was deceptive, for as Rikhye notes, “it lulled the international community into slackening its pursuit of a resolution to the basic Arab-Israeli conflict.”<sup>(26)</sup>

### **Nasser's Chagrin**

Nasser was shocked and in disbelief over the reckless order of withdrawal of the Egyptian army from the Sinai following the Israeli air assault, especially when it turned out that Israeli plans to attack Egypt did not involve an Israeli advance all the way to the Suez Canal. The Original Kadesh Plan had been tempered with apprehension that Egypt's Soviet-acquired arms could cause a real problem for an Israeli advance in the Sinai. The Israelis had assumed that their forces would reach the defensive line in the middle of the Sinai established by the Egyptians (as per the overall Egyptian military deployment profile in the Sinai) and entrench and consolidate a new front there. As it turned out, however, Amer's disastrous decision for a total and immediate withdrawal of all Egyptian forces from the Sinai turned into a massive destruction of disorganized units racing to cross the Canal back to base as ordered while deprived of any air cover. The sound military option would have been to dig in and establish defensive lines, protecting them and holding the ground at any cost.

In 1967 Egypt suffered its largest military defeat in a century. Instead of Egyptian units holding their positions in defensive lines (as had been the case initially in 1956), Israel was able to score a knock-out victory when there was actually doubt in Israel about the ability of its forces to capture the whole of Sinai. Thousands were killed and large amounts of Egyptian war materiel

were destroyed or captured. This time, Amer was quickly relieved of his command, and a few weeks later he committed suicide (rumors abound that he was deliberately poisoned, but this was never proven).

This development reflected the years-old bitter split in the Egyptian leadership after Amer practically assumed sole and undisputed command of the Egyptian armed forces in the early 1960s, excluding Nasser from involvement in decision-making roles concerning the army, while maintaining a deceptive facade of unity and political loyalty to the president. It was known to many observers that Amer had staged a “white coup” in the early sixties but was careful to maintain the appearance of loyalty and unity. After the humiliating end of the 1967 War and the dismissal of Amer from his post, the disgraced vice president and commander of the army attempted a real coup with the help of Shams Badran, the defence minister and his long time crony, but the plot was theatrical and amateurish, and fizzled quickly. Tragically, when Nasser had confronted Amer in the early 1960s over his challenge to his leadership, Amer had left his post in anger and retired to his home base.<sup>(27)</sup> In hindsight, it is unfortunate that Nasser felt compelled to appeal to his old friend to return to his post, setting in motion the disastrous consequences of Amer’s later military leadership.

## **Strategic Blunder**

The two-headed Nasser-Amer leadership team and the competition it involved could only have contributed to decision-making confusion, miscalculation, and incalculable disaster. Nasser, the undisputed popular and mythical leader, and Amer, the affable but strategically and tactically ineffective military leader, sang fundamentally different tunes. Nasser wanted political triumph without significant military risk, while Amer opted for military challenge (and potential glory) without due regard to the possible dangerous consequences. It was Amer who forced Nasser on a

course he was not planning to follow in 1966-67. Nasser wanted to come to the aid of Syria and win politically, but Amer wanted to up the ante militarily.

Nasser wanted to exploit the deteriorating Israeli-Syrian situation and score a big political win without actually going to war, while Amer was applying intense pressure to secure the right to strike militarily against Israel first and early before Israel completed its mobilization (a possibility feasible only in the absence of the US commitment to Israel). Nasser did not understand or realize the magnitude of the risk his government was taking, while Amer was totally unprepared for a full-scale war. The combination of divided leadership, bravado and ineptitude doomed the Egyptian position from the start. Israel, meanwhile, was happy to play along and exploit a manufactured and unnecessary confrontation. The termination of the role of UNEF in maintaining “the absence of war” and the resulting closure of the Straits of Tiran, in this rapidly and uncontrollably escalating crisis was the trigger for the tragedy of 1967. Thousands died, huge resources were wasted, and the Arab-Israeli conflict deepened. The presence of the UNEF was the biggest lost opportunity in a generation for a comprehensive peace in the history of the modern Middle East.

In his in-depth study of governance and decision-making in post-1952 Egypt, Gamil Mattar<sup>(28)</sup> states that after the revolution the military and the expanding bureaucracy replaced the traditional dominant landed interests and the business class in controlling the levers of power. In 1961, Nasser divided the army top echelon into two groups: first, officers who had become active in politics and had to quit the army in return for appointments to key positions in the state apparatus and the civil service; and second, senior officers remaining in the army (particularly the Amer group), who were afforded greater weight in decision-making. This laid the groundwork for their eventual encroachment on the prerogatives of the president himself.

Technically, Hilmy did not belong to either of these groups, as he remained a professional soldier and was not involved in state decision-making beyond his responsibilities in the army. He maintained his strictly military role until he got involved in taking over the Suez Canal Company. Thereafter Nasser asked him to work with UNEF following the 1956 Suez War, and later to join the diplomatic service. The second army group, in fact a privileged clique surrounding the vice president and commander of the Armed Forces, Field Marshall Amer, consolidated its grip on the army and several state institutions. This group, corrupt and with a sense of unlimited control and entitlement, came to view the objectives of the regime through their own narrow lenses, and at the end could not separate national from personal goals (they helped themselves to sequestered assets, seized prime residential units, acquired luxury automobiles, gave job appointments to their families and friends, smuggled resources to overseas destinations, indulged in sexual escapades, and created a sense of unquestioned entitlement). The loyalties of the group to the regime, purely for personal material gains, “proved disastrous to the country as a whole.” After the military defeat in 1967, Nasser referred in a speech on 23 November to what he disapprovingly termed the “centres of power”, meaning the leadership circle of Amer and his cohorts: “Some elements wanted to use the political position of the army; [thus] they installed themselves as a barrier separating the army from the political leadership.”<sup>(29)</sup> Nasser was actually referring to his own curtailed position vis-à-vis the Amer group’s pervasive control of state power. He could only blame himself for allowing this situation to exist and flourish in the first place. Nasser had put the demands of personal friendship above the security requirements of the nation. The resulting heavy price paid by him personally, and born by his country, remains part of the legacy of this era in Egypt’s history.

## The Syrian Factor

Many Arab states exerted enormous pressure on Nasser to confront Israel. Indeed many of the Arab leaders who were opposed to Nasser were hoping that the Egyptian President would either shy away from the confrontation and therefore lose credibility, or else get involved and suffer a humiliating defeat. Nasser was on the horns of a dilemma as he related to his confidant, Mohamed Heikal.<sup>(30)</sup> Letting Syria face Israel alone and thereby suffer a massive defeat would lead to a “domino-style” collapse of the “progressive regimes” in the Arab world, as well as the loss of the Arab “Eastern Front” against Israel. Egypt’s status in the region would be “vastly diminished”. Nasser concluded, therefore, that he “could no longer sit aside and watch.”



General Rikhye Inspecting UN troops

Photo Credit: United Nations / DPI

The inter-Arab rivalries that contributed to the flare up in 1967 led Nasser to feel that he had no choice. As Rikhye notes, “To assert his leadership, he chose to remilitarise the Sinai but

not to go to war.”<sup>(31)</sup> In fact, Nasser had a choice but goaded by hawkish elements in his government and military, he overplayed his hand. Reluctantly at first, he eventually overstepped the bounds of responsible prudence, especially when Israel was long waiting for such an opportunity. Nasser wanted a grand political victory, and Israel wanted a decisive military victory. Nasser was doomed from the moment he responded to Israel’s threat of invading Syria. The Battle Order issued by the Egyptian army on 14 May 1967, however, did not threaten any military attack on Israel. Its tone was bombastic but it confined itself only to asserting the right of retaliation against an Israeli attack. As Rikhye reports “we decided to take a firm stand against the Israeli military threats and to intervene immediately *in case* of any aggressive action taken by Israel against Syria”. On 16 May 1967 Cairo State Radio reaffirmed the army’s message by emphasizing that Egypt “will enter into a war with Israel *if* Syria becomes the object of aggression threatening her territory or security.” However, once the Sinai was remilitarised, the fate of UNEF became of immediate concern. According to Rikhye, the Israeli threats against Syria, and Egypt’s counter- threats of retaliation, placed UNEF into an untenable position, given Egypt’s request for a partial withdrawal of the international Force. The UN could not accept only a partial withdrawal and the whole force was withdrawn. Thus, Israel threatened war; the Arabs took the bait and suffered the consequences. As the UNEF commander observed, the Arabs “ventured to take a series of belligerent steps to produce a false euphoria amongst their own people and friendly nations to a level from which there was no retreat.”<sup>(32)</sup>

### **A Mistaken Interpretation**

In 1966 and early 1967 Egyptian policy-makers laboured under the mistaken notion that UNEF could remain in place side-by-side with increased Egyptian military forces in the Sinai. Earlier Egyptian mobilizations in the Sinai in 1960, as a deterrent in the context of Syrian-Israeli



artillery battles, and in 1958, as a means of confronting a huge Israeli military build-up in the Negev during crises in Jordan and Iraq, established a precedent and fostered a false notion that Egypt could use its military in the Sinai as an unchecked political deterrent against Israel when the need arose, despite the presence of UNEF. It did not escape the Egyptian leadership, as well, that huge political dividends were realized following previous shows of force in the Sinai. The attempt to repeat this kind of military-political feat in 1967 got badly out of hand, however, when the request for partial UNEF withdrawal was made and the familiar script was totally revised. Undoubtedly, Nasser did not anticipate the UN's all-or-nothing response to his request for partial UNEF withdrawal. Once the Egyptian political and military leaderships were forced into a choice between cancelling their request for partial withdrawal and losing political face, or accepting a total withdrawal, including UNEF withdrawal from the Straits of Tiran at the entrance of the Gulf of Aqaba, Egypt lost the ability to manoeuvre politically and war became inevitable.

Nasser was not contemplating an attack on Israel during the May crisis in 1967. The Egyptian President was instead focused on other challenges relating to his confrontation with US-and-British-backed Arab conservative regimes, which were trying to fatally undermine his regime because of the threat it posed to them. Israel was not on his radar as an imminent target of confrontation. For instance, Marianne Rostgaard and Martin Jorgensen note that "Egypt ... long had Israel lower on its list of priorities than the destruction of Anglo-American regional influence in its struggle for regional hegemony."<sup>(33)</sup> Further confirmation of Nasser's lack of interest in a military confrontation with Israel was documented by international law scholar John Quigley. According to Quigley's research, the US Ambassador to Israel, Walworth Barbour,

informed Israeli officials that the UNEF withdrawal would not affect the “fundamental military situation” and that there was “every reason for Nasser” not to attack Israel.<sup>(34)</sup>

Despite the bravado of Vice President Amer, even he informed the Soviet Ambassador in Egypt, Pozhidaev, that if Israel was worried about an Egyptian invasion it “could accept UNEF on its own side of the Armistice Line.” Israel “can make its own territory available”, he said. Moreover, UN Secretary-General U Thant proposed to Israel’s Ambassador to the UN, Gideon Rafael, the same suggestion for the transfer of UNEF to the Israeli side as a “protection against possible invasion.” The Israeli Ambassador replied that such proposal was “entirely unacceptable to his Government.”<sup>(35)</sup> One can conclude that Israel’s apprehension about a possible Egyptian invasion was a ruse. Placing UNEF on the Israeli side would have hindered, if not stopped, Israel’s own plans for the invasion of Egypt. The Egyptians, thus, placed themselves in a corner with no escape route.

By 1967 the raging war in Yemen was putting a huge strain on Egypt’s military and economic resources. The split in the Egyptian Cabinet due to the desire of the hawkish elements to strike the first blow against Israel, as well as Nasser’s concerns about his armed forces limited capabilities and his more realistic reading of the international scene, led the president to approve the movement of the army into the Sinai but to prevent it from initiating military action. General Rikhye’s own observation of the political situation and the actual military deployment of the Egyptian army led him to believe that “there clearly was a difference in views between the armed forces and President Nasser.” As he observed, “The troops had been sent forward, readied for attack, but Nasser stopped them from attacking.”<sup>(36)</sup> Moreover, Nasser was apprehensive about possible military intervention by the US in case of war with Israel. The UN Secretary-General

conveyed to Nasser a warning by the US Ambassador to the UN, Arthur Goldberg, that the understanding between President Eisenhower and Israel – namely, that the US would help to defend Israel if attacked - was still in place.<sup>(37)</sup>

### **Evidence of US Complicity in the Israeli Attacks**

The US made more than a promise of defence to Israel. It actively engaged in helping the Israelis launch their attack against Egypt in June 1967.

*First*, American air force pilots landed in Israel in April and May 1967 and flew unmarked advanced reconnaissance flights (some markings were changed from US to Israeli symbols) over Egyptian air bases and conveyed the results to the Israelis. The 2002 BBC documentary, “Dead in the Water”,<sup>(38)</sup> confirmed - through interviews with some of the American pilots who took part in the operation – the US involvement in helping Israel launch its war against Egypt.

Moreover, the BBC program portrays a picture of a “daring ploy by Israel to fake an Egyptian attack on the American spy ship, and thereby provide America with a reason to officially enter the war against Egypt.” Israel’s air force jets attacked a clearly identified US ship (USS *Liberty*) in the Mediterranean close to the Egyptian city of el-Arish with the intention of sinking the ship and destroying all the intelligence data collected. The attack resulted in the death of thirty four US servicemen and the injury of one hundred and seventy one others. What is more disturbing and a script for a doomsday scenario is the documentary’s revelation of “how the *Liberty* incident provoked the launch of nuclear-armed planes targeted against Cairo from a US aircraft carrier in the Mediterranean. They were recalled only just in time, when it was clear the *Liberty* had not sunk with all hands, and that Israel was responsible.” When the Americans

thought it was an Egyptian attack, they almost obliterated Cairo. When the attack, however, was confirmed to be an Israeli, a deliberate cover-up was immediately activated.

The documentary “offers evidence of a secret collaboration between America and Israel before and during the war.” The possible ramifications of such collaboration were captured in the documentary by the former US diplomat, Richard Parker, who had served in Lebanon, Egypt, Algeria, Morocco, and had a stint in Israel. He said that, if it were known that America was involved against Egypt “it would have finished our relations with the Arab world for a long time to come.” With the eventual demise of the anti-colonial Arab regimes led by Egypt, other Arab regimes cemented – not degraded - their relations with the US. One can argue that such cooperation has had a detrimental effect on the entire region, given events since then. The closer official US-Arab relations have become, the greater the anti-US turmoil among vast Arab populations. US foreign policy-makers have myopically and consistently misread the pulse of the Arab world, with disastrous consequences. The expedient, and for many Arabs, dishonourable support for Israel at the expense of their rights, and now the naïve US attempt to “ride the Islamic wave”, have both tragically backfired, as is clearly evident in the entire Middle East region. Ambassador Parker’s prediction is currently manifesting itself in a worse scenario than he ever feared. The drama and intrigue of the Israeli attack on a US naval ship was also documented in great details in Anthony Pearson’s study, *Conspiracy of Silence*.<sup>(39)</sup>

*Second*, in his account of the US involvement in the 1967 War, Stephen Green confirms that the US naval intelligence ship Liberty was cruising along the Egyptian coast during the war, gathering information with its sophisticated equipment. The US National Security Agency had learned from an intelligence source in “the Office of the US Defence Attaché in Tel Aviv that Israel was planning to attack the Liberty if her course was not changed.” Apparently due to a

“communication dysfunction” in the US Defence Department, the order for the repositioning of the Liberty was delayed, leading to massive loss of life resulting from the Israeli attack. The ship was attacked by Israeli jets because the US was gaining intelligence that Israel was about to invade the West Bank. Also, the ship was able to record evidence about the execution of a large numbers of unarmed Egyptian POWs. According to Green’s account, the US operation helped the Israelis achieve “certain territorial objectives within a very finite, limited time.” Green wrote that “President Lyndon B. Johnson and his national security advisor, Walt Rostow, were most probably aware of the operations [because] such operations would have required approval by the highest authorities.”<sup>(40)</sup>



US President Lyndon Johnson Receiving Israel’s Prime Minister Levi Eshkol in 1967

Photo Credit: The White House

*Third*, as revealed by Daniel Southerland, US Air Force pilots stationed in Upper Heyford, outside Oxford in England, were flown to Moron in the Negev in Israel (on 4 June 1967). They were issued civilian passports and disguised as civilian workers contracted by Israel. Their RF-4C jets (a modified version of the F-4 Phantom jet fighters) were painted with Israeli

markings. The pilots were deployed before the start of the war to provide reconnaissance flights over the coming battlefield. With the start of the war, the pilots “began flying reconnaissance missions over bombed and burning air bases in Egypt, Syria, and Jordan.” Moreover, “With US help, the Israelis gained strategic ground at a blinding rate”,<sup>(41)</sup> due to the sophisticated US equipment and radar capabilities. As it happened, the Egyptians spotted high altitude aircraft flying over the theatre of military operations but only after the start of hostilities. These types of planes were not available in the Middle East to any of the combatants. The suspicion and accusations were aimed directly towards the US. Egypt and several other Arab states, severed diplomatic relations with the US after accusing the Americans of colluding with Israel.

*Fourth*, Oren documents in great detail the extensive involvement and prior knowledge of the US of the Israeli war plans for the June 1967 attack against Egypt. The US started moving large naval units (65 in total) to the Eastern Mediterranean (far enough from the Egyptian coast, but near enough to be deployed when needed). The aircraft carrier *Intrepid*, returning from Vietnam joined the two other carriers, *America* and *Saratoga*, to form a formidable strike force, ready for any eventuality. The *Regatta Plan* to force open the Egyptian blockade of the Straits of Tiran, however, ran into difficulties as one country after another declined to participate. Even Canada, which had initially been an enthusiastic supporter of the plan, had second thoughts following its experience with the UNEF withdrawal and Egypt’s complaints of Canada’s pro-Israeli bias.<sup>(42)</sup>

*Fifth*, Israel mounted an intense political and media campaign to secure American support for an Israeli first-strike against Egypt. US President Johnson, despite his strong support for Israel, became angry and complained that he was “fed up with being pushed around”. In a

meeting with Israel's Foreign Minister, Abba Eban, on 26 May 1967, he is said to have informed him that "America's intelligence" conclusions confirmed that "there is no Egyptian intention to ... attack", and that if Israel attacked first "Israel will not be alone unless it decides to go it alone". Reportedly, Johnson repeated the last line three times for emphasis. Secretary of State, Dean Rusk, was blunter by saying that "if Israel fires first, it'll have to forget the U.S."<sup>(43)</sup> Despite such warnings, Israel struck first and the United States acted counter to its own warning. Unlike his American counterpart, French President Charles de Gaulle, warned that France would condemn the party starting the war, and he was true to his word.



Johnson and Eban in the White House on the eve of the 1967 War

Photo Credit: The White House

*Sixth*, some Israeli jet fighters engaged in the first waves of attack against Egypt were permitted to fly out of the US Wheelus Air Base in Libya to strike Egypt simultaneously from the West, as reported to the Egyptian military attaché in Libya by Libyan air force officers who witnessed the departing Israeli flights.<sup>(44)</sup> Nasser's fear of American involvement thus proved accurate.

*Seventh*, missing in the reporting on all the frantic diplomatic moves to avert a military confrontation and defuse the crisis was the very wise Canadian proposal to accede to Egypt's demand for the withdrawal of UNEF, but to redeploy the international force immediately on the Israel side. Undoubtedly, this move would have blocked any possible Egyptian attempt to strike at Israel. But more importantly, it would have prevented Israel from carrying out its carefully planned attack. Israel had initially rejected any deployment of UNEF on its side of the borders precisely to preserve its freedom of operation when the timing was opportune.<sup>(45)</sup>

The strategic mistake in the problematic initial Egyptian request was to view the partial withdrawal of UNEF as an acceptable risk, potentially allowing Egypt to reap a political victory without the actually going to war. The UN response was not a possibility the Egyptian leadership properly calculated or anticipated. The Egyptian position in May-June 1967 demonstrated a political failure of policy planning of gigantic proportions, leading to an equally disastrous military collapse. The precedent was the 1954 Israeli occupation of El-Auja demilitarized zone in the Negev on the border with Sinai, which occurred in violation of the 1949 Armistice Agreement after the Israelis forced out UNTSO (United Nations Truce Supervisory Organization) observers. This fact of recent history was on the minds of the Egyptian policy-makers when they sought to deploy their own armed forces in the border areas with Israel in conjunction with a partial UNEF withdrawal.

If Israel could kick out UN observers from UN-administered demilitarized zone without detrimental consequences, so too could Egypt demand the withdrawal of UNEF without negative consequences. The difference, however, was that during the occupation of El-Auja by Israel in 1954, Egypt had no plans to attack Israel, while the withdrawal of UNEF in 1967 allowed Israel to carry out a plan, already in place, for the invasion of Egypt. Echoing the political position of



the Egyptian government, The Egyptian commander in El Arish area in the Sinai reminded General Rikhye that “by permitting UNEF on its soil Egypt had not abrogated its sovereign right to move its troops freely in order to defend its territory.”<sup>(46)</sup>

The commander of the UN Force believed, however, that “Israel need not have gone to war at that time and should have allowed diplomacy to prevail. Nevertheless, Israel chose war over diplomacy as they were confident that in one blow they could eliminate the Arab threat for years to come. They also hoped to reduce Nasser’s influence, if not cause his downfall.” Tragically, for Egypt, Nasser, “never wanted or even approved complete withdrawal of UNEF”, according to General Rikhye. The UNEF commander believed that the Egyptians were convinced, based on previous precedents, that the “UNEF would have few grounds to object to the removal of some of its posts in the Sinai.” Rikhye was also convinced that “the Egyptians were willing to negotiate for a continued UNEF presence as long as Egyptian forces could move sufficiently close to the International Frontier for Nasser to satisfy his critics”, and to prevent Israel “from taking any offensive action against Syria.”<sup>(47)</sup> Had Egypt sent its army into the Sinai in a show of force without the accompanying request of partial UNEF withdrawal, as happened before in 1958 and 1960, would the history of the Middle East have been totally different?

The miscalculation (the “blunder” in Rikhye’s term) associated with the withdrawal of UNEF was quite evident when the senior Egyptian diplomat, Mohamed Riad (not the doyen of Egyptian diplomacy, Dr. Mahmoud Fawzi, and not yet the foreign minister, but later minister of state for foreign affairs), sadly asked General Rikhye during the UN General Assembly Special Session in July 1967 “Why did you withdraw UNEF? We didn’t want you to pull out.” Rikhye answered: “But you did ask us to withdraw from the Sinai...We could not pull out from part of

our responsibilities and continue with the rest... You left us no option.” Riad then indicated that the UN reply of all or nothing to Egypt’s partial withdrawal request, also left Egypt no option but to ask for a total withdrawal since the partial withdrawal was not feasible. The Egyptian diplomat insisted that “The UN therefore invited us to tell UNEF to go.” Riad believed that the Secretary-General should not have responded the way he did, in fact closing the door for a face-saving compromise.<sup>(48)</sup> The veteran Egyptian diplomat, Nabil Elaraby, echoed Riad’s sentiments when he pointed out that “Egypt did not want the force completely withdrawn, but only deployed for political ends” in order to deflect criticism that Egypt was “hiding behind the shield of the UNEF.”<sup>(49)</sup>

As it turned out, the letter requesting the UNEF withdrawal written by Egyptian Chief of Staff Mohamed Fawzy was not even reviewed or approved by the Egyptian ministry of foreign affairs prior to its delivery to the UNEF commander! This fact precluded any possibility of wiser and more professional feedback and advice as to the ramifications of such a fateful request. The privileged role of the army in Egyptian politics and the lack of a national democratic oversight mechanism allowed the military to initiate steps with profound implications for Egypt. Moreover, the Egyptian Ambassador to the UN, Mohamed El Kony, a respected official highly trusted by the Nasser government, advised the UN Secretary-General not to appeal the original withdrawal request directly to President Nasser, as U Thant first proposed.

El Kony, who genuinely supported Egypt’s right to ask for the withdrawal of UNEF, was afraid that U Thant’s appeal would have been considered a challenge to the Egyptian president, and would have negatively reflected on his UN Ambassador for not counselling U Thant against such a “challenge.” At the same time, in Rikhye’s opinion, the “United Nations had misread all

the signals from Egypt”<sup>(50)</sup> due to the lack of resident UN representation on the ground in Egypt. Thus they were in no position to properly assess the political situation and advise the UN Headquarters about the political factors at play in the country and about the complex situation surrounding its leadership. This lack of representation and engagement with the Egyptian regime was allowed to continue despite the crucial role of UNEF in preventing military confrontation in a pivotal region and despite the dire consequences of unwisely terminating such role.

Another look at the circumstances of the Egyptian demand for the withdrawal of UNEF is provided by Michael Oren. This view implicates Nasser directly in the request for the partial UNEF withdrawal, but not for an entire withdrawal. To deal with Amer’s insistent demand for the withdrawal of the international Force, Nasser consulted with his trusted foreign affairs advisor and the former foreign minister during the Suez Crisis, Dr. Mahmoud Fawzi, (he became a presidential advisor after vacating the foreign minister post to Mahmoud Riad). Nasser was not in favour of the move and kept insisting on retaining UNEF in Gaza and the Straits of Tiran. Fawzi prepared a briefing file confirming Egypt’s sovereign right to evict UNEF, but he recommended a request as Nasser favoured withdrawing UNEF only from the international borders, but not from Gaza and Tiran. Fawzi also recommended that instructions to this effect be “given to Gen. Rikhye rather than U Thant, thus emphasizing their practical, as opposed to legal, nature.”<sup>(51)</sup>

Nasser approved of the strategy and the decision was made to proceed on this basis. By so doing, Nasser was hoping to send a “double message to Israel: Egypt had no aggressive designs, but neither would it suffer any Israeli aggression against Syria”.<sup>(52)</sup> According to Heikal, after reviewing the draft letter, Nasser ordered the replacement of the word ‘withdraw’ with

‘redeploy’, and crossed out the word ‘all’ before ‘these troops’. This change was intended to “prevent any misunderstanding regarding the continued presence of UNEF in Gaza and in Sharm al-Sheikh [Tiran]”. Nasser then asked General Amer to insert the changes into the final version, “only to be told that the letter was already being delivered.” Moreover, the last line and a half in the Egyptian note was added to the copy that the President had already approved.<sup>(53)</sup>

The text of the Egyptian withdrawal request reads as follows:

COMMANDER UNEF (GAZA)

To your information, I gave my instructions to all U.A.R. armed forces to be ready for action against Israel, the moment it might carry out any aggressive action against any Arab country. Due to these instructions our troops are already concentrated in Sinai on our eastern border.

For the sake of complete security of all U.N. troops which install OP’s [Observation Posts] **along our borders**, I request that you issue your orders to withdraw all these troops immediately. I have given my instructions to our commander of the Eastern Zone concerning this subject. Inform back the fulfillment of this request.

Yours,

General Mohamed Fawzy

Chief of Staff of the UAR.<sup>(54)</sup>

The Egyptian note spoke only of UNEF withdrawal from the “borders” (with Israel). Nothing was mentioned about the UNEF positions in the “Gaza Strip”, or “Sharm El-Sheikh”.

## **Egypt Requests Withdrawal of UNEF**

The controversial decisions surrounding Egypt’s request to the UN to pull out its UNEF troops from Egypt set the stage for the start of the 1967 Arab-Israeli War.

On 16 May 1967 at 10:00 PM, Rikhye, was asked to attend an urgent meeting in the office of General Ibrahim Sharkawy, Egyptian chief liaison officer to UNEF. Another Egyptian General, Eiz E. Mokhtar, representing the Egyptian High Command, handed General Rikhye a brief communique signed by General Mohamed Fawzy, the Egyptian chief of staff, that would begin a chain of events changing the history of the Middle East and fundamentally impacting the

mandate and principles of all future UN peacekeeping operations. The Egyptian note, as reproduced above, requested immediate withdrawal of UN troops deployed along the Egyptian borders. The request may have left open the possibility that the reference to the “borders” meant only the line between Rafah (south of the Gaza Strip) and Taba on the Gulf of Aqaba (south of Eilat). But in fairness to the UN decision-makers, the request could have meant the total withdrawal of UNEF, regardless of where they were deployed. The restrictive interpretation of the request was the intent of President Nasser, although the execution was flawed.

According to General Rikhye, Egyptian General Mokhtar requested an immediate compliance with the request of the Egyptian High Command. Unfortunately, the Egyptian General also seems to have taken it upon himself to verbally request UNEF’s withdrawal from Sharm el Sheikh (and not just from the international borders with British Mandated Palestine), a request which was not included in the written note. “For the second time I re-read General Fawzy’s letter, but found no specific reference to El Sabha and Sharm el Sheikh.”<sup>(55)</sup>

Sharm el Sheikh is not located on Egypt’s international borders with Israel (being hundreds of miles south of the borders) and, therefore, could not have been targeted in the Egyptian note which only specified the request for withdrawal from the “borders”. A withdrawal of UNEF from the Egyptian border with Israel alone, without involving the Gaza Strip or Sharm el Sheikh could have avoided escalation of the conflict over the freedom of navigation through the Straits of Tiran (adjacent to Sharm el Sheikh), and hence could have avoided providing the pretext to Israel for launching the war.

Whether the Egyptian general was acting on his own and improvising, or whether the additional verbal requests were intended by army H.Q. but deliberately not included in the written note, would require further examination of the historical record. Of course, a third

explanation could be that the army Headquarters did not want to include the additional requests but that the power struggle in Egypt allowed General Mokhtar to enlarge the request, reflecting the views of some in the leadership who wanted to get rid of UNEF once and for all. Considering the open leadership conflict after the war, one can credibly conclude that the power struggle in Egypt may have contributed to the mixed signals communicated by the Egyptian general to the UNEF commander.

In the face of insistent requests by the Egyptian general for immediate compliance, the UNEF Commander replied that he had no authority to order the withdrawal of the UN troops without the authorization of the Secretary-General of the UN. However, the UN commander promised to send an immediate request to the UN Headquarters in New York for instructions, which he did around midnight. In response, the Egyptian general advised General Rikhye that in order to avoid any unintended confrontation between the UN troops and the Egyptian troops then being deployed in Sinai, Rikhye should order the UN troops confined to their camps.

As the tension in this encounter subsided somewhat, General Rikhye confirmed Egypt's right to ask for the withdrawal of UNEF, but he cautioned General Mokhtar about the consequences of such withdrawal. According to General Rikhye's memoir, it was General Sharkawy who replied this time, saying that if war erupted, "we shall meet in Tel Aviv."<sup>(56)</sup> In fact, General Rikhye later informed the writer, during a meeting in 2001, General Sharkawy actually told him that, if war erupted, "I will invite you to lunch in Tel Aviv."<sup>(57)</sup>

I believe General Rikhye did not want to include the Egyptian General's exact words in order to avoid highlighting the obviously misinformed and misplaced bravado about the trap Egypt was about to walk into without its leaders realizing the scope or the magnitude of the disaster around the corner. Such an attitude was symptomatic on the part of many in the Egyptian

leadership and it filtered down to the general public, both in Egypt and in the rest of the Arab World. It also came to be exploited by the Israeli policy-makers. The misguided attitude explains the feelings of utter shock –following weeks of giddy euphoria- which swept across Egypt and led to Nasser’s resignation on 9 June 1967, later retracted in the face of a genuine popular demand that he should stay on to fight another day.

On 17 May 1967 a Cairo Radio broadcast stated, “The UAR (Egypt) has made it clear by all means and without any doubt that it is prepared to enter into operations against Israel if Syria is subjected to any kind of Israeli aggression as referred to by the Israeli Prime Minister, Chief of Staff, and other officials all during last week, which also included a warning to invade Syria.”

Cairo Radio broadcast continued the warning that:

The UAR authorities had also received reports [from the Soviet Union] that Israeli armed forces commanders had decided to use force against Syria. Therefore, the UAR had no alternative but to enforce the mutual defence agreement concluded with Syria.<sup>(58)</sup>

The situation was charged and was escalating by the hour. Israeli Chief of Staff, Yitzhak Rabin, made a public threat on 12 May 1967 to overthrow the Syrian Government. Israeli Prime Minister Levi Eshkol had already threatened on 11 May 1967, in an address to his Mapai party, to escalate the military confrontation to teach Syria a sharp lesson. It was also widely reported in the Egyptian media, notes Michael Carroll, that the Soviet leadership warned Anwar Sadat (then the Speaker of the Egyptian Parliament) during a visit to Moscow on 13 May 1967 that “Israel had mobilized at least eleven brigades along the Syrian border and was poised for invasion.”

This information was relayed to the Egyptian leadership and undoubtedly was partially responsible for the Egyptian moves in support of Syria (including the request for the withdrawal of UNEF). Nasser’s hand was forced, moreover, when the League of Arab States, in accord with prevailing inter-Arab dynamics, officially called on Egypt in April 1967 to seek the withdrawal of UNEF from Egypt. However, according to Carroll “It is doubtful that Nasser intended to

provoke a war with Israel, but the alternative – losing prestige and influence throughout the Arab world – was deemed less palatable than war.”<sup>(59)</sup>

The same day, Cairo Radio, an arm of the official Egyptian Broadcasting Corporation, also reported that “Field Marshal Hakim Amer had ordered that the UNEF commander be instructed to withdraw UNEF troops stationed on the International Frontier and to collect them in the Gaza Strip for the purpose of the safety of the UNEF troops in case military operations became necessary.”<sup>(60)</sup> This broadcast reveals who was in charge of the UNEF file and was orchestrating events on the ground, and it was not the president. Nasser only took ownership of the issue when events were moving fast and were beyond recall. Undoubtedly, however, he was not averse to basking in the groundswell of popular support he garnered in Egypt and all over the Arab World as a result of this unexpected, and on first sight seemingly opportune development, which eventually backfired disastrously and practically brought an end to Nasser’s leadership and his ambitious plans for the region.

## **The UN Response**

Secretary-General U Thant’s response to General Rikhye’s request for instructions made it clear that the Egyptian move “could leave him with no other option but to withdraw UNEF.” His rationale was that Egypt’s consent for the presence of UNEF had become “so qualified and restricted” that it rendered it impossible to function according to its mandate. The secretary-general reminded the UNEF commander that the Force was on Egyptian soil and “could remain there only” with Egypt’s continued consent.<sup>(61)</sup> There was a flurry of deliberations and communications involving the Egyptian authorities, the Egyptian diplomatic delegation to the UN, and the UN secretary-general and his staff trying to clarify the initial Egyptian note from General Fawzy.



Thant wanted to clarify whether the nature of the Egyptian request was for “partial” and “temporary” withdrawal. The secretary-general informed the Egyptian ambassador that such a blunt request for partial withdrawal could only be considered as “tantamount to a request for the complete withdrawal of UNEF.”<sup>(62)</sup> In response to the Egyptian request, the secretary-general presented an aide-memoire to the Egyptian Ambassador to UN on 17 May 1967 stating that if the consent of Egypt were withdrawn “or so qualified as to make it impossible for the Force to function effectively, the Force, of course, will be withdrawn.”<sup>(63)</sup> In this way, U Thant indicated he felt he had no option but to accede unconditionally to the host country’s evident request for withdrawal under the existing UN-Egypt agreement.

Events were progressing very rapidly as the UN concluded it had to refuse a partial withdrawal by UNEF from the international frontier, which would have left the international troops only in Gaza and Sharm el-Sheikh, and this all or nothing position of the UN left Egypt’s leaders feeling cornered into requesting the withdrawal of the entire force from all locations. On 18 May 1967, the foreign minister of Egypt accordingly sent the following message to the secretary-general of the UN:

Dear U Thant,

The Government of the United Arab Republic has the honour to inform your Excellency that it has decided to terminate the presence of the United Nations Emergency Forces from the territory of the United Arab Republic and Gaza Strip. Therefore, I request that the necessary steps be taken for the withdrawal of the Force as soon as possible. I avail myself...etc.

Mahmoud Riad,  
Minister of Foreign Affairs.<sup>(64)</sup>

A few hours later, the secretary-general, believing that Egypt’s consent for the presence of UNEF had been officially rescinded, instructed General Rikhye, the Force commander, to

begin the process of withdrawing the Force from Egypt and Egyptian-controlled territory (the Gaza Strip) in what became a highly controversial move. Having already informed the Egyptian Government of his acceptance of the withdrawal request, U Thant also told the UN General Assembly of his decision. After consulting with the Advisory Committee on UNEF, the secretary-general promptly responded to the Egyptian note as follows:

Dear Mr. Minister,

Your message informing me that your Government no longer consents to the presence of the United Nations Emergency Force on the territory of the United Arab Republic [Egypt], that is to say in Sinai, and in the Gaza Strip, and requesting that the necessary steps be taken for its withdrawal as soon as possible, was delivered to me by the Permanent Representative of the United Arab Republic at noon on 18 May.

As I have indicated to your Permanent Representative on 16 May, the United Nations Emergency Force entered Egyptian territory with the consent of your Government and in fact can remain there only so long as that consent continues. In view of the message now received from you, therefore, your Government's request will be complied with and I am proceeding to issue instructions for the necessary arrangements to be put in train without delay for the orderly withdrawal of the force, its vehicles and equipment and for the disposal of all properties pertaining to it. I am, of course, also bringing this development and my actions and intentions to the attention of the U.N.E.F. Advisory Committee and to all Governments providing contingents for the force. A full report covering this development will be submitted promptly by me to the General Assembly. And I consider it necessary to report to the Security Council about some aspects of the current situation in the area.

Irrespective of the reasons for the action you have taken, in all frankness, may I advise you that I have serious misgivings about it for, as I have said each year in my annual reports to the General Assembly on U.N.E.F., I believe that this force has been an important factor in maintaining relative quiet in the area of its deployment during the past 10 years and that its withdrawal may have grave implications for peace.

U Thant, UN Secretary-General.<sup>(65)</sup>

The last paragraph of U Thant's letter contained prophetic words. Egypt would have done well to heed the secretary-general's warning, but the die was cast, and history-changing events were set in motion.

General Rikhye concluded that the “Force would no longer be able to carry out its functions as a buffer”, but he insisted that it “would not cease to exist or to lose its status or any of its entitlements, privileges, and immunities until all of its elements, had departed from the area of its operation”. He also made it clear that the Force was to remain under his ‘exclusive command’, taking no orders from any other authorities, be they Egyptian or the commanders of the national contingents. The secretary-general did, however, instruct the Force commander to proceed on the assumption that the Egyptian authorities would provide “full cooperation...on all aspects of evacuation”, having requested that from the Egyptian Government through their diplomatic mission to the UN in New York.<sup>(66)</sup>

General Rikhye’s insistence on maintaining “exclusive command” of UNEF, rejecting any intervention by the Egyptian authorities or the national HQs of the participating countries in the affairs of the international Force during the stand-down and termination period, was justified due to the critical phase in the life of UNEF, and the fast-moving developments in the political situation, as well as the very possibility of unintended confrontations with the armed forces of the host government.

Egyptian units already began their deployment along the international borders alongside some UNEF units. In some locations, Egyptian troops took up positions in the “immediate vicinity” of the “Observation Posts” of the Yugoslav troops or near UNEF deployment camps, in El-Sabha, El-Amr and El-Qusaima, causing some friction and uncertainty.<sup>(67)</sup> Rikhye’s immediate intervention to persuade the Egyptian troops to keep their distance from the UNEF detachments (which they did), and Egypt’s close friendship with Yugoslavia kept a potentially dangerous situation from leading to a possible military confrontation.

## Logistical Problems

As a result of the rapid deployment of the Egyptian troops to the Sinai, UNEF aircraft were denied air clearance during the surge of troop movements to the frontier area. This meant, however, that some UNEF posts would run out of supplies. The Egyptian authorities tried to avoid any military clash with UNEF aircraft due to mistaken identification in a time of heightened tension and massive troop movements. It took several attempts by General Rikhye to contact the Egyptian ‘operational command’ and the ‘air defence system’ to finally lift the restrictions and provide the needed clearance.

UNEF aircraft not only faced some difficulties from the Egyptian authorities during this critical period, but Israel also did its share in complicating UNEF air operations. According to the UNEF Commander, General Rikhye’s UN aircraft was intercepted by Israeli jets and was ordered to land in Israel “while on legitimate operational flight [between Al-Arish and Gaza] along an authorized air route.” This was not a simple error but “a blatant attempt to hijack our plane” because the aircraft was flying “more than one kilometer west of the Armistice Demarcation Line and the International Frontier which were well defined.”

The Israeli pilots, asserted the UNEF Commander, “would have had to be blind not to recognize the distinctive United Nations colours and markings” on the UN plane. The Israeli air force nonetheless fired on the UN plane after making several close intimidating passes to force it to land in Israel. Had the Israeli jets succeeded in forcing down the UN plane inside Israel, it would have had “grave consequences for the United Nations” as accusations of deliberately violating Israeli airspace would have been plausible to claim, as Israel had done six months earlier. Moreover, Israel could have claimed that the UN was conducting unauthorized reconnaissance activities against its national security.<sup>(68)</sup>

The general summed the situation up by stating that “It was obvious to me and my staff that the Israeli allegations on this and on a number of other occasions in the past were completely unfounded”. The UNEF Commander described the Israeli action as “banditry in the air”, and the secretary-general of the UN lodged a “strong protest” with the Israeli Government. Based on his “knowledge of their general attitude towards UNEF since it had first been deployed in the area” the UN commander believed that Israel “had something to conceal” with regards to its own troop mobilization. He felt that the UN plane, even though flying well inside Egyptian territory, “could perhaps pick it up in their innocent passage.” The Israelis, the general observed, were “highly sensitive to anyone observing their activities”, to the extent that they risked dangerous interference with the UNEF commander’s aircraft and came very close to creating an international incident with major ramifications. This incident suggests that Israel was well on its way in completing its military mobilization for the invasion of Egypt and did not want anybody (especially the UN) to confirm the unfolding of its plans, which were already in progress.<sup>(69)</sup>

The same Israeli method was used during the visit of India’s Prime Minister Nehru, while on route to Gaza in May 1960. Nehru’s UN plane was also harassed by Israeli fighter jets. An official complaint was lodged with the UN.<sup>(70)</sup>

### **Evaluating Secretary-General U Thant’s Initial Response**

The secretary-general’s request to the Egyptian ambassador to the UN (Mohamed El-Kony) to review the Egyptian military request for UNEF’s withdrawal before taking any action, and thus giving the government a breathing space, was turned down by the Egyptian Government. Many faulted U Thant for accepting the response relayed to him by El-Kony without insisting on communicating directly with the Egyptian leadership, a step which could have provided a face-saving alternative for both sides. However, U Thant believed not only that

the Egyptian request should not have been addressed to the Force commander procedurally, but also that the request itself needed clarification.

The secretary-general's position was that any withdrawal of UNEF from Egypt's "eastern border", only as requested by the Egyptian chief of staff, was confused by the verbal request to include the Gaza Strip and Sharm El-Sheikh in the withdrawal, could not be accepted by the UN. This meant in reality that the UN troops would be withdrawn from the international border area only (not Gaza or Sharm), leaving the two countries free to initiate hostilities across their unguarded borders while the remaining UNEF detachments in the north (Gaza) and the south (Sharm) would be left on the sidelines ineffectively watching hostilities develop but without the ability to stop it in accordance with the United Nations' original mandate. U Thant was thus put in a very awkward position as he could not agree to a temporary or partial withdrawal without raising a host of international legal arguments and wading into a diplomatic minefield. U Thant knew very well that refusal to go along with the initial qualified Egyptian request would lead to total UNEF withdrawal and certain war. But his hands were tied by the UN-Egyptian sovereign consent agreement.

In 1960, during the unification of Egypt and Syria as part of the United Arab Republic (1958-1961), a similar dangerous situation had arisen that put the existence of UNEF at risk and threatened a region-wide war. Egypt, the Southern Region of the UAR, mobilized its forces and deployed them in the Sinai ready for battle if the situation in Syria escalated. However, and more crucially, Egypt did not request the withdrawal of UNEF, which could have dramatically changed the outcome if the request had been made.

The Egyptian move in 1960 in support of Syria had earned Nasser and the Egyptian leadership huge popularity. But Nasser was wise enough, or lucky enough, not to have requested

the withdrawal of UNEF, whose presence did undoubtedly avoid a possible large scale military confrontation with untold consequences. There is no doubt, that the style of successful posturing against Israel in 1960 was repeated in 1967, but this second time a major miscalculation –a blunder in fact- led to totally different and unintended consequences since Nasser’s control of the events was compromised, and the Egyptians wound up requesting the withdrawal of UNEF. The rush to help Syria –and presumably to earn political acclaim in the process- blew up in the faces of the Egyptian policy-makers in 1967. From being the hero of the Arab World, Nasser was reduced overnight to being a defeated and wounded leader, the fragility of whose leadership and tenuous hold on power were both starkly exposed. The secular-progressive brand of politics he espoused also suffered a devastating body-blow. Until today the region is still grappling with the search for an alternative ideological system.

It is worth noting that U Thant’s reading of the diplomatic/political situation of UNEF in 1967 was not the only possible interpretation. Since General Fawzy’s letter to General Rikhye requested the withdrawal of UN troops from the “eastern border” only and not from all territories under Egyptian control, the Canadian ambassador to the UN, George Ignatieff, considered the Egyptian note as a request for “redeployment” and not for total withdrawal (as Nasser wanted the Egyptian note to Rikhye to read instead of the term used, “withdrawal”).<sup>(71)</sup> The Canadian ambassador commented on the request, saying that the host country could not ask for partial redeployment to enable its army to take battle positions along parts of the borders, leaving other sectors under UN observation.

On 18 May 1967 Israel formally and strongly objected to Egypt’s unilateral request for the withdrawal of UNEF, although that request also seems to have suited Israel’s plans for the invasion of Egypt unimpeded by the presence of international troops in its path. (Such an Israeli

position can be seen as part of the strategic deception adopted in June 1967 to avoid international censure for starting the war. Moreover, Israel sounded air raid sirens in Israeli cities claiming Egyptian air raids precisely at the time when Israeli jets were pounding Egyptian air fields all over Egypt). Amidst these fast-moving political-military developments, the United States and the United Kingdom – according to General Rikhye - worked together in trying to “reactivate UNEF” by redeploying international troops “on both sides of the Armistice Demarcation Line along the Gaza Strip and the Egyptian-Israeli frontier”, but this plan “was rejected by Israel.”<sup>(72)</sup> If Israel had been sincere about its declared desire to avoid war and preempt the Arab “onslaught”, the UNEF redeployment could have reduced the probability of war by a large margin. But there was no such desire in Israel as the Israeli mobilization and the countdown to war were already underway.

Israel’s refusal to accept the redeployment of UNEF on its side of the Egyptian-Israeli lines in 1967 was based on a long-standing legal argument eloquently stated by its veteran diplomat, Abba Eban, in early November 1956. Addressing the UN General Assembly, Eban stated “It would seem to my delegation to be axiomatic under the law of the Charter that the stationing of any force in a territory under Israel’s jurisdiction or control is not possible in law without the Israel Government’s sovereign consent.”<sup>(73)</sup> However, if Israel had been serious about preventing the outbreak of hostilities in 1967, it could have given its sovereign consent for the stationing of UNEF on the Israeli side. If Egypt had then moved to start a war it would have earned an instant world-wide condemnation.

But it is clear that Israel had other plans, and rejecting UNEF’s role as a ready and capable buffer preserves Israel’s freedom to deliver a long-sought military strike against Egypt, and so was a convenient if not an absolute necessity for Israel’s plans. Ironically, while Israel



was rejecting the UNEF's presence on its territory, citing the prerogative of sovereign consent, it opposed Egypt's right – under the same principle - to withdraw such consent and request the withdrawal of UNEF from its territory. In reality, Israel was making a public stand in favour of the principle of sovereign consent for its own convenience, while Egypt's insistence on applying the same principle tremendously aided Israel's plans to violate Egypt's sovereignty and territorial integrity.

With the inevitable closure of the Straits of Tiran by Egypt following the withdrawal of UNEF from Sharm El-Sheikh, the USA reiterated its support for the freedom of navigation through the Straits of Tiran for all nations. It was former US Secretary of State, John F. Dulles, who had presented Israel with an *aide-mémoire* on 11 March 1957 to confirm that the United States considered the Gulf of Aqaba and the Straits of Tiran as “international waters”, and to declare that “no nation has the right to prevent free and innocent passage in the Gulf and through the Straits.”<sup>(74)</sup> The American assurance to Israel was the price the USA (and Egypt) had paid to secure final Israeli withdrawal from Egyptian territories in 1957. On 22 May 1967, US President Johnson, a strong supporter of Israel, reiterated previous American positions on the Gulf of Aqaba/Straits of Tiran by issuing the following statement:

The purported closing of the Gulf of Aqaba to Israeli shipping has brought a new and very grave dimension to the crisis. The United States considers the gulf to be an international waterway and feels that a blockade of Israeli shipping is illegal and potentially disastrous to the cause of peace. The right of free, innocent passage of the international waterway is a vital interest of the entire international community.<sup>(75)</sup>

In an opinion contrary to the official American position on Tiran, the noted Harvard professor of international law, Roger Fisher, wrote the following on 9 June 1967:

The United Arab Republic [Egypt] had a good legal case for restricting traffic through the Strait of Tiran. First it is debatable whether international law confers any right of innocent passage through such a waterway [in light of the state of war existing between Egypt and Israel at the time]...Secondly a right of innocent passage is not a right of free

passage for any cargo at any time. In the words of the Convention on the Territorial Sea: Passage is innocent so long as it is not prejudicial to the peace, good order, or security of the coastal state...taking the facts as they were I, as an international lawyer, would rather defend before the International Court of Justice the legality of the UAR's action in closing the Strait of Tiran than to argue the other side of the case.<sup>(76)</sup>

Meanwhile, the US ambassador to Egypt, Richard Nolte, asked the Egyptian authorities in late May – shortly after his arrival in the Egyptian capital to present his letter of diplomatic credentials - to agree to keep the UN troops in Gaza and Sharm El-Sheikh “until a consensus would emerge” in the United Nations regarding an acceptable outcome to the crisis. It is interesting to note that this latest American request mirrored the initial Egyptian request for partial withdrawal, which the UN secretary-general had already rejected. Evidently, Egypt was prepared to leave UNEF stationed in Sharm el-Sheikh, clearly indicating that the Egyptian Government was not contemplating at that stage of the crisis to block the Straits of Tiran against Israeli shipping. That move was only undertaken when the secretary-general refused Egypt's request for partial UNEF withdrawal.

General Rikhye's first-hand account of the termination of UNEF is an authoritative record, well-informed and professional. General Rikhye's intimate knowledge of Egypt and Egyptian officials over many years during his service with the international Force in many capacities gave him an accurate reading of the Egyptian mood and position towards UNEF and its role. He sensed that the Egyptians were really never keen on having an international force stationed on their soil. This perceived foreign imposition was less palatable once Egyptians became aware that Israel had rejected the UN demand to station UNEF on its side of the border as well. The UNEF, moreover, was a constant reminder of the 1956 tri-partite invasion. The departure of UNEF, regardless of the consequences, was viewed as an opportunity for Egypt to return to its condition of independence before October 1956 and was seen as a necessary step to

regaining the nation's honour. In Rikhye's words, the people of Egypt "were overjoyed at the elimination of the last scars left by the 1956 invasion by Israel, Britain and France."<sup>(77)</sup>

### **U Thant's High-Stakes Negotiations in Cairo**

In Rikhye's account of Secretary-General U Thant's negotiations on May 24 1967 in Cairo with the Egyptian president, Nasser, and the Egyptian foreign minister, Mahmoud Riad, the Egyptian leaders elaborated on the reasons for the request to terminate UNEF's presence on Egyptian soil. In addition to the declared reason of deterring any Israeli invasion of Syria, the Egyptians specified that they wished to bring down "the last curtain on the Israeli aggression of 1956".



Secretary-General U Thant and President Nasser in Cairo, May 1967

Photo Credit: Al-Ahram

Mr. Riad insisted on the hope that "Israel would no longer profit from its previous aggression." President Nasser, moreover, said that by blocking the Gulf of Aqaba as a result of the termination of UNEF, Egypt "fully restored the situation as it prevailed before the 1956 war" and thus vindicated its honour. The Egyptian foreign minister also revealed that on 15 May 1967

he had had a meeting with the U.S. *chargé d'affaires*, David Ness, in Egypt to discuss the reports of Israeli troop concentrations on the Syrian front, but that the American diplomat would not give “any guarantees for the prevention of the outbreak of hostilities.” The minister added that the American attitude was a throwback to the “situation which existed in 1956 when the United States Ambassador in Cairo assured his government then that there were no Israeli concentrations, and yet Egypt had been invaded.” Finally, the minister added that Israel was refusing to respect the terms of the General Armistice Agreement between the two countries, including the illegal occupation of the Al-Auja demilitarized zone and the eviction of the UN observers from that area.<sup>(78)</sup>

For his part, the UN secretary-general warned his Egyptian hosts that Israel had informed him that it would be “prepared to go to war” over the closure of the Straits of Tiran, and that the US had also restated to him “its commitments to assist Israel” in case of war. The foreign minister replied that his government was prepared to submit “matters relating to the Gulf of Aqaba” to “legal and constitutional” international adjudication. The secretary-general then enquired whether Egypt was prepared to reactivate EIMAC (Egyptian Israeli Mixed Armistice Commission), which was established as part of the 1949 Armistice Agreement, and permit new UN observers from it to patrol and establish Observation Posts “in the areas vacated by UNEF.” The minister replied that his government would not object to EIMAC operations but would not permit the UN “military observers to enter the Sinai as long as Israel would not permit them to do the same on its side” of the Armistice lines. The secretary-general proposed a three-point approach to deal with the crisis: first, establish a limited moratorium (two to three weeks) to allow for discussions; second, persuade Israel to reactivate the terms of General Armistice Agreement; and third, appoint a UN special representative to the area.<sup>(79)</sup>

Nasser surprised U Thant by immediately accepting a two-week moratorium to ease tensions and to allow for negotiations. He further surprised him by promising not to enforce the Straits of Tiran blockade, providing that Israel did not challenge it. Finally, the president indicated his acceptance of the reactivation of EIMAC as long as “it was on a parallel basis” as regards to Egypt and Israel. Nasser also shared with U Thant the situation in the Egyptian cabinet, which was determined to “undo the consequences of events of 1956” but was divided on whether to initiate hostilities against Israel.



U Thant and Rikhye with the Egyptian negotiating team in Cairo, May 1967.

From left to right, Egyptian Foreign Minister, Mahmoud Riad, UN Secretary-General, U Thant, President Nasser, UNEF Commander, General Indar Rikhye, and Presidential foreign policy advisor, Dr. Mahmoud Fawzi. Photo Credit: Al-Ahram, Egypt

Powerful ministers, including defence minister Shams Badran, the majority of the military leadership and the entrenched vice president, Amer, wanted to take advantage of the mobilization underway and strike first. The president, however, indicated to U Thant that he did not agree to initiate hostilities. According to Rikhye, he had been able to secure a decision to

“only fight if attacked by Israel.” Nasser had given the same assurances, explains Rikhye, to the Soviet Ambassador and the US *chargé d'affaires* in Cairo: “I told them that we will not attack; we have no intention of attacking unless we are attacked first, and then we will defend ourselves.” Nasser then addressed U Thant directly saying “We give you the same assurance. We will not attack first.”<sup>(80)</sup>

Many in Egypt and the Arab World blamed Nasser for his reluctance in starting the war, accusing him of causing the worst Arab defeat since 1948. The US Administration received a direct pledge from President Nasser that Egypt would not initiate hostilities, and the Americans were fully aware of Israel’s plans to deliver a massive military strike against Egypt. Nevertheless, the US chose to look the other way when Israel invaded Egypt. The sense of betrayal was pervasive in the entire Arab world.

Upon his return to the UN headquarters, Secretary-General U Thant addressed the UN Security Council to report on his discussions with the Egyptian leadership. He informed the Council then that he had received assurances that Egypt “would not initiate offensive action against Israel.” He also indicated that the Egyptian position is in favour of “a return to the conditions prevailing prior to 1956 and to full observance by both parties of the provisions of the General Armistice Agreement between Egypt and Israel”. U Thant indicated that he hoped that the Government of Israel would “reconsider its position and resume its participation in EIMAC.” He then “appealed to the parties concerned to exercise special restraints” and to avoid belligerent acts.<sup>(81)</sup>

The US ambassador to the UN, Arthur Goldberg, called upon the Security Council “to endorse the Secretary-General’s appeal” without delay in order to give the parties a “breathing

spell” to allow the explosive tensions a chance to subside. He also called on the Council to address the major underlying issues contributing to the conflict. The US Representative asserted his country’s belief that the Gulf of Aqaba constituted an international waterway, a position the US still holds now. The Egyptian ambassador, Mohamed El-Kony, responded by saying that Egypt’s request for the withdrawal of UNEF was motivated, among other considerations, by concern for the safety of the international Force in case of the eruption of hostilities. As for the Gulf of Aqaba, he believed that Egypt considered it as it still does an inland waterway passing through internationally recognized Egyptian territorial water. Moreover, Egypt had in its opinion the sovereign right according to accepted provisions of international law to bar enemy vessels in a state of war from violating its territorial integrity. In excluding Israeli shipping, Egypt was simply returning the situation back to what it was prior to the 1956 Israeli invasion.

The Egyptian ambassador cited the Report submitted by UN Secretary-General Hammarskjöld on 8 February 1957 and approved by the UN General Assembly on 22 February 1957 in which he stated that “the stationing of UNEF could not be used to impose a solution for political or legal questions that were controversial, since UNEF’s only function was to prevent hostilities”. The secretary-general added that UNEF could also not be “used as to prejudice the solution of the controversial questions involved.”<sup>(82)</sup> The Egyptian position laid out by El-Kony was centered on resisting Israel’s attempts to formalize a situation (in which it had unimpeded access to the Gulf of Aqaba) that did not exist prior to 1956, a situation that had been allowed *de facto* due to the presence of UNEF. With the UNEF presence now terminated, Egypt was anxious to restore the *status quo ante* and prevent Israel from acquiring a new legalized advantage when the core issues of the Arab-Israeli conflict remained unresolved.

The Israeli ambassador, Gideon Rafael, strongly denied that Israel had any intention of launching a military attack against Syria (the reason for Egypt's demand for the withdrawal of UNEF). He then added that "it was not too late for reason to prevail". The reality was that it was too late to stop Israel's countdown toward a major attack on Egypt along the lines of the original "Kadesh" Plan, which had been modified in 1956 and incorporated into the Anglo-French invasion of Egypt. The ultimate failure of the invasion in 1956 had frozen Israel's plans for the destruction of the Egyptian Army and the annexation of Egyptian territory, at least temporarily. In 1967 Israel was ready to implement Kadesh alone (with the tacit approval of the United States, which later opposed any call at the UN to force Israeli withdrawal unilaterally from the captured territories). In his intervention in the debate, the Soviet ambassador to the UN, Nikolai Fedorenko, supported the Egyptian position and demanded a strong Security Council condemnation of the "Israeli provocations and threats against the Arab States."<sup>(83)</sup>

### **Canada's *faux pas***

On 27 May 1967 General Mohamed Fawzy, Egypt's military chief of staff, sent the following message to General Rikhye, Commander of UNEF regarding the Canadian contingent under his command:

Major General Rikhye,

Owing to the biased attitude of the Canadian Government towards Israel, the general feeling among the masses of the people and the armed forces became mobilised against Canadian policy, and being aware for the safety of the Canadian troops and for the reputation of the United Nations Emergency Force, which have done their best in carrying out their task, we demand the immediate withdrawal of the Canadian troops from the U.A.R. (Egypt) territory within 48 hours, and we are ready to give all facilities if required for their transport by air or any other means.

General Mohamed Fawzy, UAR Chief of Staff.<sup>(84)</sup>



The first impression made upon reading this communique is that it was written in a hurry, without proper care to language in terms of what was expected from an official government document. Although the communique was, presumably, drafted by the Egyptian Ministry of Foreign Affairs, it obviously lacked the polish displayed during previous contacts regarding UNEF. The fact that the note was signed by General Fawzy, the chief of staff, might suggest the influence of vice president Amer and the military in forcing a more confrontational stance. However, the foreign minister, Mahmoud Riad, an ex-military man himself and an associate trusted by the president, also communicated with the UN Secretary-General in the same vein, requesting an early withdrawal of the Canadian contingent in UNEF.

The Minister too cited fears of negative reaction in Egypt against the Canadian policy that could affect or harm the Canadian forces and, by extension, the whole UNEF presence.<sup>(85)</sup> It was an irony of fate that the country that had first proposed the establishment of UNEF to help Egypt face the consequences of armed aggression was now asked to remove its troops, ahead of all other national contingents in the UNEF, as a sign of Egyptian displeasure at a perceived Canadian bias in the brewing conflict.

This dramatic escalation in the process of terminating the presence of UNEF in Egypt, targeting the Canadian contingent, came about as a result of Canada's active opposition at the UN in New York to the withdrawal of UNEF. The Egyptian Government became incensed when it was revealed that two Canadian naval units and a supply frigate (in an initiative code-named *Operation Leaven*) had sailed through the Straits of Gibraltar heading towards the eastern Mediterranean.



President Nasser's display of gratitude (Merle Tingle—  
London Free Press)

Canadian Press Depiction of the Egyptian Demand  
for the Withdrawal of the Canadian Contingent in UNEF in May 1967.

Photo Credit: London Free Press

This Canadian move came on the heels of news of increased US and British naval deployment in the Mediterranean and in the Red Sea near the Gulf of Aqaba. In this heightened atmosphere, Egypt feared a concerted Western plot either to break the blockade of Israeli shipping in the Straits of Tiran or to challenge Egypt's mobilization in the Sinai. Egypt feared

the formation of a US-British-Canadian “*Red Sea Regatta*” to open by force the Straits of Tiran to Israeli shipping. These fears seemed confirmed when Canada’s Prime Minister, Lester Pearson, suggested that “international control over the Gulf of Aqaba might be a viable option to keep peace in the Middle East”.<sup>(86)</sup>

It is interesting that Canada, which had strongly opposed the withdrawal of UNEF, began to change its position when the Canadian Cabinet on 26 May 1967 “decided to seek a hastened withdrawal of the Canadian contingent from UNEF,”<sup>(87)</sup> *even before* Egypt officially requested the Canadian withdrawal on 27 May 1967. A meeting, however, which took place on 20 May 1967 between the Canadian minister for external affairs, Paul Martin Sr., and Egypt’s UN ambassador might shed some light on Canada’s changed position. In this meeting, El Kony assured Martin that Egypt’s respect for Canada remained high. But there was concern in Egypt and elsewhere in the Arab world that there was “a sort of conspiracy” to challenge Egypt’s “sovereign right to ask for the withdrawal of UNEF.” Following that meeting, Canadian officials at the Department of External Affairs began to question the wisdom of opposing UNEF’s withdrawal “while Canadian troops were still on the ground.”<sup>(88)</sup> Accepting the developing political realities on the ground, and complying with the Egyptian demand, the Canadian contingent was evacuated earlier than other UNEF contingents. It departed from El-Arish airport in the Sinai before the start of the war.

The Egyptian request caused a tense political and logistical situation. The commander of UNEF, sensitive to the cohesion and morale of his Force, requested in the wake of the Egyptian request, the speedy and total withdrawal of the entire UNEF, not just the Canadian contingent. He was immediately overruled by UN Headquarters. Ralph Bunche, the UN under-secretary-

general replied to the Commander's request by stating, "while UNEF is an international force, it is composed of national contingents [facing] hard realities...political considerations have always been involved in connection with the UNEF operation." The UN was committed to maintaining the original withdrawal timetable agreed earlier with the Egyptian authorities for all of the UNEF contingents. Apparently, there were moves by the Security Council to de-escalate the spiraling crisis and somehow avert a looming showdown in the region, and the continued presence of UNEF was deemed important at this critical stage.<sup>(89)</sup>

### **UNEF War Casualties**

The early withdrawal of the Canadian contingent created a huge dent in the UNEF logistical support, including air transport, necessary for the efficient functioning of the UNEF operations. Air service was crucial for the completion of the withdrawal of UNEF as well. The Egyptian government, therefore, provided two transport planes dedicated to helping the UNEF fill the gap created by the departure of Canadian logistical support. Not only did the withdrawal of UNEF face logistical problems, but the outbreak of the war on 5 June 1967 (with the Israeli invasion of the Sinai and the Gaza Strip) considerably further complicated the entire withdrawal process.

UNEF was caught –as feared earlier- in a shooting war with grave consequences. UNEF sustained serious casualties as a result of Israeli shelling of its headquarters and camps. Tens of officers and members of other ranks in the Indian contingent were killed and wounded, and their bases were surrounded. Upon the initiation of the Israeli air and ground attacks on UNEF positions, causing serious casualties, General Rikhye sent a cable to the Israeli chief of staff, Itzhak Rabin, via the UN office in Jerusalem, asking him to "order your forces, especially your

aircraft, to take special care to avoid inflicting further unnecessary casualties on UNEF personnel.”<sup>(90)</sup> Other UN personnel (Field Service staff) were arrested by the advancing Israeli troops, roughed up and left without food or water. It took a Norwegian military doctor, Colonel Lutzov-Holm, to provide blankets from the UNEF hospital to the detainees. Eventually, all UNEF personnel were successfully evacuated.

The Israeli invasion was so successful that UNEF was not able to withdraw in an organized fashion, and thus suffered serious losses. The Israeli Air Force chief, Motti Hod, boasted after the war was that his forces had been training for the implementation of the air campaign against Egypt for 16 years. Without going into detail, Rabin admitted to General Rikhye in Tel Aviv on 17 June 1967 that Israel had planned the land offensive against Egypt “meticulously.”<sup>(91)</sup> Moreover, General Moshe Dayan, the newly appointed Defence Minister, in a confirmation of intentions expressed by the Prime Minister, David Ben-Gurion, in 1956, informed Colonel van Huevan, Chairman of the Egypt-Israel Mixed Armistice Commission (EIMAC), on 10 June 1967 that “the General Armistice Agreement was dead.”<sup>(92)</sup>

Inevitably, UNEF was destined to be caught in a military confrontation due to the lack of any attempt at resolving the underlying conflict. On 26 June 1967 not long after the start of the war, the recriminations began at the UN Headquarters in New York over the circumstances of the withdrawal of UNEF. “There were many who felt that the rapid withdrawal of UNEF troops had unnecessarily precipitated a tragic war”, which occasioned serious casualties among the UN troops themselves. General Rikhye, as the last UNEF commander, placed the blame for failing to anticipate the tragic events surrounding the withdrawal of UNEF squarely on the shoulders of the “United Nations High Command” and himself as the commander in the field. Although fighting

had been anticipated following the rapidly developing political and military situation, he said “it never crossed our minds that it would be that soon and that we would be caught so badly.”

The commander still believed (now vindicated by events) that his recommendation for “the immediate withdrawal of the entire Force” should have been accepted following the early withdrawal of the Canadian contingent. He was convinced that once “fighting broke out UNEF would be the first casualty.” There had been efforts underway at the UN Headquarters in New York and elsewhere to enable UNEF to remain in place until a diplomatic breakthrough could be achieved, with the idea that its presence lessened the probability of hostilities commencing. However, once Egypt requested the immediate removal of the Canadian contingent, he had advised removing the rest of the entire Force without delay, wise counsel as events proved. Eventually, the entire UNEF force was withdrawn, and the war that followed demonstrated that engaging in peacekeeping in a vacuum is counterproductive without fairly resolving the fundamental elements of the conflict.<sup>(93)</sup>

The possibility of conflicting positions held by different factions in the Egyptian hierarchy was raised at the time by General Rikhye. The newly appointed Egyptian commander of the Sinai Front, General Mohsen Mortagy, on 4 June 1967 issued what was described by General Rikhye as a “clarion call” to war addressed to his troops facing Israel. In a fiery speech, the Egyptian General promised his men a sacred battle to restore Arab rights, a battle in which he pledged victory would be theirs. The UNEF commander observed that “The spirit of this message was in total contradiction to the assurances” given to Secretary-General U Thant during his visit to Cairo by President Nasser and Foreign Minister Riad. Moreover, Rikhye observed on 4 June 1967, during his travel between El-Arish in the Sinai and the Gaza Strip, that the deployment of the Egyptian troops near the international frontier could not be considered

defensive as it was more suited to the kind of offensive action “usually resorted to for a last ditch stand”. Rikhye’s conclusion was that the Egyptian armed forces “were anxious for a showdown with Israel, whereas their political masters...looked forward to an easing of tensions.” The deployment of the Egyptian army in the Sinai in early June 1967 was, according to the UNEF commander, an indication of the “opposing trends” that divided Egyptian policy-makers.<sup>(94)</sup>

Internal disagreement became very clear and following the start of the hostilities, and it had tragic consequences for Egypt. On the evening of 6 June 1967, barely two days after the beginning of the war, Field Marshal Amer’s bravado turned into pathetic panic when at 6:00 PM he ordered – without consultation with the supreme commander of the Army, President Nasser - the immediate and total withdrawal of 180,000 troops to the west side of the Canal. General Fawzy, the Army chief of staff, contacted the President, who rushed to the Army Headquarters. A tense confrontation took place between the president and his vice president, and the order of withdrawal was rescinded. However, the new order came too late to stem the westward march or to ease the added panic due to the lack of air cover. With casualties mounting by the hour, the president ordered the elite Fourth Armored division to cross back into the Sinai and stem the Israeli advance. The new plan was to establish a defensive line in the Sinai passes region with a width of 100 KM. Israeli war plans emphasized the same objectives as in 1956, but this time the outcome was more deadly in its consequences.<sup>(95)</sup>

### **The UN Secretary-General’s Unavoidable Dilemma**

A huge controversy followed Egypt’s request to the UN to withdraw UNEF troops from Egyptian soil. Many blamed Secretary-General U Thant for agreeing to the Egyptian request without discussions on the request or a vote by the UN General Assembly, the body which had

authorized the formation of UNEF. Hammarskjöld's Good Faith Agreement was cited by U Thant in support of his position that the UN was bound to respect Egypt's sovereignty and its right of consent for the continuing deployment of UNEF on Egyptian territory. The principle of consent was not in dispute by any side. The requirement to complete the task given to UNEF, on the other hand, was the main problem. Egypt was honour-bound not to request withdrawal before the task assigned to UNEF was completed. Egypt, however, believed that besides securing and maintaining a cease-fire and ensuring troop withdrawal, there were no other tasks that UNEF had left unfinished.

It was not part of the UNEF mandate to remain in place until a permanent peace agreement was in place, which was a failure both for the UN and for Egypt. That this marked an irresponsible lack of foresight did not enter into the discussion then taking place within Egypt. Nor was it considered seriously enough in the international community. This stipulation was never a condition for the deployment of UNEF. Hence, Egypt's request was not prematurely interrupting any agreement with the UN or violating the Good Faith Agreement in any sense. As far as Egypt was concerned, there was no violation of UNEF's mandate and it was perfectly within its right to demand UNEF's withdrawal unconditionally, as per the provisions of the battered Good Faith Agreement.

U Thant: UN Secretary-General  
during the 1967 Arab-Israeli War  
Photo Credit: United Nations / DPI





The lack of clarity, however, on what constituted the completion of UNEF's task(s) and on how to come to an acceptable agreement between the UN and the host country was the main shortcoming of the Agreement. It was this lack of clarity that killed the UNEF mandate, and with it peace in the Middle East even for a long time to follow. The continuous reference to Egypt as the host country presented a difficulty of its own, as no "host" is obligated to accept the continued presence of the "guests" against his will; otherwise the "visit" is transformed from a temporary arrangement into an unwelcome "intrusion", with serious consequences.

Sir Brian Urquhart, an experienced UN diplomat who participated in the negotiations with Egypt in 1956 and in 1967, "recalled that when Hammarskjöld negotiated the 'good faith agreement', Egyptian sovereignty was not compromised in any way. Thus Nasser's decision to remove UNEF was within his rights. Urquhart continued, "Nasser had a perfect sovereign right to do what he did. It was an extremely stupid thing to do, as we told him at the time, but he had a perfect right to do it, under the agreement that got UNEF in".<sup>(96)</sup>

Nabil Alaraby, Egypt's veteran international legal expert, stated that Nasser's request for the withdrawal of UNEF was "certainly a natural corollary stemming directly from its [Egypt's] sovereignty as a state, acknowledged by the General Assembly in its resolutions regarding the establishment of UNEF".<sup>(97)</sup>

### **U Thant's Explanation**

In the face of severe criticism of the decision to accept Egypt's request for UNEF's withdrawal, U Thant published an explanation in July 1967,<sup>(98)</sup> explaining the factors behind the decision in May 1967 to agree to the withdrawal and reiterating the obligation of the UN under the Good Faith Agreement to respect Egypt's sovereign right of consent. But U Thant's explanation fell on deaf ears as the sound of war engulfed the Middle East. The secretary-general

stated in his report on 12 July 1967 that the most crucial lesson to be drawn from the UNEF experience was “the desirability of having *all conditions* relating to the presence *and* the withdrawal of a peacekeeping operation *clearly defined* in advance of its entry onto the territory of a host country.”<sup>(99)</sup>

Undoubtedly, the controversy over the Good Faith Agreement informed his conclusion. However, the secretary-general also acknowledged the difficulty of this proposition due to the emergency nature of the original conflict situation which required speedy deployment of the international Force. He also noted that any host country would not “be inclined to accept formal limitations on its sovereignty with regard to the exercise of its consent for the presence of an international force.” The report stated further that “when a United Nations peacekeeping operation...is no longer welcome in a country...it cannot hope to continue to perform any useful function”. A fundamental principle arrived at in the report was that “the full consent of the host country...is the indispensable precondition for the stationing of the Force”. It is very significant to note, moreover, that “At no time was the secretary-general’s position officially challenged by any member state, and no attempt to convene the General Assembly was made.”<sup>(100)</sup> In my opinion, the secretary-general’s report reflects fairly and accurately the dilemma of maintaining an international peacekeeping operation on the territory of a sovereign country outside the scope of a UN Security Council enforcement action.

### **The Good Faith Agreement Revisited: Hammarskjöld 1957 Unofficial Second Thoughts**

It is one of the mysteries of the Suez War why Secretary-General Dag Hammarskjöld, having in November 1956 concluded the Good Faith Agreement with the Egyptian Government, an unofficial *Aide-mémoire* on 5 August 1957 to express reservations about Egypt’s absolute

right of consent. Hammarskjöld's note, however, was not an official document and was never entered into the UN's official record.

The eruption of the military hostilities in June 1967, and the resulting tragic consequences for peace and security following the withdrawal of UNEF, also ignited a war of words concerning the ultimate responsibility for terminating the presence of UNEF, the step seen as one leading to the break-out of hostilities. U Thant's futile attempts to explain away the withdrawal of UNEF by employing the sovereign consent card, and the resulting disastrous consequences for the credibility of the UN in conflict management, compelled a former US diplomat and a confidant of the late Dag Hammarskjöld, Ernest Gross, to reveal the existence of the unofficial *aide-mémoire* written by the late secretary-general.

It seems to have been Hammarskjöld's habit to compose such documents when faced with a vexing issue. Due to the sensitivity of the contents, he kept this *aide-mémoire* a secret but provided a copy to his US friend and legal adviser. Gross, however, contended that by handing him over a copy of the document, Hammarskjöld intended it to be part of the public domain. The question is: if that was indeed the true intent of the secretary-general, why did he not make the *aide-mémoire* public himself when it was written or during the time of his mandate in office? In response to the controversy accompanying U Thant's decision to agree to the withdrawal of UNEF unconditionally, Gross decided to leak the private document as a rebuttal to U Thant's position. Hammarskjöld's note, accordingly, was published in the *New York Times* on 25 May 1967.<sup>(101)</sup>



Secretary-General Dag Hammarskjöld  
Photo Credit: United Nations / DPI

It is important, therefore, to analyze in this section below Hammarskjöld's secret *aide-mémoire* that entered public domain as events moved toward war.

By the middle of 1957 Secretary-General Hammarskjöld had confirmed, unofficially, his preferred position on consent and withdrawal, which was *not* part of the agreement reached earlier with Egypt. With UNEF already deployed, he stated his belief in the need for a binding commitment between the UN and Egypt to allow withdrawal of UNEF *only* as the result of a formal negotiated agreement between the two sides confirming the completion of UNEF's task, in accordance with the UN's General Assembly resolutions. However, the final mechanism actually agreed to was the face-saving Good Faith Agreement, which fell short of requiring a mandated negotiation to authorize withdrawal.

The secretary-general knew very well – based on his negotiations with the Egyptian authorities - that Egypt would not have accepted any limitations on its sovereign right to unconditionally terminate the presence of foreign troops on its soil. And on that basis he had concluded his negotiations with the Egyptian Government for the original deployment of UNEF. The resulting Agreement was submitted to the UN General Assembly without qualifications and

was accepted without modifications. Amazingly, Hammarskjöld described the Agreement to the Advisory Committee on UNEF as “a combination of one-sided but interlocking declarations.” This suggests a feat of obfuscation in international law, and it is one reason why the secret memorandum composed after the fact and contradicting the accepted, UN approved interpretation of the understanding between Egypt and the UN is both intriguing and legally assailable.

Despite apparent accord on the primacy of the principle of sovereign consent in the operations of UNEF, a behind-the-scenes legal battle was brewing in November-December 1956 and threatening the stationing of UNEF on Egyptian soil. This diplomatic-political row, with far-reaching legal implications and consequences, that was escalating was between the Egyptian Government and the secretary-general of the United Nations. In his secret *aide-mémoire*, Hammarskjöld affirmed that the establishment of UNEF by a UN resolution “did in no way limit the sovereignty of the host state” because it was based on Chapter IV of the UN Charter. But he then moved to qualify this right of sovereignty: according to him, “Egypt had the right” of consent, but there remained a question of “whether that right in this context should and could in some way be limited”. Clearly, Egypt believed very strongly that there could be no limit on its right of consent. The secretary-general, however, was willing to countenance limitations on Egypt’s sovereign right that would be “in the interest of political balance and stability in the UNEF operation”.

In fact no reference to any limitations on Egypt’s sovereign right was ever included in the Agreement, but in his secret *aide-mémoire* Dag Hammarskjöld held that by accepting the UN General Assembly resolution, Egypt “had consented to the presence of UNEF” to perform “certain tasks”. Egypt, therefore, could not ask for the withdrawal of UNEF “before the

completion of the tasks” without contradicting its “own acceptance of the resolution.” On the surface, this may have sounded logical, but the actual text of the Agreement clearly stated not only that the UN “reaffirms its willingness to maintain the UNEF until its task is completed” but also that the completion of the task was “to correspond to the wishes of the Government of Egypt” (Article 2 of the Good Faith Agreement). What did it mean for the secretary-general to accept a confirmed absolute right on one hand, and then provide a later interpretation undermining such right, on the other? The secretary-general had some reservations on Egypt’s right of consent, and the Egyptian president was determined to protect this right. Thus the Good Faith compromise agreement was concluded. Hammarskjöld’s leaked *aide-mémoire* – unknown until its release a decade after the original Agreement – surprisingly made those reservations public on the eve of the June 1967 War.

The first test of Hammarskjöld’s thinking, according to his *aide-mémoire*, in fact occurred on 9 November 1956, when Dr. Fawzi, Egypt’s foreign minister, requested clarification from General Burns, the designated commander of UNEF, as to the length of time the Force “would stay in the demarcation line area.” Burns in turn sought clarification from Hammarskjöld, who replied the same day that “A definite reply is at present impossible.” But the secretary-general seemed to have linked the “emergency character” of UNEF to the “immediate crisis” (the invasion of Egypt). He then, however, added that if there were to be a difference of opinions “as to when the crisis does not any longer warrant the presence of the troops, the matter will have to be negotiated with the parties.” To soften his interpretation, he added that “as the United Nations force would come with Egypt’s consent, they cannot stay nor operate unless Egypt continues to consent.” If that was the case, one wonders then why he expressed his reservations in the first place?

Hammaraskjold's 9 November 1956 proviso regarding the need for negotiations in case of a difference of opinions upset the Egyptian Government. As a response, Omar Loutfi, Egypt's Ambassador to the United Nations, met Hammaraskjold on 11 November 1956 and stated that "it must be agreed that when the Egyptian consent is no more valid, the U.N. force should withdraw". The secretary-general records in his *aide-mémoire* that he replied: "I did not find that a withdrawal of consent could be made before the tasks, which had justified the entry had been completed". He then reiterated that if "different views on the degree of completion" developed, the "matter should be negotiated".

This reply must have riled the Egyptians further. Loutfi then submitted an official *aide-mémoire* on 11 November 1956 to the secretary-general stating, "It being agreed that consent of Egypt is indispensable for entry and presence of the U.N. forces in any part of its territory, if such consent no longer persists, these forces shall withdraw". Hammaraskjold's reply on 12 November 1956 challenged this interpretation by stating that Egypt's withdrawal of its consent "before completion of the task would run counter to the acceptance of Egypt of the decision of the General Assembly". Again, the secretary-general tried to finesse his interpretation saying that the "conditions which motivate the consent" were tied to the "tasks established for the force in the General Assembly resolution". Based on this interpretation, his *aide-mémoire* then concludes that "as long as the task, thus prescribed, is not completed, the reasons for the consent of the government remain valid."

The secretary-general's position forced Egypt's foreign minister to reply on behalf of the Egyptian Government on 13 November 1956. Fawzi informed the secretary-general that Egypt "could not subscribe" to his interpretation of consent and withdrawal and that the announced agreement on dispatching the UNEF troops to Egypt, therefore, "should remain inoperative".

Again, Fawzi insisted that “if consent no longer persisted, the UNEF should withdraw”.

Hammaraskjold admitted that his stand involved taking a gamble, and that the risk of further delays over interpretations “might cause Egypt to change its mind...and throw our approaches overboard.” This legal tussle delayed the arrival of the first UNEF contingents by more than 24 hours.

Fearing further delays and complications, Hammaraskjold replied to Fawzi the same day, stating that his stand on Egypt’s withdrawal of consent being tied to the completion of the task of the international force represented his “personal opinion”. In other words, the idea that the original consent by Egypt would remain valid as long as the task of UNEF was not completed was the secretary-general’s personal interpretations, and not the official UN position.

He added that his “reference to negotiation” (in case of divergence of views between Egypt and the UN) “was intended to indicate only that the question of withdrawal should be a matter of discussion” as to whether the task of UNEF was fulfilled or not. The secretary-general became very concerned that the stalemate over consent was jeopardizing the UNEF mission altogether. He felt strongly that the troops must arrive in Egypt immediately -- “it now was a must to get the troops in” -- and that he would go to personally negotiate the impasse with President Nasser in order to save “the face of Egypt while protecting the U.N. stand.”

In addition to Hammaraskjold’s official reply to Fawzi, his *aide-mémoire* tells us that he sent him a “special personal message”, pleading for understanding of the secretary-general’s stand on consent and withdrawal. He made it clear that both sides had to limit their “freedom of action”, but that the UNEF deployment should nonetheless “go ahead” according to the accepted UN Resolutions, in the hope that “a controversial situation would not arise”. This suggested an



amazing trust in providence not normally seen in international relations. And naturally the feared controversy did arise, with devastating consequences, a decade later.

But Hammarskjöld also issued a subtle warning, or threat, that if negotiations did “break down on this issue”, referring to the “conflict which had developed between us on this question of principle”, then he “could not avoid going to the General Assembly”, either to support his position or even to scuttle the UNEF mission altogether. This implicit threat that the secretary-general might get the UN General Assembly to endorse his own interpretation of the legal dispute, raised the specter that Egypt might be placed in the very tight spot of needing the UNEF to get the invaders out of the country and having to compromise on its fiercely protected sovereign right of consent.

Hammarskjöld declared himself in the *aide-mémoire* very anxious to avoid “most embarrassing...political repercussions”, but he warned that few would support Egypt’s position in asking UNEF “to withdraw at a time when the very reasons” which had prompted acceptance of the Force “were still obviously valid.” Of course, Hammarskjöld’s stand was expressed within the context of the early stages of the conflict, when UNEF was needed to complete the “tasks” of cease-fire and withdrawal outlined by the UN General Assembly resolutions. Certainly, the “tasks” were not completed at this early stage and the secretary-general could be justified in November 1956 in threatening to involve the General Assembly. The secretary-general believed that his position made it clear that if Egypt did not accept his stand on withdrawal, “the matter would be raised in the Assembly.” Yet, Egypt’s concern was already focused on the long term consequences of accepting UNEF presence on its soil without guarantees of withdrawal if demanded by Egypt.

With the beginning of the arrival of the international Force in Egypt in November 1956, Hammarskjöld became –wrongly- convinced, based on the mistaken interpretation of the exchange of letters in his *aide-mémoire*, that -according to his recorded conclusion- Egypt had “finally tacitly accepted” his position. Despite the secretary-general’s erroneous conclusion, Egypt could not have been clearer on its position of sovereign consent.

While his preference was still that withdrawal would be explicitly “decided by the General Assembly”, thus taking the decision completely out of Egypt’s hands, he admitted that “in this naked form...the problem could never have been settled.” Moreover, the Secretary-General showed an understanding of Nasser’s potential difficulties if he accepted limitations on “Egypt’s political freedom of action”. His concerns, in Hammarskjöld’s opinion, were “not without justification”, for Nasser, admitted the secretary-general, would be accepting “a far-reaching and unpredictable restriction” due to the “possible consequences of differences of views” associated with a rigid “legal construction.”

In addition, Hammarskjöld’s threat “to propose the immediate withdrawal of the troops”, if an agreement between the UN and Egypt were not reached, could not change the formula arrived at for the basis of the Good Faith Agreement, which did not require withdrawal to be based on an agreement approved by the UN General Assembly. Hammarskjöld was a great man and a superb international diplomat, and Egypt owed a lot to him for his principled intervention against aggression and the invasion of its territory. But trying to change the basis of the agreement with the Egyptian Government unilaterally and in a secret *aide-mémoire*, when he could not achieve the results he was after in direct negotiations, was not his finest moment.

It was the stalemate over the conditions of withdrawal of UNEF troops that prompted Hammarskjöld to come up with the Good Faith Agreement’s “dual statement” formula

developed after hours of high-wire negotiations with Nasser and his ministers. The two stipulations were: first, Egypt would assure the UN that its exercise of sovereign rights would be “on the basis of a good faith interpretation of the tasks” of UNEF; and second, similarly, the UN would reciprocally assure Egypt that UNEF would only remain “as long as the task was not completed.”

### **Implicitly Explicit**

In a superb instance of legal reasoning, Hammarskjöld maintained that instead of an explicit agreement, the UN and Egypt had created a mutual obligation to reach an interpretation of the terms of withdrawal in good faith. Hammarskjöld’s brilliant negotiating logic was in full display when he accepted that “Egypt constitutionally had an undisputed right to request withdrawal of the troops, even if initial consent had been given”. However, his secret *aide-mémoire* went on to say that “it should be possible on the basis of my own stand as finally tacitly accepted (by allowing the UN troops to enter Egypt), to force them into an agreement in which they limit their freedom of action” by “making a request for withdrawal dependent on the completion of the task”.

Such request, in turn, would have to be submitted to “interpretation by the General Assembly”. While this interpretation was never agreed to or entered in the final agreement between Egypt and the UN, Hammarskjöld’s ability to speak from both sides of the mouth nonetheless helped float the Good Faith Agreement. Eventually, however, the Agreement was doomed because of the inherent contradictions embedded in it and the problems associated with one-sided interpretations. In the end, it was too good to be true.

It is interesting that Hammarskjöld ended his *aide-mémoire* by reiterating his interpretation of the UN’s agreement with Egypt to mean that there was an implied obligation to

ensure the completion of the tasks prior to withdrawal. His argument was in fact qualified by Egypt's consistent refusal to sign a commitment to reach a negotiated agreement first. His assertions in the private document that his interpretation of the understanding with Egypt was the only valid one, discounting any previous stated objections by Egypt against violating its sovereign right of consent, did not change the fact that the Good Faith Agreement (imprecise as it was) was the only document agreed to by the two sides, and each side -not just Hammarskjold- could put a spin on it to suit its purpose if so desired.

This *aide-mémoire* could be viewed as expressing only Hammarskjold's private unilateral thoughts and concerns during the negotiations with Egypt and not as a final definitive mutually accepted interpretation of the Agreement. Having been locked up for over a decade and never entered into the public domain until it was leaked in 1967, Hammarskjold's private interpretation was never included in the formal Agreement with Egypt and had never until then been part of the public record.

The secret Hammarskjold *aide-mémoire*, therefore, must be –based on the above- treated as a record of the negotiations and torturous legal maneuverings that took place *prior to* the arrival at the mutually-accepted and officially-sanctioned Good Faith formula, as well as the secretary-general's wishful retrospection *after* reaching the Agreement. It could not be taken as a license to bestow a different interpretation on the UN-Egypt agreement.

On 9 October 1958, almost two years after concluding the Good Faith Agreement with Egypt and more than a year after Hammarskjold wrote his secret *aide-mémoire*, the secretary-general submitted a comprehensive report to the General Assembly summarizing the experience derived from the establishment and operations of UNEF.<sup>(102)</sup> This report stated “it follows from international law and the Charter” that the United Nations cannot station “units on the territory of

a Member State without the consent of the Government concerned” (Paragraph 154). However, (Paragraph 158) stated that if either side were “to act unilaterally in refusing continued presence or deciding on withdrawal ... an exchange of views would be called for towards harmonizing the positions”. An “exchange of views” is certainly different from a prior mandated and negotiated agreement approved by the General Assembly to authorize the withdrawal.

This exchange of views, continued Hammarskjöld, “does not imply any infringement of the sovereign right of the host government.” Clearly, Mr. Hammarskjöld envisaged in his secret *aide-mémoire* a more restrictive interpretation than he made public in his official report to the UN General Assembly. Having formally submitted this official report confirming the Egyptian interpretation (*after* writing his secret *aide-mémoire*), Hammarskjöld seemed to leave no doubt as to which version the interpretation of the Good Faith Agreement was the valid one.

The fact was, that under the difficult circumstances of the Suez War, the Agreement -whatever its imperfections- was the only one capable of satisfying both sides at the time of negotiating the terms of UNEF’s mandate. In hindsight, the secretary-general could have insisted, in return for respecting Egypt’s right of consent in principle, on an *agreed formula* (30-day notice for instance) for “consultation” -but not a prior agreement- between the UN and Egypt before a final decision to withdraw the international troops is made, a formula which probably would have avoided embarrassing or injuring Egypt’s pride and its sovereignty. Moreover, such a consultation period would have provided a cooling-off period to allow for international mediation to defuse the crisis and avoid withdrawal of the international troops altogether.

The “Good Faith Agreement” would have been transformed into the “Face-Saving Agreement”. Indeed, Hammarskjöld had more leverage to bring to bear on Nasser as the foreign troops were still occupying Egyptian territory and Egypt needed international help to force them

out. Yet, apparently, Hammarskjold blinked first, despite his assertions in the secret *aide-mémoire* to the contrary. Although Hammarskjold had been described by some as a “tightrope walker”,<sup>(103)</sup> his skills in crafting the Good Faith Agreement, which at the time was considered a brilliant feat of diplomacy, were not sufficient for him to conclude his high-wire act in the way he preferred.

### **U Thant’s Public Response to Hammarskjold Secret *Aide-mémoire***

Hammarskjold’s secret *aide-mémoire* of 5 August 1957 was published on 19 June 1967. On the same day, U Thant not surprisingly, issued a statement<sup>(104)</sup> in which he played down its significance. Several points were made by U Thant in response and analyzed below.

In his introduction, U Thant declared that Hammarskjold’s newly uncovered contribution “could not alter the basis for the presence of UNEF on the soil” of Egypt as governed by existing public agreements and documents. U Thant noted that Hammarskjold’s *aide-mémoire* “is not an official document”, and had never been entered in the official record of the United Nations, being “of a purely private character”. U Thant bluntly said in his own statement that “the release of such a paper at this time would seem to raise some questions of ethics and good faith.”

U Thant also made a clear distinction between the limited scope of the Good Faith Agreement reached in November 1956, and the later broadening of the responsibilities of UNEF as agreed in February 1957. U Thant made it clear that the earlier phase of UNEF, as governed by UN General Assembly Resolution 1000-ES-I of 5 November 1956, defined the task of UNEF “in very general terms” as being “to secure and supervise the cessation of hostilities”. Once UNEF was deployed, U Thant noted, hostilities ceased and withdrawal commenced; thus UNEF’s “task at that time was completed”. Clearly, U Thant did not subscribe to the view that Egypt was obligated “to continue to accept the presence of UNEF until the task of the Force was

completed” since he concluded the task to be already long completed (Who was charged with determining that the “tasks” were completed? This point had been left vague in the original agreement). That is, U Thant believed that such a view “reads more into the ‘good faith’ understanding than is justified.”

It was only with the second UN General Assembly Resolution 1125-XI of 2 February 1957 that UNEF’s task “was broadened” to include “The scrupulous maintenance of the armistice agreement” and that UNEF was placed on the Armistice Demarcation Line between Egypt and Israel. According to U Thant, that broader task of UNEF of maintaining the Armistice Agreement of 1949 was indeed “not completed”. Its initial role was only defined in the wake of the Suez War in 1956 and not in that of the Armistice Agreement in 1949. UNEF’s role was expanded only in 1957 to include the maintenance of the Armistice Agreement after its original tasks had been completed. But, Secretary-General U Thant affirmed, “this was not the task envisaged or defined for UNEF when Secretary-General Hammarskjöld and President Nasser reached the ‘good faith’ understanding.”

A “central and decisive point” in U Thant’s analysis of the decision to withdraw UNEF was related to “Israel’s firm refusal to accept it on the Israeli side.” Egypt alone had accepted the presence of UNEF on its side of the Armistice Demarcation Line. Israel’s refusal of UNEF on territory under its control emanated from its declaration that the Armistice Agreement was no longer recognized by Israel after November 1956 (a declaration that seemed to give it the freedom to pursue future territorial expansion). U Thant emphasized that “UNEF’s effective discharge of its buffer function” between Egypt and Israel had always depended entirely on Egypt’s voluntary action of keeping its troops away from the armistice line, and giving UNEF room for its patrols, while “Israel has never observed a buffer zone ... and Israel troops have

always patrolled directly alongside it”. The secretary-general finally stated that “no one could possibly question the full right” of Egypt to move its troops to the line inside its territory. Yet once Egypt began to move its troops forward and then made the request to the UN to withdraw the Force, “UNEF could no longer perform any useful function.” Its continuing presence on Egyptian soil thus “lost any real significance”.

For over a decade, UNEF had indeed been successful in the task of the maintenance of the Armistice Agreement. But nobody expected this task to continue indefinitely. Conflict resolution was not part of the UNEF mandate. And that was both UNEF’s Achilles’ heel and the weakness of the original limited peacekeeping concept, which did not tie the end of hostilities to the beginning of a comprehensive and permanent peaceful settlement. U Thant’s response to the publication of Hammarskjöld’s *aide-mémoire* contained solid factual and logical points, but history, nevertheless, is unlikely to be kind to U Thant for readily agreeing to Egypt’s request (rightly or wrongly) in light of the tragic consequences of his decision.

It is hard to imagine, however, a UN secretary-general defying and challenging a UN member-state’s sovereignty, outside the application of a Chapter VII Security Council resolution or a clearly stated agreement between the UN and a sovereign state, without questioning the basis of the entire international system of the post-war sovereign equality. However, other steps could have been taken to delay and defuse the confrontation.





The Egyptian Delegation to the UN dealing with the results of the catastrophic 1967 war.

From left to right (front) Ambassador Mohamed El-Kony, Ambassador Amin Hilmy II. (back row) Mohamed Riad (future Minister of State for Foreign Affairs, Ambassador Omran el-Shafei, Future Ambassador to Germany).

Photo Credit: United Nations / DPI

## Legal Interpretations

U Thant's report on 19 June 1967 was challenged in 1970 by Stuart Malawer in an important article criticizing the emerging "new concept of consent" for being overly broad and its interpretation as "very restrictive".<sup>(105)</sup> Malawer viewed this new approach to consent as "detrimental to the development of a peaceful international system". Such a new approach he deemed to be actually a reaffirmation of the traditional interpretation of "consent" based on the concept of "obligation" (which was relaxed for a few years before it returned to its traditional interpretation established in the 1920s). Only explicit consent of states could bind them to international obligations. Hersch Lauterpacht's 1933 study of the theory of "sovereignty of

states” had stated that “the field of international law finds itself at the very start confronted with the doctrine of sovereignty [under which] the State is not bound by any rule unless it has accepted it expressly or tacitly.”<sup>(106)</sup>

Lauterpacht’s opinion was in line with a landmark case by the League of Nations’ Permanent Court of International Justice (World Court). An established source of positivist doctrine, the *Lotus Case*, became a foundational source of international law, which “identified consent as the basis of obligation under both conventional and customary international law”. Moreover, the Court ruled in the 1927 case that “The rules of Law binding upon States therefore emanate from their free will.”<sup>(107)</sup> In 1958, professor Lauterpacht, now a leading international jurist, concluded that the evolution of jurisprudence in the international legal system was moving away from the initial acceptance in the 1920s of the “principle of restrictive interpretation of obligations.”<sup>(108)</sup>

Yet the 1960s saw such moving away from restrictive interpretations of obligation in treaty law as being “arrested and reversed”. State practices, including the termination of UNEF by Egypt confirmed the resurgence of the traditional concept of consent-based obligation. As applied to peacekeeping, the withdrawal of UNEF established an international legal precedent, namely “the unilateral right of the host country to request the withdrawal of United Nations peacekeeping forces, unless explicit consent [to restrict such right] by the host state to the contrary exists in an international agreement”. According to Elaraby in his 1968 study of the withdrawal of UNEF, such consent was an “extremely narrowly construed” treaty interpretation under customary international law. UNEF according to this view was “placed in Egypt only with the consent of the Egyptian Government” as a “temporary organ of the General Assembly with a limited mandate.”<sup>(109)</sup> By 1970, Professor R. Falk concluded that “Traditional notions of

obligations in international law have accorded a virtual veto to the sovereign state by making its expression of consent ... indispensable precondition of a legal obligation.”<sup>(110)</sup>

Moreover, Malawer in 1979 took issue with U Thant’s interpretation of the “mandate” of the Force and the “task” to be performed by it. According to Malawer’s interpretation of the Good Faith Agreement, “the force would remain until the ‘task’ was completed.” And the “task”, as defined by the General Assembly resolutions, was to “secure and supervise the cessation of hostilities.” U Thant’s interpretation of the Good Faith Agreement, which referred to Resolution 997 of 2 November 1956, and Resolution 1000 of 5 November 1956, emphasized the “cessation of hostilities” and de-emphasized the supervision of the ‘Armistice Agreement’. U Thant’s interpretation, according to Malawer, was “very narrow” in light of Hammarskjöld’s three reports to the General Assembly in 1956 (regarding cease-fire), 1957 (regarding withdrawal of occupying forces), and 1958 (regarding compliance with the 1949 Armistice Agreement). According to Malawer, U Thant’s “sin” was to consult the terms of the Good Faith Agreement independently and to interpret the “task” as nothing “other than the supervision of the withdrawal.”<sup>(111)</sup>

In my opinion such criticism is not entirely accurate because UNEF was not created to supervise the 1949 ‘Armistice Agreement’. UNTSO had been in place already since 1949 to supervise this task. At the same time, UNEF was created only as a response to the invasion of the sovereign territory of Egypt in 1956, and it was established to ensure the termination of such aggression in all its forms. The supervision of the Armistice Lines can be considered ancillary to its original mandate as UNTSO did not cease operations with the deployment of UNEF. Moreover, the 2 February 1957 General Assembly Resolution to additionally task UNEF with the “scrupulous maintenance of the armistice agreement”, was adopted in view of Israel’s

delaying tactics in completing its withdrawal from the Gaza Strip, and in the wake of Israel's declaration that the Armistice Agreement with Egypt was dead (and buried).

Another reason for the expansion of UNEF's mandate in February 1957 was to assuage Israel on the issue of Palestinian infiltrators crossing the armistice lines, as well as reassuring the Arab countries regarding Israel's devastating cross-border raids and territorial claims.

It is reasonable to argue that even if there was a firmly binding agreement tying the hands of the Egyptian Government in its ability to request a withdrawal only upon the completion of the UNEF mission, Egypt would have been able to force withdrawal. Not only was the task of UNEF completed, but it had been fully completed for over a decade after its first arrival in Egypt. The UNEF was dispatched with the mandate to enforce a cease-fire and a cessation of hostilities, withdrawal of British and French troops from the Canal Zone, and finally the withdrawal of Israeli occupation troops in the Sinai and the Gaza Strip to the 1949 Armistice Demarcation Lines. All these tasks were accomplished, without exception, by March 1957, more than 10 years before the Egyptian request for UNEF's withdrawal. Moreover, it was not part of the UNEF mandate to remain on Egyptian soil indefinitely or to oversee peace negotiations between Egypt and Israel. If that last condition was included in the original mandate, the 1967 War would probably have never occurred.

In rejecting Hammarskjöld's belated interpretation, written in 1958 after the original Good Faith Agreement was finalized in 1956, and holding that there should be an "exchange of views" between Egypt and the UN regarding "withdrawal" of UNEF, U Thant accepted the Egyptian position completely. Similarly, U Thant stated that "There is no official United Nations document on the basis of which any case could be made that there was any limitation on the authority of the Government of Egypt to rescind that consent at its pleasure".

This interpretation left Egypt with the right to say *when* UNEF's "task" was completed; the conclusion of the UN (based on Hammarskjöld's reports and their approval and adoption by the General Assembly) stressed that "When formulating UNEF, the General Assembly acknowledged that the consent of the host country was supreme and therefore the full right to request withdrawal of the UNEF is certainly a natural corollary *stemming directly from its sovereignty as a state.*"<sup>(112)</sup> Unless forcibly occupied, no sovereign state is expected to accept the presence of foreign troops on its soil against its free will.

Agreement or no agreement, the UN could not have rejected Egypt's request for troop withdrawal. Perhaps the manner and speed of withdrawal could have been modified or altered, but not denied. Egypt was a sovereign nation and neither the UN nor any other power had the right to maintain troops on Egypt's soil without Egypt's consent since this deployment was not a Security Council Chapter VII enforcement action. This would have been a flagrant violation of Egypt's independence and sovereignty, and contrary to the provisions of the UN Charter itself.

The international troops would have been transformed instantly from international peacekeepers to international occupiers with all the consequences and ramifications that such action would have entailed. In other words, had Egypt's request been rejected for any reason, UNEF would have been changed from peacekeepers into an instrument of an international occupation regime.

In a speech on May 22, 1967, President Nasser made clear the position of his government on the issue of the presence of UNEF on Egyptian soil and Egypt's right to consent and to withdraw such consent: "...had UNEF ignored its basic mission...we would have regarded it as a hostile force and forcibly disarmed it." But he quickly added, "At the same time I say that the

UNEF has honorably and faithfully carried out its duties.”<sup>(113)</sup> This position was further elaborated within Egypt in the following years.

Despite Malawer’s critique, his contribution clearly asserted the preponderance of the concept of consent-based international obligation. The concept had been qualified by the post-War UN Charter which allows the UN Security Council to initiate enforcement measures but only based on Chapter VII authorization, when the consent of the targeted nation-state can be over-ridden. However, under the non-binding Chapter VI consent-based obligation did play a major role in the deployment of UNEF in Egypt as well as in its withdrawal from the theatre of operations. From an international legal perspective, U Thant does appear to have been right in acceding to Egypt’s request. Politically, however, the secretary-general did not consider other alternatives that could have preserved international peace and security, his prime responsibility as a secretary-general of the UN.

U Thant was convinced that “The assumption over the years was if the host government ever requested the withdrawal of UNEF, the request would be honored. This assumption was never questioned”. U Thant, however, acknowledged that such an assumption of an unquestioned right of the host State was peacekeeping’s “basic defect”. Israel’s Abba Eban self-servingly, came to agree with U Thant’s diagnosis, and by extension with Hammarskjöld’s later interpretation in his *aide-mémoire*. Eban stated that “agreements for peacekeeping are likely to be more effective if they rely on bilateral enforcement agreement rather than on arrangements such as emergency forces which are at the mercy of the host country and which can, therefore, apparently be dismissed without notice.”<sup>(114)</sup> Yet, as events had proven, the Israelis were only too keen to ensure the prompt withdrawal of UNEF in order to allow the launching of the ‘Kadesh’ invasion plan of Egypt. U Thant, moreover, became convinced of “the necessity of

formulating a withdrawal formula which would help maintain peace in the international system and which would be agreeable to host state”. Elaraby, additionally, proposed to “attach a standard clause to any agreement to deploy UN troops that would remedy the considerable weaknesses that were shown in the 1967 incident”, referring to the right of the host state to demand withdrawal.<sup>(115)</sup>

Naturally, it was easy to criticize –after the fact- the arrangement arrived at between Hammarskjöld and the Egyptian Government in 1956 allowing Egypt (according to the Egyptian interpretation, at least) the absolute right to request withdrawal unilaterally and unconditionally. There is no doubt that a prior agreement covering all aspects of a UN peacekeeping operation, including the right of withdrawal, would have been far more helpful in maintaining peaceful conditions than an ambiguous assumptions about sovereignty and consent. But it must be remembered that the Good Faith Agreement was part of a pioneering experience occurring without previous examples or clear guidelines. Moreover, the emergency nature of the situation demanded immediate action not tied to precise legal formulations.

Unfortunately for the UN, one of the antagonists, Israel, proved a decade later to be determined to pursue a planned military course, with the acquiescence of one of the superpowers at the time, the United States. Moreover, Egypt’s power struggle, combined with the absence of democratic checks and balances in the prevailing political system, sealed its fate of the. The 1967 War was an event waiting to happen regardless of the pretext or the circumstances surrounding its trigger. The absence of a peaceful settlement during the long presence of UNEF undoubtedly made the 1967 war easier to start regardless of the UN’s inconclusive peacekeeping efforts.

## Additional Legal Arguments

To maintain troops in a country without consent, Cairo University Professor S. M. Farrajallah declared in 1969, “would be coercive and thus...illegal, if not politically unsound.” Moreover, Egypt had been the victim of aggression, not an aggressor state facing international enforcement action. Farrajallah concluded his examination of UNEF by affirming that:

any UN peacekeeping operation is based on the principle of consent as to the authorization, the functioning or withdrawal of the international force. Otherwise it would turn itself into a sanctions force, appropriate only to Security Council enforcement action according to Chapter VII of the Charter.<sup>(116)</sup>

In fact, this position marked a continuation of a debate that went back to the weeks following the Suez Crisis and the first deployment of UNEF.

Israel’s position on consent was at first just as strong as Egypt’s, at least during the deliberations to establish UNEF in 1956. The Israeli delegate to the UN General Assembly, Abba Eban, made Israel’s position clear by stating that:

The first and crucial problem which arises is that of the sovereignty of states in the context of the contest required...chiefly the consent of the states upon the territory of which it is proposed to station these forces...*the stationing of any force in a territory under Israel’s jurisdiction or control is not possible in law without the Israel Government’s sovereign consent*...If this question of sovereign consent were not clarified, then a precedent would be created whereby a majority of the General Assembly could decide to station forces in the territory of any State irrespective of its prior consent.<sup>(117)</sup>

However, a few days later, on 23 November 1956, when discussing Egypt’s right of consent in the stationing of UNEF, the Israeli delegate reversed course by stating that if Egypt was allowed the right to unilaterally request the withdrawal of UNEF from Egyptian territory, “we would reach a reduction in absurdity”.<sup>(118)</sup>



Two questions - “Is Egypt entitled to withdraw consent to UNEF, after having expressly approved entry of the Force on its territory?”, and “Is there any restriction on a host country to retract or terminate its consent unilaterally?” - were then addressed on 27 November 1956 by Egypt’s foreign minister, Mahmoud Fawzi, who stated:

...as must be abundantly clear, this Force has gone to help Egypt, with Egypt’s consent; and no one here or elsewhere can reasonably or fairly say that a fire brigade, after putting out a fire, would be entitled or expected to claim the right of deciding not to leave the house.<sup>(119)</sup>

Another view was expressed by Harvard Law School professor Louis B. Sohn, who in 1958 stated that there was an “implied limitation” on Egypt’s right to terminate the UN operation without UN concurrence because Egypt “accepted the Force without a specific reservation of a right to retract consent on its own.”<sup>(120)</sup> It was Sohn’s argument that was rejected in 1960 by Farajallah when the latter stated that the host state is “the final arbiter on the continued presence of a UNEF force in its territory.” He reasoned that if consent was required to “begin” UN operations, it logically follows that consent would be required “throughout” the tenure of the international force. This conclusion, he argued, gives the host state the “right to revoke” consent at any time unless there is an agreement, formal or tacit, to limit this right.<sup>(121)</sup> In the case of the UNEF, there was –apart from the Good Faith Accord- neither formal nor implied agreement to limit the right of consent of Egypt.

Willingly accepting the presence of an international force on a sovereign territory does not place the host country under UN trusteeship or reduce its sovereign prerogatives. According to M.H. Gagnon, the lack of explicit or implicit limitations meant that “the state retains whatever rights it has not specifically modified by agreement.”<sup>(122)</sup> This conclusion was in line with the traditional international law concept of consent-based obligation.

Despite the many legal opinions for and against Egypt's right to control consent, the 1973 War involving Egypt, Syria, and Israel, and the resulting military and political situations, according to K. P. Saksena, created new operational rules regarding consent. Following the war, a new peacekeeping operation (UNEF II) was commissioned with different ground rules from the original (UNEF I). Ironically, it was in Egypt, the country that fought very hard to protect its right of sovereign consent, that the new situation worked to reduce –if not undermine- Egypt's insistence on the cherished principle of consent.

Several major alterations regarding the concept of consent in international peacekeeping occurred due to this new conflict:

*First*, the result was a diminishment in the role of the UN in conflict management, as the two superpowers were fully engaged and took direct control of the crisis.

*Second*, the Security Council resolution establishing the mandate for UNEF II did not mention the word 'consent' as a prerequisite of the international force's entry to the host country's territory at all. The resolution stated instead that the UN force must operate "with the full co-operation of the parties concerned." The word "co-operation" replaced the word "consent" used in the mandate of UNEF I.

*Third*, the host country's right to unilaterally demand withdrawal of the international force was annulled and placed in the hands of the UN Security Council. All matters affecting the operations of the force were to be decided by the Council. Following the Security Council's approval of the new arrangements, Egypt introduced the magical word "consent" by declaring that the "UNEF ... is on Egyptian territory with Egypt's consent to enable Egypt to safeguard its sovereignty and territorial integrity." However, Egypt did not dispute the US assertion that the UNEF could be withdrawn only by a decision of the UN Security Council.

*Fourth*, contrary to the experience of UNEF I, under the new arrangements for UNEF II, the secretary-general had no authority to make any decision regarding the continuance or otherwise of the UN force. According to this agreement, the secretary-general was given no right to accept the host country's request for withdrawing the forces on his own as U Thant had done in 1967. *Fifth*, these changes were not mandatory under the UN Charter, and they took place only because Egypt "allowed" the new approach to peacekeeping operations. Once Egypt accepted the new arrangements, however, the country was bound by the altered legal foundation for the operation of an international force on its territory and, by extension, by all other future UN peacekeeping operations, unless Egypt demanded the renegotiation of the basis of operations of UNEF II or withdrew from the peace treaty with Israel.<sup>(123)</sup>

Although the secret 1957 *aide-mémoire* of Secretary-General Dag Hammarskjöld, revealed only in July 1967, caused a lot of surprised comments and speculation, its contents squared quite closely with the secretary-general's published report of 9 October 1958. In that report, Dag Hammarskjöld had already registered his view that the Good Faith Agreement between the UN and Egypt implied the need for mutual and reciprocal *consultation* on all issues pertaining to the operations of UNEF on Egyptian soil. On the basis of this interpretation, if a dispute between the two sides occurred:

an *exchange of views* would be called for towards *harmonizing* the positions." This did "not imply an infringement of the sovereign right of the host Government...But it does mean a mutual recognition of the fact that the operation, being based on *collaboration*...should be carried on in forms natural to such collaboration, and especially so with regard to the questions of presence and maintenance.

Yet, while the secretary-general's reasoning seemed logical, the fact remained that there was no undertaking agreed to by the Egyptian Government in the Good Faith Agreement to subject its decision-making regarding consent to prior consultation, collaboration, or

harmonization. On another contentious point relating to the issue of consent, Secretary-General Hammarskjöld asserted in the same Report (A/3943) that the UN “must reserve for itself the authority to decide on the composition” [of the Force], although he admitted, “it is obvious that the host country, in giving its consent, cannot be indifferent to the composition”.

Hammarskjöld’s formula for protecting the UN’s right to choose the constituent countries in a peacekeeping operation, while respecting the host country’s sovereign interests, established the principle that future UN operations would exclude “the permanent members of the Security Council”, as well as other countries “having special interest in the situation which has called for the operation.” It was skillful diplomacy on the part of the secretary-general to assert the UN’s right to decide on the composition of the constituent troops even though he knew that in the Good Faith Agreement Egypt never accepted such a principle for the composition of UNEF. In fact, there was disagreement between the UN and Egypt over the countries allowed to participate in UNEF, but the problem was resolved through political negotiations, and not because of any declared or implied right for the UN to decide unilaterally regardless of the expressed wishes of the host country.<sup>(124)</sup>

### **The Position of Canada & the USA on Sovereign Consent**

In 1956 Canada’s position, as outlined by Lester Pearson on 23 November, was contrary to Egypt’s. Pearson argued “...the Force is to remain in the area until its task is completed, and that would surely be for the determination of the United Nations itself.”<sup>(125)</sup> Pearson had indicated in his memoirs that he had a difference of opinion with Secretary-General Hammarskjöld regarding the original Good Faith Agreement and the right to request withdrawal. When the Secretary-General explained that “Nasser had insisted that the UN Force should leave Egypt whenever, in the opinion of the Egyptians, their work had been accomplished”, Pearson

replied that “This is going to cause trouble in the future”. Hammarskjöld responded by noting that he had told Nasser that “that condition was quite inadmissible.”<sup>(126)</sup> Undoubtedly, however, the secretary-general did not strike a water-tight accord with the Egyptian Government to preclude an ambiguous or disputed and dangerous situation from developing in the future.

US Secretary of State Dulles held similar views to Canada’s, noting that:

once the consent has been given, then I think a good argument can be made that the consent cannot be arbitrarily withdrawn...And we would question, certainly, whether Egypt has the right arbitrarily to alter or change a consent once given until the purpose of that consent has been accomplished.<sup>(127)</sup>

Of course, Egypt’s position in 1967 was that UNEF’s task had been completed, and therefore it had the right to terminate consent. Although Egypt’s decision was ill-advised, despite its sound legal basis, the Egyptian leadership was afraid –from the beginning of the crisis a decade earlier- that its absolute sovereign right of consent over the presence of foreign troops on its soil would be challenged and compromised, leading to the transformation of UNEF into a permanent occupation force, replacing the invaders of 1956.

### **The Position of Other States on Sovereign Consent**

It is interesting to note that several states which signed the Agreement of 21 June 1957 with the UN did not consider UNEF to be an indefinite operation. In signing on, some states believed that they would make their own determination as to the completion of the tasks assigned to UNEF and consequently withdraw their participating troops unilaterally. Other states declared that they would automatically withdraw their contingents if Egypt requested the withdrawal of UNEF, thus revoking the host country’s consent. Despite the Canadian and US positions, other states provided different interpretations. The Swedish Government believed that UNEF had a limited task to perform and should not remain in the area on an open-ended basis, or pending a

political solution to the overall conflict. Sweden also asserted that its troops would not be stationed in foreign territory without the consent of the host country.<sup>(128)</sup> The Indian Government, moreover, was still more explicit in its position. In its view: a- UNEF was set up only to ensure the withdrawal of British, French and Israeli invading troops from Egypt. b- UNEF did not constitute a successor to the invading forces, nor was it authorized to take over their functions. c- UNEF had to obtain Egyptian consent for its establishment. d- UNEF was a temporary Force operating on an emergency basis. e- The composition of UNEF had to be balanced.<sup>(129)</sup> Finally, The Finnish Government stated its understanding for participation in UNEF on the basis that its troops would serve for a limited period only “determined exclusively by the needs arising out of the present conflict in the area in question.”<sup>(130)</sup>

The tragedy in this controversy is that the UN troops who contributed to the absence of hostilities served as a buffer between the two sides, performing UNEF’s “peacekeeping” duties when in fact there was no peace to protect, only an absence of war. The failure of the two sides as well as the international community, for over a decade, to put in place the ingredients of a peaceful settlement by utilizing the breathing space afforded by the presence of UNEF was directly responsible for the continuation of the conflict unabated and consequently the resumption of hostilities. Moreover, the failure to place the UN troops on both sides of the lines also contributed to the speedy eruption of warfare and the inability to continue separating the two sides. Secretary-General Hammarskjöld tried to station UNEF on both sides of the confrontation lines, but without success. “The Secretary-General made several attempts to get Israel to agree to have UNEF on its side of the demarcation line”, General Burns remarked. “But the Israeli Government was adamant, and never showed the least sign of agreeing.”<sup>(131)</sup>

## Israel's Position on Sovereign Consent

Israel, the 1956 aggressor state, had refused entry of UNEF onto its own territory, citing the right of consent. The UN General Assembly in Resolution 1125 stated that after Israel's full withdrawal from Egyptian territories, "the scrupulous maintenance of the Armistice Agreement requires the placing of the United Nations Emergency Force on the Egyptian-Israel armistice demarcation line."<sup>(132)</sup> The logical intention of the resolution meant "both sides of the line", but not for Israel, which waived the consent card. The phrasing of the resolution was deliberately vague. What does it mean for a Force to be placed on a "Line"? This was not specified in the resolution. One option, of course, was that it meant "both" sides.

The secretary-general could have stated clearly in the resolution that the Force would be placed on both sides of the Demarcation Line. However, Israel made its withdrawal conditional on the creation of UNEF, leaving deployment to the Egyptian side of the Armistice Demarcation Line. The Secretary-General was most anxious to avoid any procedural delay over which side of the Demarcation Line the Force should be deployed that might obstruct the actual deployment of UNEF due to the contested dispute. Hammarskjöld seemed to have blinked again.

Indeed, Israeli Prime Minister Ben-Gurion refused all appeals by the UN secretary-general to permit UNEF on its side of the Line. According to Gabriella Rosner, there were two main reasons behind Israel's refusal to accept the stationing of UNEF on its side of the Armistice Line. First, the fear that the existence of an international police force would prevent Israel's future large-scale military action against Egypt. Second, the fear of losing territory in an internationally-imposed peace settlement with reduced boundaries. The legal principle accepted by the secretary-general in the face of Israel's refusal was, "UNEF cannot operate on a nation's territory without the latter's freely given consent." The later experience of UNEF indeed showed,

“The indispensability of the host state’s consent in a [UN] police operation outside the framework of [Security Council] enforcement action.” These comments by Hammarskjöld on the indispensability of “consent” were ignored in his later memo, in which consent was diluted or obfuscated.<sup>(133)</sup>

## Legal Obfuscation

In resolution 1125 (XI) of 2 February 1957, the UN General Assembly accepted the Report of the Secretary-General and “considered that the situation required the implementation of the measures proposed.”, including not just a ceasefire, but a total withdrawal of the invading forces.<sup>(134)</sup> Palestinian Gaza was thus saved from Israeli annexation (though only until the eruption of the 1967 war, almost 11 years later). The Secretary-General’s emphatic Report in 1957 confirmed the post-war rejection of military conquest and the primacy of the UN Charter. This principle was carried over during the 1967 war at the end of UNEF’s role when the UN Security Council passed Resolution 242,<sup>(135)</sup> which emphasized “the inadmissibility of the acquisition of territory by war.”

The UN arrangements in 1956-57 and in 1967 nonetheless feature an important difference. UN Security Council Resolution 242 also called for the “Withdrawal of Israel armed forces from territories occupied in the recent conflict”. But in a feat of British diplomacy and American ingenuity, Lord Caradon, the British Ambassador to the UN and the chief drafter of the Resolution, (acting with Eugene Rostow, US Undersecretary of State, and Arthur Goldberg, the US Ambassador to the UN), insisted on dropping the definite article “the” from the text demanding withdrawal. So it appeared as if there was a possibility that the Israeli withdrawal would be from “some” territories but not from “all” the territories occupied.



Arab and international legal experts have pointed out that there cannot be a contradiction in the body of a Resolution with fundamental principles of international law, and that there is both a clear reference in Resolution 242 to the “inadmissibility” of conquest, and a casting of doubt on Israel’s obligation for total withdrawal in the same resolution. But the latter was considered Britain’s revenge for the outcome of the 1956 Suez War, and America’s answer to Nasser’s challenge.



Lord Caradon and Ambassador Hilmy discussing the Middle East situation in New York.  
Photo Credit: Hanny Hilmy

Later on, Lord Caradon justified the deliberate language of the Resolution, claiming that it was chosen to avoid implying that withdrawal to the preexisting 1949 Armistice Demarcation Lines should constitute the final borders.<sup>(136)</sup> Yet one can only assume Lord Caradon and his colleagues knew very well that the withdrawal Resolution was not to permanent borders, as they did not exist, but to the previously established and recognized lines by agreement before the invasion. There were no such quibbles in 1956-57, when the UN demanded and obtained total withdrawal from all “the” territories occupied by Britain, France, and Israel, and when the UN was successful in enforcing all the Suez withdrawal resolutions. Until the present time, the

Middle East is still mired in the clutches of an Arab-Israeli conflict partly because of that missing word in Resolution 242, as devised by the Western powers.

## **The Lost Decade**

Although the UNEF succeeded in keeping relative calm and prevented military confrontation between Egypt and Israel for almost eleven years, both countries ultimately withdrew support for the international Force in order to further their political and military objectives. The last UNEF Commander, General Rikhye, stated the obvious when he referred to the demise of UNEF as “the dismantling of the edifice of peace.”<sup>(137)</sup>

Could the withdrawal of UNEF have been avoided, modified or postponed? Was the Egyptian request for withdrawal legal? Was Secretary-General U Thant’s compliance with the request too hasty and perhaps itself illegal under the UN Charter? There is no doubt that the withdrawal request by the Egyptian chief of staff, General Fawzy to the UNEF commander, General Rikhye, was procedurally incorrect.

The presence of UNEF on Egyptian territory and Egyptian-controlled territory had been affected through a political-legal agreement between the highest echelon of the Egyptian Government and the UN Secretariat, which was headed by the secretary-general himself, and endorsed by the UN General Assembly. For the Egyptian military to by-pass all the political-legal channels and independently demand the withdrawal of UNEF was a violation of both the spirit and the letter of the understanding between Egypt and the UN. Egypt had every right to demand the withdrawal of UNEF, but its request to do so was not carried out in an acceptable procedural way or in an acceptable legal framework.

Nonetheless, domestic, regional, and international factors all combined to strike a fatal blow to UNEF and to the pioneering attempt by the international community to defuse a

military-political conflict by relying on the notion of collective security and international legal legitimacy. The creation of UNEF was also part of the first international censuring of an illegal armed invasion of the territory of a sovereign state in the new international system founded after 1945.

The failure of UNEF, therefore, was more than just the failure of a single peacekeeping operation, because it brought into question the validity of UN peacekeeping itself as a tool for defusing international conflicts. It also brought into focus the new structure of an international system that could make it possible for a country or a group of countries to violate the fundamentals of the system in a way similar to the violations of the totalitarian regimes in the pre-war era. Yet the Suez-UNEF experience also confirmed the demise of the world of the colonial empires. Sovereignty and national independence became indispensable ingredients of the new decolonizing system of nation-states.

Within a short few years following Suez, most of the colonies of the old empires had gained their independence. A new block of newly-independent nation-states emerged on the international scene and the pre-war world came to an end.

## Summary

The 1967 Arab-Israeli War brought to an abrupt end the UN's pioneering experiment in international peacekeeping. In the process, the UNEF episode exposed the complexity of international intervention vis-a-vis the prerogatives of national sovereignty. Without an unambiguous agreement on troop deployment and mission termination, any peacekeeping mandate is bound to run into difficulties. In 1956, Egypt insisted that the basis of operation of UNEF must be based on sovereign consent. And in 1967, Egypt acted on that basis and forced the withdrawal of UNEF.

The crisis over UNEF triggered a major legal and political debate over the nature of peacekeeping and the basis of its operation. Fueling the controversy was the leaked secret *aide-mémoire* written by UN Secretary-General Dag Hammarskjöld on 5 August 1957 but only made public on 19 June 1967. The unofficial document seemed to have disputed Egypt's uncontested right of sovereign consent, preferring that any request for troop withdrawal be based on a prior agreement, and failing that, the request should be referred to the UN for a decision. The difficulty with Hammarskjöld newly-discovered position was that it contradicted the Good Faith Agreement he had signed with the Egyptian government. U Thant, the UN Secretary-General during the 1967 war, defended his accession to Egypt's UNEF withdrawal request relying on official UN-Egypt agreements respecting the host nation's right of sovereign consent.

The 1967 Middle East Crisis revealed the extent of the internal squabbling within the Egyptian leadership, long kept under the surface. The Nasser-Amer rivalry harmed Egypt's position and contributed to the precipitous start of the war. Winning political points in the murky Arab political landscape, moreover, accelerated the disastrous outcome for Egypt and allowed Israel to implement its pre-planned invasion scheme for the annexation of Arab territories.

Serious allegations were made by the Arabs –and documented later- about alleged US collusion with Israel by providing political, material, and logistical support. Unlike its position in 1956, the US also opposed any call in the UN to force Israel's withdrawal from the occupied Arab lands.

General Indar J. Rikhye, the last Commander of UNEF, professionally and efficiently shouldered the burden of the dangerous and complex process of the termination of the international force with all the associated military, political and legal intricacies.

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## Chapter 5

### The UNEF Experience and Post-UNEF Doctrines of Peace Operations

The UNEF experience in Egypt has highlighted the crucial role of sovereignty of the nation-state in international relations. Although the Egyptian government was completely within its sovereign legal right to demand the withdrawal of UNEF in 1967, the political and military outcome of the decision was disastrous for the country. The failure of the UNEF model to bring a lasting peace to Egypt and Israel, provided the impetus for the search for a better arrangement for conflict resolution. Moreover, the increasing complexity and type of conflicts, including not just international but intra-national confrontations as well, has compelled the international community to search for alternative *modus operandi* to deal with the changing parameters of conflicts. Sovereignty, although still important, made room for human rights considerations as an overriding value parameters for the international community. International intervention to defuse a conflict, and increasingly to protect human lives, is becoming robust and less circumspect about the prerogatives of the national state.

In this chapter, the original concept of “sovereignty” is outlined. The post-World War Two legal imperative of “sovereign equality” in international relations is analyzed as well. These two concepts provided the backdrop for the decisions surrounding UNEF in the 1956-1967 period. The concern for sovereignty, however, later ran into theoretical and practical difficulties due to the changing international scene and the nature of conflict itself. The concern for “inter-state” conflicts, although real and present, has shifted toward concern with “intra-state” conflicts.

Other concepts and intervention mechanisms are being developed and improved in response to the demand for new and effective approaches to defusing international conflicts as

well as civil strife and horrific bouts of ethnic cleansing. “International humanitarian law” has been, therefore, re-enforced by the developing doctrine of “international human rights law”. An increasingly important concern, which was lacking during the UNEF experience, is the importance of “post-conflict resolution”. This chapter will, therefore, examine important new concepts: the “Agenda for Peace”, the “Brahimi Report”, the “Responsibility to Protect” and the creation of a “Permanent UN Peace Force”. Although the UNEF experience proved disappointing in the end, at least it partly provided the push for alternative models for peace operations to emerge.

### **Sovereignty of States**

In 1957, Ernst Kantorowicz provided major groundwork for the concept of sovereignty in his classic, *The King's Two Bodies*.<sup>(1)</sup> The volume describes the “transformation in the concept of political authority”. Although rulers in the past wielded absolute authority, over time a gradual transformation began to take shape apart from absolutism. “The modern polity is known as the state, and the fundamental characteristic of authority within it, sovereignty.” As discussed in the *Stanford Encyclopedia of Philosophy*,<sup>(2)</sup> “Sovereignty is the central organizing principle of the system of states.” The nation-state has emerged as the “primary unit of political organization.” The sovereign entity has “absolute authority within a bounded territorial space.” The sovereign government has a monopoly on the “use of force” internally, and enjoys the recognition of other sovereign states, which ensures the territorial integrity of the nation-state, and its admission into the international arena on an equal footing with other states. According to conventional wisdom – now much contested historiographically - the modern concept of sovereignty emerged with the Peace of Westphalia, concluded on 15 May 1648 (Treaty of Osnabruck) and 24 October 1648 (Treaty of Munster). Westphalia initiated a new political order in central Europe. The series of

treaties that followed, from 1648 to 1659 has often been seen as bringing to an end the European wars of religion.

Westphalia provided a starting point for the long development of the principles of equality between states, the right of self-determination, and the protection from intervention in the internal affairs of the nation-state. The *Stanford Encyclopedia* further informs that the original concept of sovereignty was bolstered in the 19<sup>th</sup> century by the emerging wave of “nationalisms”, which developed the idea that “states”, as independent entities, should correspond to the cultural boundaries of “nations” thus forming united political, and linguistic communities. The core meaning of sovereignty is the “supreme authority within a territory”, with the state defined as the “political institution in which sovereignty is embodied.” The holder of sovereignty derives authority to govern from a “mutually acknowledged source of legitimacy” (natural law, divine mandate, hereditary law, a constitution, or even international law).

Ian Brownlie defines ‘sovereignty’ as “the basic constitutional doctrine of the law of nations.”<sup>(3)</sup> The concept, however, has generated many critical debates over the years and garnered such descriptions as “murky”, “emotional”, and “controversial”. For example, sovereignty had been described by Lassa Oppenheim as a concept which “has never had a meaning which was universally agreed upon.”<sup>(4)</sup> One particular criticism is that the concept of sovereignty makes extensive claims, putting the state above the law, which J.L. Brierly for one takes to be a “false doctrine.”<sup>(5)</sup> Among those who agree with Brownlie, any concept of “absolute sovereignty”, which accords states a “power above international law” is rejected. A related view held by Edwin Dickinson holds that the state is bound by the concept of the



“equality of states”, which implies that the “sovereign rights of each state are limited by the equally sovereign rights of others.”<sup>(6)</sup>

Nevertheless, a high degree of agreement has been found for the proposition that in the modern world “sovereignty is an attribute of statehood”, and “only states can be sovereign.” The classic definition of a “state” is found in the 1933 “Montevideo Convention on Rights and Duties of States”. Article I of the Convention states:

The State as a person of international law should possess the following qualifications: (a) a permanent population; (b) a defined territory; (c) government; and (d) capacity to enter into relations with other states.<sup>(7)</sup>

A key to the concept of sovereignty lies in the legal principle of the “exclusivity of jurisdiction”, according to which a decision by a sovereign state cannot be overruled or interfered with by another authority. Both *de jure* and *de facto* principles are required to validate the concept of sovereignty. In general, “sovereignty requires not only the legal right to exercise power, but the actual exercise of such power.” Therefore, there can be “no *de jure* sovereignty without *de facto* sovereignty”, as sovereignty requires both elements. The internal aspect of sovereignty raises the question of legitimacy: to what extent does the ruler exercise political authority over his subjects, and does the source of his authority issue from consent exercised through a social contract, or because it is thought to be ordained by divine right? Externally, sovereignty is basically concerned with the “relationship between a sovereign power and other states” as is organized by international law.<sup>(8)</sup>

A norm of customary international law that has emerged since 1945 places a “prohibition against the threat or use of armed force” by states, even if this is a prohibition which has been violated with a vengeance over the years. At the same time, fundamental human rights norms have “achieved the status of customary international law”, affecting and limiting the “unfettered

use of state power within a state's own territory." Human rights, therefore, cannot be considered any longer as simply "within the domestic jurisdiction" of the state.<sup>(9)</sup> Sovereign states can, on the other hand, willingly impose limits on their own sovereignty by accepting restrictions emanating from international regulations; or they can limit such restrictions of the "sphere of action" by signing an international treaty without losing their sovereignty. According to Jerzy Ciechanski, state sovereignty can be "lost or ceded by agreement." It can also be lost through invasion or occupation, in which case sovereignty is "lost by force rather than consent." By the mere fact that a nation-state has entered the membership of the United Nations and accepted the UN Charter, it explicitly and implicitly accepts the right of the Security Council to impose limits on its sovereign rights through enforcement measures authorized under Chapter VII of the Charter.<sup>(10)</sup>

The adherence to a treaty is considered an act of "ultimate sovereignty", Ian Sinclair notes, because it is normally accomplished on a voluntary basis without coercion through beneficial and reciprocal compromise. But according to the principle of *pacta sunt servanda* (agreements in a contract must be adhered to), "states are not as free to denounce as they are to accede to treaties." The 1969 Vienna Convention on Treaties, Sinclair tells us, "recognizes only two exceptions to the general rule against unilateral denunciation." The first is when the parties intended to allow denunciation or withdrawal. The second is when that intention is "implied by the nature of the treaty."<sup>(11)</sup>

The issue of unilateral denunciation or withdrawal lay at the heart of the controversy of the unilateral termination of UNEF's mandate in Egypt, just as it is at the foundation of any peace operation. According to a 1971 joint study by the UN and the International Peace Academy (IPA), there can be no peaceable intervention by a UN peace force without the request

or consent of the concerned government(s). However, the same study noted that “It was agreed that there must be built-in provisions in any Force Agreement to guard against abrupt withdrawal.”<sup>(12)</sup>

How the classical “unbundled” concept of sovereignty relates to peacekeeping operations has attracted the attention of many international relations theorists. Stephen Krasner argues that “the classical, unitary conception of sovereignty as the exclusive right to determine policy within a defined territory is an obstacle to effective post-conflict reconstruction.”<sup>(13)</sup> These authors divided “sovereignty” into four types: first, domestic (the effective organization of authority within the territory of a given state); second, interdependence (the ability of a state to regulate movements across its own borders; third, international-legal (the recognition of an entity as a state); and fourth, Westphalian (the exclusion of external authority structures from the decision-making processes of a state).

Societies coming out of conflict, according to Keohane, should not claim all four types of sovereignty “in an absolute sense”; rather, policies should be designed on the basis of “gradations of sovereignty”, i.e. via a process moving from “limited” sovereignty to integration in a “multilateral” framework.<sup>(14)</sup>

Needless to say, the move from strict sovereignty to multilateralism raises the ire of the “purist” defenders of state independence. But as elements over the last decades have proven, state leaders can no longer count on hiding behind the curtain of sovereignty while violating human rights and committing atrocities. The international community, in response, is sharpening all the legal tools available to override the curtain of sovereignty and intervene on the ground to save human lives. International intervention, however, is selective and is not resorted to only on

a humanitarian grounds. Morality aside, political considerations largely underline the operations of the international system.

Contemporary developments since 1991, have affected the concept of sovereignty and “placed increasing limits on the exercise of sovereign authority” according to Eric Brahm. In his view, the “gradual circumspection of the sovereign state” in order to protect “human rights” was driven by the horrors of World War II and the increasing abuse of fundamental rights by states in the post-war era. The emergence of concern for human rights in international law has affected sovereignty and placed “clear limits on the authority of governments to act within their borders.” The Security Council has thus increasingly since the end of the Cold War reinterpreted the UN Charter by favouring human rights over state sovereignty. Such direction, however, has not been free of political considerations. Intervention in the internal affairs of certain states was therefore justified “without their acquiescence.”<sup>(15)</sup> Brian Urquhart agrees with Vaclav Havel who described the “concept of national sovereignty” as a “dangerous anachronism.” Urquhart supports this view by denouncing the “concept of national sovereignty, in the guise of extreme nationalism”, as the cause of many wars.<sup>(16)</sup>

The distinction between “inter-state” and “intra-state” conflicts is crucial in situating the principle of sovereignty in relation to peace operations, and to invocations of international human rights laws. As discussed in this dissertation, the Suez War was an “inter-state” conflict in which the principle of sovereignty was crucial in shaping the type of peace operation deployed. By contrast, the Rwanda tragedy may be seen as an “intra-state” conflict requiring international intervention to uphold human rights law at the expense of the traditional concept of sovereignty. The example of East Timor blurs the distinction. The UN got involved there to secure independence for the persecuted population of East Timor from the Indonesian

occupying power, which had claimed sovereign authority ever since Portugal's 1974 withdrawal from the territory. So in reality the UN was dragged into the business of national liberation whether the controlling authority was foreign in origin, or was part of the existing political structure.

Before the 1990s, traditional peacekeeping was concerned with maintaining ceasefires and separating combatants without changing the parameter of the conflict itself. Attaining final peaceful outcomes to conflicts was beyond the purview of traditional peacekeeping intervention. This reality was demonstrated in the Middle East in 1949-1956 and again in 1956-1967, as well as in Cyprus from 1964 to the present. With the end of the Cold War in the 1990s, and the demonstrated failure of existing peacekeeping methods to change ceasefires into situations of durable peace, and with the changing nature of conflicts, peacekeeping was transformed. It has become, in the process, more interventionist at the expense of the prevailing status quo. Limiting the use of force by UN forces to self-defence is no longer the only option, as was the case in the intervention in the civil war in the Democratic Republic of Congo.

### **Sovereign Equality**

The original concept of "Equality" in international law has had its share of controversy. Lassa Oppenheim identified four rules attached to this concept: first, every state is entitled to one vote in international bodies; second, legally, all votes have equal weight (The UN Security Council voting system would be an obvious and anachronistic violation of this fundamental rule of sovereign equality); third, according to the *par in parem non habet imperium* rule (no state can claim jurisdiction over another); and fourth, equality means that the courts in one state cannot question the validity or legality of the official acts of another sovereign state.<sup>(17)</sup>

The concept of equality, however, has been criticized by international legal scholars such as P. Baker, J. Brierly, and J. Westlake as merely sovereign independence by another name, notes R. P. Anand.<sup>(18)</sup> In Baker's view, "The equality of sovereign states is merely their independence under another name."<sup>(19)</sup> All the rules of equality can thus be "attributed to the principle of independence rather than to that of equality", and therefore, the principle of equality is redundant and unnecessary," notes John Westlake.<sup>(20)</sup> Consequently, the notion that small states have equal weight in deciding international issues is severely criticized by Baker as "not only theoretically but practically indefensible", and also as undemocratic.<sup>(21)</sup> Regardless of the merits of this argument, the postwar international system does tend to function on precisely the principle of "equality" (except for the UN Security Council and limited number of international organizations, such as the International Monetary Fund, the World Bank, and UNESCO). Understandably, Third World countries, emerging from a long period of colonial control, cherish the notion of equality as an insurance against violation of their sovereignty. But equally understandable is the frustration of great powers -- with large capacities possessing large economies, powerful militaries and other resources -- with being expected to submit to this legal, but unrealistic formality.

The concept of equality, however, has two important legal aspects: equality before the law; and equality of rights and obligations: First, equality before the law is believed to be the *sine qua non* of any modern legal system, and the alternative to arbitrary control or universal anarchy, according to Dickinson.<sup>(22)</sup> Second, equality of rights and obligations does enjoy similar consensus on its validity. Brierly, rejects this formulation, saying "If it is said that all states *ought* to have equal rights whether they actually do or not, then the doctrine ceases to be merely innocuous and becomes mischievous."<sup>(23)</sup>

Nevertheless, the majority of commentators hold that equality of international rights and obligations is “a necessary consequence of the equality of states.” Thus the principle, according to Taylor, that “the legal rights of the greatest and smallest states are identical.”<sup>(24)</sup> Similarly, Pitt Corbbet affirms that “all states, whether great or small, have equal rights and duties in matters of international Law.”<sup>(25)</sup> It is generally established, according to Ivor Jennings, that “among equals the laws should be equal and should be equally administered.”<sup>(26)</sup> But international law recognizes differences in status and allows for limitations on equality in certain situations, such as those relating to protected territories, neutral states, trusteeship, rules of supra-national organization, and limitations imposed freely by treaty or by customary usage.

The 1945 San Francisco Conference, responsible for drafting the UN Charter, resulted in an expanded definition of the “equality” of nations. The report on Article 2(I) of the Charter stated that the term “sovereign equality” includes the following elements: first, states are juridically equal; second, each state enjoys the rights inherent in full sovereignty; third, the personality, territorial integrity, and political independence of the state must be respected; and fourth, states are obliged to comply with their international duties and obligations.<sup>(27)</sup>

Such a definition does not sit well with some legal experts since the UN structure embodies fundamental departures from the principle of equality of states. In 1951 Hans Kelsen observed: “if the states are ‘equal’ in spite of the fact that some have privileges which others have not, the term ‘equal’ has lost its original sense.”<sup>(28)</sup> For Kelsen the departure from the principles of “equality before the law” and “equality of rights” in the Charter represents a violation of “juridical equality” between the states in the international arena. Similarly, if the United Nations is unable to take action against certain states because of their right of veto embedded in the Charter, Kelsen reckoned, there is no “equality before the law” which is an

essential quality in “equal sovereignty.” The first principle of equality before the law becomes nothing more than “an empty tautology.” In the face of the debate over equality, the smaller countries feared for their independence and were pre-occupied with the notion of “sovereign equality”. The principle of equality, a “sacrosanct” artifact in inter-state relations, was viewed, in association with the principle of “sovereignty”, as an attempt to “curb the authority of the United Nations” in imposing policies or resolutions on weaker states contrary to their interests. The small states wanted “equal rights and duties”, and crucially, “equal capacity” to exercise those rights and duties.<sup>(29)</sup>

A “United Nations Special Committee” to study wider connotations for the term “sovereign equality” was convened in 1964 in Mexico at the request of small UN member states but hardly achieved any breakthrough. There was consensus, however, on the point that all states enjoy sovereign equality, and that under international law they have equal rights and duties. Furthermore, it was accepted that sovereign equality includes juridical equality; rights of full sovereignty; respect for other states; inviolability of political independence and territorial integrity; freedom of choosing internal governance systems; and the duty to comply with international obligations and live in peace.<sup>(30)</sup> However, There was no movement on the equality of voting in the UN system.

In view of the rigidity of the voting system in the UN Security Council, the UN General Assembly assumed greater importance to small and middle power countries which made up the majority of member states. The General Assembly was expected to pass only non-binding recommendations; in fact, it was originally only an assembly for powerless and helpless speech-making. However, that changed with the “Uniting for Peace Resolution” of 1950,<sup>(31)</sup> adopted during the Korean conflict as the Security Council was bogged down in veto-paralyzed inaction.



R.P. Anand notes that this resolution was nothing short of a “*de facto* amendment of the Charter.”<sup>(32)</sup>

As the General Assembly took active and increasing interest in international conflict resolution,<sup>(33)</sup> the International Court of Justice agreed with the majority of the members of the Security Council regarding the legality of RES 377 (Uniting for Peace). In their deliberations, the Court dealt a fundamental blow to those who wanted to minimize the role of the General Assembly. The Court ruled that the Security Council’s traditional role in dealing with international peace and security is a “primary” responsibility not an “exclusive” one. The role of the General Assembly, traditionally limited to “discussing, considering, studying, and recommending”, was thereby expanded to deal with issues of peace and security as well. Although the Security Council retained the exclusive power to order coercive action (enforcement measures under Chapter VII), the Court declared the General Assembly’s responsibilities “not merely horatory.”<sup>(34)</sup>

This change in the responsibilities of the General Assembly eventually created a new environment for increased activism by the majority membership, particularly in its emphasis on anti-colonialism and self-determination, racial equality, economic development and national control over resources. The General Assembly thus became in the eyes of some detractors an “unwieldy body which bears no relationship to the realities of world power.” Even US Senator W. Fulbright, known as a liberal internationalist, could not accept that smaller nations could have the “same voting power” as the United States or could “serve as a reliable instrument of peace enforcement.”<sup>(35)</sup>

A frontal attack on the General Assembly was conducted by I. L. Claude, who states that “national-minded *sinners* are not transformed into world-minded *saints* by coalescing to form a

majority voting bloc in the General Assembly.”<sup>(36)</sup> Professor Claude went on to say that majority decisions in the “equalitarian” General Assembly were ineffectual and even dangerous because they were undemocratic, unrealistic (did not reflect the world’s real power), and morally suspect. Another angry characterization, presented by Vernon Aspaturian, described the majority decisions in the General Assembly as an expression of the “lowest common denominator” and “unrealistic”, as they did “not correspond to the actual distribution of population, wealth, power, or enlightenment”, which made majority rule in the UN an “unmitigated vice.”<sup>(37)</sup>

In 1963, after the main waves of decolonization, US Senator Thomas Dodd incredulously questioned the legitimacy of the voting system in the General Assembly on the grounds that “one African bushman becomes the equivalent of 100 Frenchmen or 400 Americans.”<sup>(38)</sup> He failed however to cite how a 10-to-1 ratio in favour of Indian citizens to British subjects, and the exclusion of hundreds of millions of Chinese, showed a similarly perverse distribution of power on the world stage.

Yet it was precisely because of the fiber of the irresponsible, national-minded sinners inhabiting the General Assembly, however “undemocratic”, “morally suspect”, “dangerous”, “enlightenment-lacking”, and absent of an understanding of the realities of world power, that the United Nations was able to stop the blatant aggression of two major powers (with the proper pedigree, of course) and their local accomplice (without pedigree), and to create the UNEF as the first serious international peacekeeping body in the history of the UN. And this initiative successfully ended the Suez War. The underdogs in the halls of the General Assembly were, undoubtedly, helped through the opposition of the two super powers to the invasion of Egypt, each for its own particular interest.

Undoubtedly, large numbers in the UN membership are responsible for many “sins” committed in total violation of democratic principles and values: totalitarianism, lack of democratic governance, the suppression of the fundamental rights of their citizens, corruption, lack of transparency, the creation of skewed socio-economic conditions in favour of a small ruling minority, religious intolerance, the maintenance of an intolerable status of women in many Muslim countries, and the wasting of national resources. But do all these infractions disqualify them from making decisions on war and peace at the UN? If this record disqualifies the “troublesome” majority from participating in the decisions affecting the international arena, then the sordid record and history of some of the “enlightened” minority must equally be subjected to scrutiny. In comparison to the record of the “sinners”, let us examine the record of the “saints” on the international stage: A history of colonization, the destruction of aboriginal societies, the practicing of racial discrimination, the waging of warfare illegally against weaker countries, allowing the economic exploitation of the Third World, supporting brutal dictatorships around the globe, plotting the overthrow of reformist governments, supporting the abominable violation of the fundamental rights of the Palestinians, and monopolizing an unfair voting system in the international body. Yet nobody is questioning the right of these states to participate in the decisions of the UN on war and peace.

The creation of the League of Nations after World War One, and especially the United Nations after World War Two, however, have forced the principle of sovereign equality on the international stage as a concept that could not be ignored, despite the grumblings of the privileged.

As in any other legal-political controversy, equality has had its share of ideological contestations. The norm underlying the concept was subject to a vigorous debates. States are

expected to bring their internal values and their distinctive norms into the international system. Democratic states and totalitarian states have demonstrated different interpretations of the concept of equality as it applies in the international arena. Moreover, each type of polity does not always live up to the ideal it espouses internally and should be reflected in its international dealings. The principle of sovereign equality was fundamentally entrenched in the United Nations Charter: as Article 2 (1) states, “The organization is based on the principle of the sovereign equality of all its members.” That principle was undoubtedly undermined by Article 23 of the Charter that established permanent membership in the Security Council, exclusive to five members. Moreover, Article 27 of the same egalitarian Charter bestows on the permanent members the additional right of veto, not given to any other member state in the UN system.

As Kurt Gaubatz notes,<sup>(39)</sup> the concept of sovereign equality has also reflected the contrast between an idealized view of politics, and the more down-to-earth exigencies of the realities of power. The concept and the application of the principle of sovereign equality are challenged by two different approaches: First, “liberal democracy”, with its emphasis on the individual as the focus of rights, translates into a more purportedly egalitarian decision-making attitude and voting patterns. Second, “great power responsibility”, with the stress on collective security and stability, translates into privileged and differentiated decision-making reflective of power status.

The controversy over the principles and rules of sovereign equality has brought into focus the issue of “sovereign democracy”, where there is a contrast between the perceived lack of democratic governance in many member states, and the perceived existence of democratic principles at work at the United Nations and other international bodies. A United Nations affiliated research group, the “South Centre”, which speaks for the non-aligned states, opposed

any scheme for weighted proportional representation at the UN, and declared that the “non-aligned states remain firmly attached to the sovereign democracy model.”<sup>(40)</sup> The group supports the call for democratic reforms within the United Nations but is opposed to any attempt to link UN reforms to domestic democratic reforms in the member states. The UN cannot push for democratization within its membership, while ignoring the same call for reforms of the management of global affairs presided over by the UN. Fidel Castro, the former president of Cuba, stated during a 1995 speech to the UN General Assembly: “The anachronistic privilege of veto and the abusive use of the Security Council by the powerful are *enthroning a new colonialism* within the United Nations itself.”<sup>(41)</sup> As Gaubatz concludes, “On the international stage, it is smaller and weaker states – irrespective of their adherence to democratic norms internally – who have been the strongest advocates of sovereign equality. This does not mean, by any stretch of the imagination that states with domestic democratic governance modes have been exhibiting exemplary behavior on the international stage.

There is one redeeming feature of the UN system, however, that transcends fundamental differences between the ideologies and practices of the member states: It is the ability of the UN to adopt fundamental declarations and principles –despite differences between member states– affecting every aspect of life in the world and setting optimal standards to be followed. It is worth noting that such measures represent the collective work and the consensus of all the member states regardless of their divergent backgrounds. The issues involved include self-determination, human rights, support for anti-colonial movements, opposing racial discrimination, protection of women and children’s rights, promotion of socio-economic development, advancing labour laws, supporting democratization, and the fundamental mission of resolving disputes peacefully. The Geneva Conventions and their expanded Protocols have

also lessened the sufferings during warfare. Naturally, not all states live up to these agreed standards but their existence is the guarantee that the world will be continually judged on their level of attainment.

The issue of sovereignty was vital for Egypt during the Suez War, as the country conceived the struggle as part of its fundamental duty to ensure its sovereignty and territorial integrity in the face of a blatant assault in total violation of UN principles that had prevailed since the end of World War Two. After the Suez Crisis, the principle of sovereignty was also seriously tested in relation to the internationally-sanctioned peacekeeping operations that ensued. It is useful to state here that the original legal principle for allowing third-party intervention is found in the concept of *locus standi* (right to be heard in court) whereby peacekeepers' deployment rests on legal authority within the framework of the UN Charter. Only acting in "conformity with international law" will provide peacekeeping missions with the trust, respect, and cooperation of the parties concerned. Operations "not performed in accordance with international and national legal standards" cannot have legitimacy, credibility, and acceptability. Oscar Schachter, therefore, contends that peacekeeping activity "is much less likely to raise objection if it rests on legal authority and is brought within the framework of the United Nations Charter." Moreover, a United Nations Force must adhere to the basic legal principles of the UN precepts and apply them in an "impartial, consistent, and reasoned fashion."<sup>(42)</sup>

### **The Theory of Peace and the Practice of Theory**

In 1970, Professor Johan Galtung, a pioneer of peace research and international peacekeeping, introduced a unique theoretical framework for evaluating peace operations, one that is rooted in sociology. Galtung differentiated between an "elitist-individualist" approach to

conflict and peace, and a “structuralist-populist” view of the elements that shape the nature of conflict and the structure of peace.

In the first approach, “conflict” occurs over “values”, and “peace” is defined as “the absence of direct, open violence.” In the second approach, “conflict” is understood as a “disharmony of interest”, while “peace” is the “absence of structural violence.” (43)

According to Galtung, conflicts of value lead to direct violence, while conflicts of interest leads to structural violence. Conflicts of both kinds are the root of “non-peace.” This conflict-peace configuration operates at the domestic as well as the international level. Intrinsic to situations of conflict and peace is the “relation of dominance” prevailing among the parties. “Stratification” at the domestic as well as the international level is the expression of dominance affecting the degree of “autonomy” present in the relationship. Such a relationship is not static due to the changing “mobility” of power configurations among individuals and among nations.

Galtung rejects what he calls “The great fallacy in liberal peace theory” which is the idea that “peace can be equated with absence of direct violence, and can be obtained by creating a super-structure above nations of any kind so as to absorb and dampen conflicts, resolve them, or at least impede eruption of violence.” For him, this superstructure itself embodies relations of dominance that “survive within international organizations”, and the United Nations Organization is a prime example of such an unequal distribution of power. “The contradiction in the system can be softened”, he writes “but not resolved.” In evaluating the role of “Peace-Keeping Forces” (PKF), Galtung sees value in deploying these units in order to reintroduce peace which disappeared when direct violence erupted.

For Galtung, violence is put to an end by using PKF to “force the parties apart by means of a third party, a peace-keeping force that is interjected between them.” He argues, however, that “there can be more to peace than merely this absence of direct violence.” For real success, the “absence of violence” must be effectively used “for peace-making and peace-building

purposes.” Galtung provides a peace triangle with three corners each representing a stage in conflict and peace. All the corners reinforce and interact with each other:

The first corner represents “dissociation” which means “peace-keeping”.

The second corner is “association” which means “peace-building”.

The third represents “conflict-resolution” which is the stage of “peace-making”.

Which stage occurs first is “very much a chicken-egg problem” according to Galtung.

Galtung cautioned against using PKFs as instrument “to maintain the status quo” prevailing prior to the start of violence (UNEF had been a prime example of such a failing). An existing “dominance relation is not worth preserving”, he declared, and it followed that “Any effort to maintain the status quo by means of PKF is an effort to preserve a dominance relation.” Thus “Preserving peace is tantamount to preserving privilege”, and, therefore, a “PKF should only be used when status quo is worth preserving.” If the status quo is not equal, a PKF can still be used in a “dissociative” way to keep the parties apart, giving the underdog a chance to avoid relations of dominance. Separating two unequal parties means first, preventing the stronger from attacking the weaker, but also second, preventing the continuation of dominance.

However, PKFs would be meaningless if their deployment did not allow the weaker to build its autonomy. And if improper deployment were to happen, the PKF “becomes in itself an instrument of dominance.” Admittedly, and that is the core problem of any peace-keeping force, the PKF “cannot behave symmetrically between asymmetric parties without being asymmetric itself.” Theory aside, UNEF was not used as an instrument of dominance regardless of the degree of symmetry or asymmetry obtaining. But Galtung’s perception of the need for both peace-making and peace-building, after the ending of violence, has proven empirically justified along a spectrum of many conflicts, international and domestic, including the UNEF experience.



## Liberal and Neo-Liberal Peace

In a critique of the liberal foundations for peace theory and peacekeeping, Oliver Richmond outlines what he terms the “adoption of neo-liberalism as a key framework for the liberal peace.” In this critique, “Democracy, human rights, and rule of law become predatory ‘franchised concepts’ as opposed to a ‘renegotiation of norms’ for the purpose of realizing “global peacebuilding.” The liberal peace project in his view is “ontologically incoherent.” The “only way” for this system to work and become coherent is by becoming “hierarchical and regulative” and by being “led by hegemons” that set the political and economic priorities for the whole system. Individuals under this regime become “subservient” to the structure itself. This neo-liberal approach undermines the local social contract because international peacemakers are imbued with liberal ideologies, political institutions and neo-liberal economic processes. This partiality disables the ability to engage with the local conflict environment, save with local like-minded elites.<sup>(44)</sup>

According to Richmond the three first models of peacekeeping were strongly framed in the “liberal tradition.” The first model was embedded in the “Westphalian epistemological system” with its “tragic ontological assumptions.” The second was constrained by rigid “official discourses” and “social engineering.” Although it represented an improvement over the first, its imprint was limited. The third model aimed at implanting a liberal governance framework by transferring “liberal epistemology into conflict zones.” On the other hand, a fourth model provides a “powerful critique of the liberal peace”, in which peace is viewed as being “based upon emancipation.”

This critical examination of peace theory as it is embedded in International Relations theory aims to “theorize a post-Westphalian peace” and to render “territorial sovereignty”

incapable of disrupting the “global normative landscape.” This post-structuralist theory of peace opens new “radical” perspectives and offers new methodologies for the understanding of the “relationship between knowledge and power.” Yet at the end post-structuralism does not seem to offer a theory, or concept, of “peace.”

Following Nietzsche, who held that “consensus would never be more than a momentary pragmatic truce”, Richmond seems to take a similar approach to the development of peace theory and peacekeeping. In this post-structuralist approach, peace involves “accepting differences, rejecting all sovereignties” and making peace “without resorting to power or coercion.” The solution proposed is to engage in intense interdisciplinary peace research without recourse to Marxist-oriented solutions, because they have been “discredited.” On the other hand, Richmond critiques the US-projected contemporary neo-liberal approach that “underpins much of the peacebuilding practice around the world” and which conceptualizes individual freedoms as political freedoms, giving preference to voting over economic welfare.

### **Liberal Peacekeeping Critique**

A wide array of positions on the nature and role of peacekeeping is augmenting the analysis of peace operations. In a post-colonial critique of what he termed the “liberal peacekeeping project”, Phillip Darby has argued that peacekeeping remains cast in “the colonial mould of intervention from above and outside.” In this view, “liberal interventionism works to legitimize the existing world order.”<sup>(45)</sup>

Martin Jorgensen<sup>(46)</sup> considers the UN peacekeeping regime as nothing more than the continuation of imperialism by other means. He quotes Antony Anghie’s statement that “international law remains oblivious to its imperial structures, even when continuing to

reproduce them.”<sup>(47)</sup> Antony Anghie argues that the “colonial confrontation was central to the formation of international law and, in particular, its founding concept, sovereignty.” According to his argument, international law has always been animated by the “civilizing mission” of the “responsibility” of governing non-Europeans. Moreover, the “economic exploitation and cultural subordination” that resulted from the colonial encounter were “constitutively significant for the discipline” of international law. The “imperial character” of the discipline is a reflection of the “relationship between imperialism and international law” which has fundamentally affected the concept of sovereignty.<sup>(48)</sup>

In the study Jorgensen points to Peer Vries’ work also tying UN peacekeeping to empire and “connecting the local and the global in UN peacekeeping.”<sup>(49)</sup> Jorgensen also comments on D. Chandler’s critical work on the tragedy in Bosnia and his conclusion that the “neo-liberal paradigm” underlines peacekeeping. “Global Governance” reflects “one size fits all” prescriptions for “market liberalization”, “elections”, and “gender, and race biases.”<sup>(50)</sup>

Jorgensen also criticizes Kimberly Zisk’s <sup>(51)</sup> work on the comparison between peacekeeping and imperialism for lack of historical grounding. Jorgensen notes that the lack of connectivity between peacekeeping and sensitivity to history is due to the “strong connections to the Western...and state-centric epistemologies”, of Western academics (especially American and Canadian). Jorgensen notes the criticism by B. Hokowhitu and T. Page <sup>(52)</sup> of the study of peacekeeping and their conclusion that the missing “imperial and colonial heritage and connections in relation to the conflicts...are important.” Thus, the “ideological heritage from British imperialism” in connecting the “former colonies”, through peacekeeping, to “mission areas” cannot be “ignored.”

Jorgensen, looking at UNEF, noted that United Nations Emergency Force was not a formal succession to Ottoman or British control, or what he termed “yet another imperial regime.” Yet he stated that “The UNEF was nonetheless more than a reverberation of empire as the imperial past still very much shaping the present.” Moreover, the “path of dependency” of the UN on British maps and initial supplies for the start of the operations of UNEF “gave the UN presence a hybrid character.” The contributing countries to UNEF had relied not only on “common military cultures”, but also on “national, imperial, post-imperial and post-colonial traditions.” Jorgensen reminds us that some of the contributing forces to UNEF (Canada and India) were “modelled on a combination of British imperial and later military doctrine.”

Jorgensen continued his demonstration of the interconnectedness between peacekeeping and empire by pointing to the sport and PR events of UNEF relying on models (polo games and boxing matches) “promoted globally by the British Empire over the 19<sup>th</sup> century.” Additionally, UNEF resorted to “British and American manuals for military governments” collected during British “imperial” or American “overseas” experience. Jorgensen contends, therefore, that “The intellectual and physical heritage of empire...is hence difficult to ignore.” Finally, Jorgensen notes what he terms the “imperial echo” and its “extra-territorial legality” as manifested in the presence of UNEF on Egyptian or Egyptian-controlled territory (the Gaza Strip) outside the purview of the Egyptian authorities. As Jorgensen notes, “the UN troops were subject to not Egyptian law, but the national laws of each contingency with the UN Provost or military police.” Jorgensen applauds P. Darby as “the only one to have stuck his head out and called to arms regarding a serious reflection ... on the connections between peacekeeping, global governance and imperialism.”

For his part, Doug Bland, chair of Defence Management Studies at Queen's University, believes that to continue labelling international intervention in conflict situations as "peacekeeping" renders the definition "mythological." He feels that a new conceptual framework and operational rationale are needed to implement "collective security" in a changed world conditions, in order to "better respond to global insecurity." Meanwhile, Peggy Mason, the Chair of the Canadian Peacebuilding Coordinating Committee, stated that the new UN "peace operations" doctrine embodies three components: conflict prevention, peacekeeping, and peacebuilding. In her view, the earlier primarily passive role of peacekeeping during international and local conflicts, such as that exemplified by UNEF, has evolved into a "much broader and fundamentally political process of peace implementation."<sup>(53)</sup>

For Cliff Bernath, the military component of UN peacekeeping is still "critically important", but it remains just one component of overall peace operations and implementation. Regardless of the changing nature of peacekeeping, the mandate to authorize peace operations is a "manifestation of international will", and a "mission's mandate" is "political", reflecting in the first place a "political rather than military reality."<sup>(54)</sup> Bernath's position raises the third traditional principle of international peacekeeping, self-defence (the other two principles being consent and impartiality). This element too has undergone some changes, according to Katherine Cox, over the years.<sup>(55)</sup>

If a UN mission is not authorized as a Chapter VII enforcement measure, then peacekeepers can use force only in self-defence. Secretary-General Dag Hammarskjöld stated in his Report in 1958 that "The basic element involved is clearly the prohibition against any initiative in the use of armed force."<sup>(56)</sup> The sole exception to this rule applies in cases in which

international force was under attack or was illegally pressured to withdraw from positions it had occupied under international authorization and agreement.

In 1964 and 1973, however, two developments changed the parameters of the original concept of self-defence. The first was to allow the use of force when accepted agreements have been or are about to be violated, thus “risking recurrence of fighting”, or attempts are made to prevent the peacekeepers “from carrying out their responsibilities.”<sup>(57)</sup> The second development occurred in 1973 when self-defence was officially expanded by the UN to include armed action by a peacekeeping force in response to “resistance or attempts by forceful means to prevent it from discharging its duties under the mandate of the Security Council.”<sup>(58)</sup>

### **New World Conditions for Peace Operations**

Regardless of the preponderant concern among sovereign states in viewing “peacekeeping” with some reservations, out of fear of degrading their sovereignty, the world has changed since the Suez Crisis and so has the rationale for engaging in peace operations. After the horrors of genocide in the 1990s and beyond, the essence of peacekeeping has been expanded to deal with new humanitarian disasters in Europe, Africa and Asia generated by increasing domestic and cross-border strife. But whether the conflict is inter-state or intra-state, the concern of sovereign states remains the same in relation to the interaction between sovereignty and human protection. Yet ultimately, the concept of absolute sovereignty is undergoing reexamination of its basic foundations.

To accommodate newly emerging approaches to conflict resolution, the notion of *ius post bellum* (just peace) and the associated concept of *jus post bellum* (justice after war) are being developed to deal with what Tomasz Lachowski calls the “lack of sufficient legal regulations in the post-conflict situations.” International law has had to improvise and

consolidate the legal tools to deal with the transition from wide-ranging conflict conditions to a stricter international community involved peace conditions. The norms and modalities of this new approach to conflict and its aftermath are becoming, according to Lachowski, a “legal self-contained regime.” Under this regime, the law is not only concerned with the rules of war or armed conflict (externally or internally), and the transition from war to peace, but with human rights law, international humanitarian law, international criminal law, post-conflict peace-building as well.<sup>(59)</sup>

### **Major New Approaches to Peace Operations**

There are three major international developments in the continuing effort to moderate the nature of international and national conflicts and establish the foundations of a durable and just peace, as well as the protection of civilians through the strengthening of international human rights law:



Canadian UN General Roméo A. Dallaire in Rwanda

#### **A. Agenda for Peace: Preventive Diplomacy, Peacemaking, and Peacekeeping (1992)**

The secretary-general of the United Nations, Boutros Boutros-Ghali, was invited on 31 January 1992 by the UN Security Council, constituted at the Heads of State and Government level, to prepare for circulation by 1 July 1992 an “analysis and recommendations on ways of

strengthening and making more efficient within the framework and provisions of the Charter the capacity of the United Nations for preventive diplomacy, for peacemaking and for peacekeeping.” The secretary-general’s Report, submitted on 17 June 1992, began with an introduction on the changing international context that covered topics including increased decolonization, the fading of the Cold War, the world-wide push towards democratization, the subordination of national authorities to greater regional groupings, the intensification of ethnic and religious strife, the related spread of terrorism, the re-emergence of racial tensions, and the growing disparities between rich and poor within and among nations. The Report identified the aims of international action as: first, identifying situations of conflict in order to peacefully defuse them; second, engaging in peacemaking to resolve the issues leading to confrontation; third, preserving peace through peacekeeping; fourth, assisting in peacebuilding in all its requirements; and fifth, addressing the deepest causes of conflict within the context of international law.

The Report emphasized that the whole United Nations system is required to engage in these efforts: While assigning the primary responsibility for the maintenance of peace and security to the UN Security Council, the Report also stated that “this responsibility must be shared by the General Assembly” in an integrated approach to human security, confirming the earlier debate on the subject.<sup>(60)</sup>



UN Secretary-General  
Boutros Boutros-Ghali



An important aspect of this Report that has direct bearing on this dissertation is its embrace of the assertion that the “state” is a foundation stone of the international system, and that the “respect for its fundamental sovereignty” is “crucial” to “common international progress.” But, significantly, the Report stated further that “The time of absolute and exclusive sovereignty...has passed”, and that there is a need to find a balance in an “interdependent world.” The Report also emphasizes the “commitment to human rights, and the rights of minorities.” It asserts that there need be no contradiction between nationalism and globalism. Healthy globalization requires “solid identities and fundamental freedoms.”

The Agenda for Peace Report identifies the tools needed to accomplish these pressing tasks as follows: first, preventive diplomacy through diplomatic initiatives to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of such conflicts when they do occur; second, peacemaking which involves action to bring hostile parties to agreement, essentially through peaceful means, as stipulated in Chapter VI of the UN Charter; third, peacekeeping based on the deployment of a United Nations presence in the field, which had hitherto only been undertaken with the consent of all parties concerned; fourth, post-conflict peacebuilding relying on action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict; fifth, early warning through the analysis of political indicators to “assess whether a threat to peace exists”, and what can the UN do “to alleviate it”; and sixth, preventive deployment which is prescribed as a remedy for past failures of peacekeeping interventions which were launched only “after conflict has occurred.”

The “Agenda for Peace” came about to remedy the insufficiency of traditional peacekeeping operations and to confront the harrowing ethnic strife prevailing in the 1990s.

Events on the ground, such as in Bosnia, certainly suggested that a renewed retooling of the UN peace arsenal was in order. However, the way to improve the situation was not always easy to imagine, owing to the myriad of political and legal considerations involved. Preventive intervention, although logical, is very difficult to enforce due to sovereignty concerns and the nature of conflict itself.

In 1995, the secretary-general (Boutros-Ghali) issued his comprehensive –and logical– *1995 Supplement to an Agenda for Peace*, in which he proposed a three-pronged strategy of democracy, development, and peace as constitutive of an “interdependent, mutually reinforcing” and holistic approach for the UN to contribute to a “stable and peaceful international order.”<sup>(61)</sup>

#### **B. The Brahimi Report: Report of the Panel on United Nations Peace Operations (2000)**

Because of repeated failures in the 1990s to save “succeeding generations from the scourge of war”, the United Nations looked for renewed commitment, institutional change, and financial support. The United Nations Organization, through its reinvigorated peace operations, had to confront the lingering forces of war and violence in conflict zones and overcome them. The secretary-general, Kofi Annan, therefore, in 2000 asked the Panel on United Nations Peace Operations, headed by the Algerian diplomat, Lakhdar Brahimi, to ‘assess the shortcomings of the existing system and to make frank, specific and realistic recommendations for change.’

The recommendations of the Panel focused on political strategy and operational and organizational requirements.<sup>(62)</sup> UN preventive initiatives were seen to need “clear, strong and sustained political support”, and a “fundamental ability to project credible force.” The Panel acknowledged, however, that force alone “cannot create peace”, but can only forge a “space in

which peace may be built.” The deployment of credible force, however, represented a change in approach by the UN since previously force could be used for self-defence only.



UN Diplomat Lakhdar Brahimi

The recommendations of the Panel were designed as a remedy for serious problems in strategic direction, decision-making, rapid deployment, operational planning and support, and the use of technology. A basic point made by the Panel was that peace-builders can transform a proposed peace process into a self-sustaining drive only when peacekeepers are able to secure a local non-violent environment. The Panel also questions the principle of “sovereign consent”, especially in intra-state conflicts in which human rights are at stake. One of the previous shortcomings of the UN had been a reluctance to distinguish victim from aggressor in order to maintain the veneer of “impartiality”. Although using force only in self-defence was still preferred, the new UN doctrine emphasized the need for a robust UN military response when needed. The protection of the civilian population is assumed to be a fundamental objective of any UN force.

The Panel strongly recommended the development of a “rapid and effective deployment capacity” for UN peacekeeping forces. It also recommended the expansion of the existing United

Nations Standby Arrangements System (UNSAS) to include multinational brigade-size forces, in order to meet the need for the deployment of robust peacekeeping forces. On-call lists of qualified military and police officers, vetted and approved by the UN Department of Peacekeeping Operations (DPKO), were recommended, as were lists of judicial and penal experts, and human rights specialists who could strengthen the rule of law in conflict situations. Civilian specialists are also needed to complement the task of peace operations in post-conflict resolution. The Panel, finally, called for UN Headquarters support for peacekeeping to be treated as a “core activity” of the United Nations.

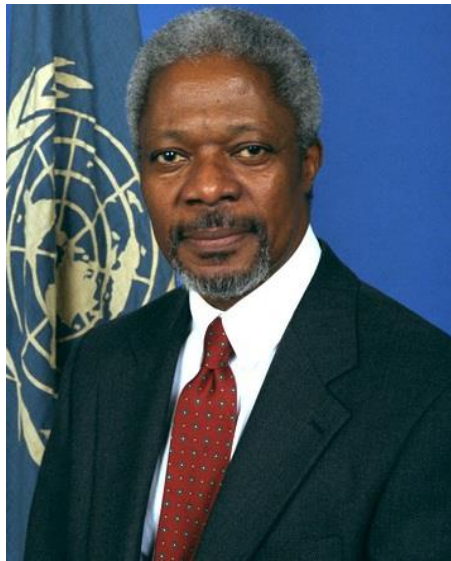
The Brahimi Report was hailed by many, but also faced its share of criticism. A Canadian study by Duane Bratt and Erin Gionet criticized the recommendations of the report for being “banal” and an “echo” of previous reports. In fact, they accuse the Report of repeating the same formula *ad nauseam*. Moreover, the recommendations were unlikely to be implemented due to the unwillingness of the member states to commit to all of them. The Panel, concluded Bratt and Gionet, had neglected other more effective recommendations. Bratt and Gionet attributed the reluctance of member states to support peacekeeping reforms to three major concerns: protection of sovereignty; protecting national interest; and lack of financial commitment.<sup>(63)</sup>

### **C. The Responsibility to Protect (R2P) (2001)**

In the *Millennium Report of 2000* (UN Doc. No. A/54/2000), which resulted from the summit of world leaders that year, Secretary-General Kofi Annan issued a challenge which undoubtedly represented (and still does) the dilemma of peace intervention. The secretary-general asked the important question:

If humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that offend every precept of our common humanity?

In response, the Canadian government and a group of major foundations announced in September 2000 at the UN General Assembly the establishment of the “International Commission on Intervention and State Sovereignty” (ICISS). The Commission was tasked by the UN with studying the legal, moral, operational, and political questions involved. To this end, it was to consult widely across the globe, and finally to produce a report (yet another one) to help establish common ground for governments around the world.



UN Secretary-General Kofi Annan

The central theme of the Report titled *Responsibility to Protect*, published in December 2001, was:

the idea that sovereign states have a responsibility to protect their own citizens from avoidable catastrophe – from mass murder and rape, from starvation – but that when they are unwilling or unable to do so, that responsibility must be borne by the broader community of states.

In this vision, sovereignty entails responsibility, which resides in the first instance in the state, but if a state fails in its duties to protect its own citizens “the principle of non-intervention yields to the international responsibility to protect.” Gareth Evans and Mohamed Sahnoun argue that by establishing this international right to act, state sovereignty is not diluted, it only undergoes a re-characterization from: “sovereignty as control to sovereignty as responsibility.”<sup>(64)</sup>

Fundamental to the Report was the idea that threats to international peace and security were expanded to include humanitarian concerns, according to Alex Bellamy.<sup>(65)</sup> The framework proposed for the implementation of the Responsibility to Protect (abbreviated as R2P) include several criteria for deployment, notes Rebecca Hamilton: 1- *Just Cause* (defined as extraordinary level of human suffering) 2- *Right Intention* (stop human suffering) 3- *Proportional Means* (minimum necessary intervention) 4- *Last Resort* (only when non-military options are non-applicable) 5- *Reasonable Prospects* (likelihood of success) 6- *Right Authority* (Security Council authorization, General Assembly resolution, or UN- approved regional organization's intervention).<sup>(66)</sup>

R2P was subject to broad range of evaluations. David Malone views it as the “most comprehensive approach to humanitarian intervention ever proposed.”<sup>(67)</sup> Mohammed Ayoob considers it a “cover for legitimating the neo-colonialist tendencies of the major powers.”<sup>(68)</sup> The latter reaction was further fueled by calls for expansion of the R2P to include the “Duty to Prevent”, as presented by L. Feinstein and A. Slaughter,<sup>(69)</sup> with the aim of tackling world security disasters before they spread. Others, note I. Daaler and J. Steinberg, called for the concept to include the right to launch “pre-emptive strikes” against sites of threat to peace.<sup>(70)</sup>

Regardless of the purpose of implementing the R2P, whether for humanitarian intervention or for legitimating neo-colonialist wars, the point of the new concept was to tackle the thorny issue of state sovereignty and bring into relief the pressing need to establish a consensus on how the civilized world should deal with the continuing appalling human sufferings that were and are shielded by the concept of sovereignty. On this view, the originally “benign” concept of sovereignty had developed to protect the genuine need for freedom and

independence for identifiable nations and groups, but this came to be turned on its head in the service of dictators and war criminals. That was what the R2P Panel bravely confronted head-on. No doubt, the R2P is not the panacea for solving problems of war and peace, but it seems to be a good step in the right direction. A strong regime for the maintenance of peace and security in the world and based on justice and freedom— among and within nation states - cannot be fully realized under the current power configuration. And it is not clear that the human race can ever devise the perfect system to ensure its own security.

The multitude of legal and political innovations sketched above for achieving a balance between sovereignty and human protection undoubtedly has advanced the cause of peace and increased international awareness of the individual's fundamental rights to peace and security. It has also offered an expansion of the original idea of peacekeeping. The concern with protecting individuals in time of strife, which has become the increasing focus of international peace operations, has brought into relief the interaction between “International Humanitarian Law” and “Human Rights Law”. As in any new area of policy, as Matthew Happold observes, “Some states have resisted attempts to extend the reach of international human rights law into areas traditionally seen as governed by international humanitarian law.”<sup>(71)</sup>

Fundamentally, international humanitarian law, in contrast to human rights law, is “not based on an individual rights paradigm”. But undoubtedly, the two are complementary. According to the International Red Cross, “Human Rights Laws” are enacted to “protect individuals from arbitrary behavior by the State.”<sup>(72)</sup> Although individual rights could be derogated by “treaty” or during “public emergency”, this can be done legitimately only on a temporary basis, and without affecting the “core” rights of the individual, which in principle may never be suspended. “International Humanitarian Law”, on the other hand, is concerned with

conditions of armed conflicts and is designed to “protect the victims of war”, and to “regulate the conduct of hostilities.”

An excellent example of the interaction between the two regimes can be found in their application in the “Occupied Palestinian Territories”, including the “Gaza Strip”. In one study that looked at the interaction between human rights law (state obligations to the welfare of citizens) and humanitarian law (obligations of a belligerent for the welfare of enemy civilians),<sup>(73)</sup> most legal experts contended that both legal bodies apply to the situation in occupied Palestine, although there is an overlap between them and even confusion as to their applicability. Israel –which rejects the classification of its military control of Palestinian lands as occupation- has rejected the position that the provisions of international human rights law apply to the “Occupied Palestinian Territory.” However, treaty provisions of the International Covenant on Civil and Political Rights (ICCPR), which Israel is a signatory to, and the UN Human Rights Committee have asserted that Israel, as the power in “effective control”, must be bound by IHL commitments for Palestinians under its control. Moreover, the International Court of Justice (ICJ) held that “Israel’s obligation under international human rights law applied to its military occupation of the West Bank.”<sup>(74)</sup> The general conclusion was that IHRL has extraterritorial applicability and that IHL and IHRL both can indeed co-exist and apply simultaneously.

A study by Alexander Orakhelashvili found that humanitarian law also applies to the construction of the “separation” Wall in Palestine because of the fact that the Wall is in Palestinian territory under belligerent occupation. Orakhelashvili bases this conclusion on the fact that the ICJ ruled on 9 July 2004 that the construction of the Wall led to the destruction or requisition of properties in violation of the Hague Regulations (1907) and the Fourth Geneva



Convention. The Court also found that the Wall impeded the right to work, to health, to education, to adequate standard of living, to freedom of movement and residence, all in violation of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).<sup>(75)</sup>

Israel cannot hide the fact that its illegal action is designed to annex Palestinian land under the guise of security. The ICJ's legal verdict stated "Israel cannot rely on a right of self-defence or on a state of security in order to preclude the wrongfulness of the construction of the Wall...the construction of the Wall and its associated regime, are contrary to international law."<sup>(76)</sup> Additionally, the UN Office for Coordination of Humanitarian Affairs (OCHA) issued a detailed study in March 2005 on the Separation Wall, also referred to as the Barrier, concluding that "It is difficult to overstate the humanitarian impact of the Barrier."<sup>(77)</sup> Clearly, both IHL and IHRL can co-exist as is demonstrated in the Israel-Palestine case.

### **Peacekeeping, Sovereignty, and International Intervention**

The UN Charter indicates that the maintenance of "international peace and security" is the most important task for the United Nations Organization. According to Boris Kondoch, "The rule of law is arguably the most important aspect in any peace operation."<sup>(78)</sup> The provisions of the Charter specifically relevant to the maintenance of international peace and security are included in no less than twelve articles in the Charter which enable the Secretary-General to put in motion measures to ensure peace. Two basic inferences may be drawn from the pre-occupation of the Charter with peace and security: First, peacekeeping is an essential and inescapable task of the UN. Second, the Charter provides a basis for legal evaluations of

activities in international security, as long as the relevant UN operation for the maintenance of peace and security is deemed legal.

This last stipulation is a wide-ranging assumption that needs to take into account other articles in the Charter that emphasize sovereignty and non-interference. The need to reconcile these provisions is why the latest innovations in peace operations and the invocation of international human rights law try so hard to bridge the gap between international intervention and national sovereignty.

The novel experience of forming and deploying UNEF according to an accepted and established formula was evident when the Soviet Union, in challenging the legality and legitimacy of UNEF, contended that it could not participate in sharing the cost of the peacekeeping operations, as required by all member states according to Article 17 (2) of the UN Charter because it was not established under Article 43 of the Charter. The International Court of Justice (ICJ) rejected the argument of the Soviet Union that UNEF was “illegally created” and instead held that Article 43 was only applicable in enforcement actions, and that UNEF was not established for such a purpose.<sup>(79)</sup> There is consensus, however, that the legal basis for consensual peacekeeping operations falls between Chapter VI and Chapter VII (because both the Security Council and the General Assembly can authorize peacekeeping operations, but only the Security Council can authorize nonconsensual enforcement action).

Dag Hammarskjöld referred to the peacekeeping authorization in the Charter as the “mythical Chapter VI and a half.”<sup>(80)</sup> A great difficulty in reconciling national sovereignty and international law is that due to the emergence of *erga omnes* (obligations owed to all) and *jus cogens* (obligations from which no derogation is ever permitted) legal provisions, the ability of the sovereign nation-state to limit, curtail, or renounce human rights treaties and other

international measures designed to enhance the protection of rights internationally as well as internally has been limited. Yet, such protection of human rights at home and abroad requires “multilevel constitutional protection” for individuals and “multilevel constitutional restraints” on governance powers. This conflicted legal situation is a result of the move towards “multilevel constitutional pluralism” against the instinctive and intrinsic “constitutional nationalism” of many nation-states.<sup>(81)</sup>

This concern was echoed in a joint United Nations / International Peace Academy seminar, which arrived at the conclusion that “maintaining international peace and security cannot be separated from protecting individual security of civilians.”<sup>(82)</sup> Consequently, another difficulty in authorizing and conducting UN peace operations is that the Charter has not provided a “precise definition of the circumstances under which a peace-keeping activity has to be undertaken” (usually considered a credible threat to world peace), or by whose authority it can be undertaken (Security Council vs. General Assembly). This complication was emphasized by the fact that there was “no settled definition of the term peacekeeping operation”.

The problem of a lack of final conflict resolution outcome in the UNEF peacekeeping mandate was raised in 1967 by Zulfikar Ali Bhutto, later prime minister and president of Pakistan, who invoked the concept of international morality.<sup>(83)</sup> Bhutto believed that placing an emphasis on “interim” measures over “final” settlement of disputes imposed a “false ethics” on international relations. This approach, according to Bhutto, encourages an “illusory view of peace.” The morality established, accordingly, aims at “tranquility even at the expense of justice”. Bhutto concluded that the response of the UN to the challenges of world peace had been “conditioned much more by power realities than by demands of peace and justice.” His final concluding remark was a call for “structural changes” in the United Nations in order to

streamline the peace operations of the UN. Undoubtedly, Bhutto was affected by the UN peacekeeping stalemate in Kashmir, and later by the failure of UNEF in 1967.

Relying on principles of “organization theory”, Michael Lipson<sup>(84)</sup> queries whether peacekeeping is nothing more than “Organized Hypocrisy” because of UN’s failure to act in accordance with the ideals it espouses in post-Cold War peacekeeping missions. This supposed hypocrisy is due to the failure to respond to “conflicting pressures in external environment”. This hypocrisy, according to Lipson, impedes “efforts to mitigate harmful peacekeeping externalities.” But hypocrisy could, on the other hand, manage “irreconcilable pressures that might otherwise render the organization incapable of effective action.” Lipson seems to apply organization theory to a fundamentally political situation where action, or lack thereof, depends a lot more on international politics than management principles.

Echoing that sense of frustration, General Burns wrote in a presentation he made at the University of Calgary in 1981, that “unfortunately, the interval of peaceful conditions [provided by UNEF] was not used to devise terms on which a continuing peace between Israel and her Arab neighbours could be established. We had peacekeeping without peacemaking”.<sup>(85)</sup> Also, Paul Heinbecker, former Canadian ambassador to the United Nations, said during the International Conference on Peacekeeping in Cairo in 2006, that “peacebuilding” must be factored into the equation of peace operations “in recognition of its centrality to peace and to give the UN forces an exit strategy.” He expressed the view that the UN is still mired in Cyprus “because peace-building was not a priority.”<sup>(86)</sup>

There is no universal or clear answer to the question, “What is international peacekeeping?” The UN, however, has set in place “three key principles” in defining the

operative foundations of the role: 1. The *consent* of all parties is necessary; 2. The *impartiality* of the peacekeepers must be assured; and 3. *Force* used only for self-defence.<sup>(87)</sup>

These accepted peacekeeping principles have undergone fundamental changes in view of the changing international attitudes occurring in the wake of changing international conflict profiles.

“Consent” is challenged in two ways, whether the UN operation is authorized by the Security Council or by the General assembly. Additionally, whether the situation calling for UN intervention is triggered by humanitarian concerns as distinct from inter-state conflicts.

“Impartiality” can be overlooked if the authorized UN action is contrary to the wishes of a member state. Finally, the use of “Force” only for self-defence becomes irrelevant if the action authorized by the UN entails the use of force in the first place.

### **A UN Permanent Peace Force?**

The international community’s search for the creation of an international peace force on a permanent basis –unlike UNEF- to intervene in international and domestic disputes is not new. Permanency could allow disputes to be addressed without an artificial deadline for disbanding the international force or requiring a rapid withdrawal. According to Keefe and Langille, such an international army “would be the only way to provide a reliable, rapidly deployable force capable of halting conflict”. It would be a “standing UN force with no national ties.”<sup>(88)</sup>

Although some commentators oppose the idea of a UN Standing Army as politically and economically unfeasible, there have been various past and on-going efforts to achieve this goal. The record shows that:<sup>(89)</sup>

- The creation of an “International Army” was proposed during the *Dumbarton Oaks* negotiations to establish the United Nations Organization in 1944.

- In 1945, the newly-adopted UN Charter included Article 43, which called for the establishment of military forces at the disposal of the Security Council.
- The first secretary-general of the UN, Trygve Lie, proposed in 1948 the creation of a “United Nations Guard”.
- Secretary-General Lie expanded his proposal in 1951 to suggest creation of a permanent “UN Legion”. It was later renamed in 1952 a “UN Volunteer Reserve”.
- Following the Suez War in 1956 and the deployment of UNEF, proposals for a “Permanent Peacekeeping Force” re-emerged without success.
- In 1964, Prime Minister Lester Pearson actually proposed the creation of a “Permanent Peacekeeping Force”.
- Britain proposed in 1964 the establishment of a “Commonwealth Standby Battalion”, to be made available at the disposal of the UN.
- In 1970, the UN General Assembly recommended that the Security Council should begin a “Negotiation Process” regarding the creation of a UN Force unforeseen in Article 43.
- In 1974, eleven UN member states earmarked “units for UN Peace Operations” within their armed forces.
- UN Secretary-General Boutros Boutros-Ghali called in his 1992 Agenda for Peace for the utilization of Article 43 and the creation of “Peace Enforcement Units”.
- UN Undersecretary-General Brian Urquhart proposed in 1993 the creation of a “Permanent UN Volunteer Force”.
- The UN created in 1994 the “UN Standby Arrangement System” (UNSAS), a database for troops and equipment of member states earmarked for peacekeeping missions.

- In 1994 during the Bosnia Crisis, the Netherlands proposed the creation of a permanent “UN Rapid Deployment Brigade”.
- In his Supplement for an Agenda for Peace, Boutros Boutros-Ghali called in 1995 for the creation of a “UN Rapid Reaction Force”.
- In 1995, Canada called for the creation of a “Rapidly Deployable Mission Headquarters”.
- Canada and the Netherlands established in 1995 a body known as the “Friends of Rapid Reaction Deployment” (FORD).
- Denmark proposed in 1995 the creation of a “Standby High Readiness Brigade” (SHIRBRIG).
- The “Agreement to create SHIRBRIG was signed in 1996.
- In 1997, Secretary-General Kofi Annan officially opened the “Permanent Planning Element” for SHIRBRIG.
- The year 2000 saw “SHIRBRIG’s first peacekeeping deployment” in Eritrea.
- The *Brahimi Report* singled out SHIRBRIG in 2000 as an important role model for peacekeeping operations.

The idea of a UN Standing Army came to be considered an “unrealistic ideal” opposed by most UN member states “due to the fear of eroding sovereignty as well as a plethora of insurmountable legal, political and operational issues.”<sup>(90)</sup> With the realization that a “permanent UN standing army” is fraught with numerous impracticalities, the only feasible alternative was the option of a “pre-pledged and pre-earmarked pool of troops on ‘standby’ and at a level of ‘high readiness’, deployable at a short notice request by the Security Council”.<sup>(91)</sup> The secretary-general asked the UN members states in 1995 to “consider how the reaction time of UN peacekeeping might be shortened”<sup>(92)</sup> to deal with fast-moving human catastrophes. The

SHIRBRIG Brigade, as an alternative to a UN standing army, was planned basically for the dual purpose of UN-authorized rapid intervention in an armed conflict, and to protect civilians affected by the conflict. The impetus for action came from Secretary-General Boutros-Ghali in response to the UN's past failures, most notably the inability of the UN to stop the genocide in Rwanda.

The SHIRBRIG experience is considered the first serious effort to create and deploy a standby UN peacekeeping support mechanism. Based outside Copenhagen, SHIRBRIG had a strength of 4,000 to 5,000 (UNEF's numerical strength, by comparison, was around 6,000 troops) fully trained and equipped troops ready for deployment within 15-30 days and drawing from contributions by 23 countries. The force became operational in January 2000. The expansion of the mandate of SHIRBRIG from operations authorized under non-binding Chapter VI to enforcement action under Chapter VII of the UN Charter, however, discouraged many countries from participating because the issue of sovereign consent being at risk, as well as the degree of military engagement involved. Some UN member states were averse to participation due to fear of mandatory participation in armed conflicts if they became committed. As members they would be obligated under Chapter VII to engage in a military action which might be encroaching, in their views, on the sovereignty of other member states.

SHIRBRIG organizational structure consisted of four components: first, a *Brigade Pool* consisting of troops and all their support requirements; second, a *Permanent Planning Element* of the Commander and the permanent staff of officers to prepare and plan for any required mission requested by the UN. The Planning Element worked closely with the Department of Peace Keeping Operations (DPKO) at the UN HQ in accordance with the UN Standby Arrangement System (UNSAS). The Department was also utilized to assist in the Capacity-



Building process of other standby brigades modelled on the SHIRBRIG structure. Additionally, the core of the Planning Element has been augmented by non-permanent staff members based in the contributing countries; third, a *Steering Committee*, which is the decision-making body of the multinational structure. The Committee is a ‘political-military entity composed of Defence and Foreign Affairs representatives’ of the SHIRBRIG member states; and fourth, the *Contact Group* based in New York, which “consists of the ambassadors and military advisors” of participating countries at the UN HQ. This Group is tasked with providing a liaison and coordination mechanism between SHIRBRIG and the UN, especially the Department of Peacekeeping Operations.

SHIRBRIG was envisaged for use in several capacities: (1) as a complete brigade, or as force smaller than brigade size; (2) as an observer or –monitoring- mission; (3) as the UN peacekeeping mission Headquarters; (4) to assist the UN with the start-up of a new peacekeeping mission; and (5) to assist in capacity-building efforts for peacekeeping structures in Africa and elsewhere.

Secretary-General Kofi Annan declared enthusiastically, “SHIRBIRG is a model arrangement” that with “a small, well-trained, well-equipped force rapidly deployed with an adequate mandate and sufficient support can stop a conflict before it engulfs an entire society.”<sup>(93)</sup> Annan’s reference to a conflict within a society reflected the increasing UN involvement in domestic political and ethnic conflicts and strife.

SHIRBRIG’s first test came in June 2000 with the Security Council resolution to establish “United Nations Mission in Ethiopia and Eritrea” (UNMEE) to supervise the cessation of hostilities between Ethiopia and Eritrea. On 15 September 2000 SHIRBIRG was deployed in the Horn of Africa under the UNMEE mandate, and it remained there until its withdrawal in May

2001. The mission was declared a success at that time, and Secretary-General Annan lauded the effort: SHIRBRIG, he said “has already proven its utility in the deployment of the UN mission in Ethiopia and Eritrea.” Annan continued his assessment: “There, a force that had trained together and developed a high degree of coherence was able to arrive and establish itself quickly in the theatre of operation, thereby sending a message of competence and commitment.”<sup>(94)</sup> Other missions with similar mandates included “United Nations Mission in Liberia” (UNMIL) in 2003, “United Nations Operation in Cote d’Ivoire” (UNOCI) in 2004, “United Nations Advance Mission in Sudan” (UNAMIS) in 2004, and “United Nations Mission in Sudan” (UNMIS) in 2005.

Lessons and conclusions learned from SHIRBRIG as a UN-backed attempt at a permanent peacekeeping capacity are: first, the majority of the missions consisted only of planning assistance and advice in the field; second, acting as a “rapid interim force headquarters” to start up a UN mission until a regular UN force could take over has nonetheless proven very useful and marked SHIRBRIG’s real success in the field; third, SHIRBRIG’s flexibility and adaptability was demonstrated by its pragmatic adjustment of its scope and mandate when needed; and fourth, the concept of full brigade deployment was still ultimately unrealistic due to shortfall of commitments by the participating countries.

In general, as Kurt Mosgaard observes, “SHIRBRIG earned a reputation for a cohesive force with the highest level of peacekeeping expertise and training standards ... Yet ... the organization remained well below its actual peacekeeping potential. A key problem was not only the cumbersome decision-making and force generation process, but above all, a lack of political will.”<sup>(95)</sup>

Despite SHIRBRIG's demonstrated successes, admittedly limited in scope, a decision was taken in November 2008 to disband this experimental force. It thus took only eight years for the contradictions and structural impediments in the international system to scuttle this pioneering experience. Concerns over protecting national sovereignty, fears of sustaining casualties during robust peace operations, a reluctance to commit national resources to international activities not related to the home front, all combined to dampen any enthusiasm among UN member states for participation in a UN-sponsored permanent standing army. SHIRBRIG proved to be more adaptable to regional applications such as support for the "African Union" (AU) or associated specialized groupings like the "Economic Community of West African States" (ECOWAS), than an international force ready to act effectively across the globe.

The international community seems to have run into a solid wall as far as harnessing and applying a credible peace operation model. In a Conference on Peacekeeping in Washington, D.C., Jean-Marc Coicaud stated that "progress [in peacekeeping] has been made since the early 1990s. One has also to recognize if one wants to be honest, that there is still a very, very, very long way to go to match words with reality."<sup>(96)</sup>

In an anti-climactic, but perhaps more realistic conclusion, Jocelyn Coulon states that due to the strategic calculations of the "great powers" and their "casualty-sensitive" attitude towards involvement in "peripheral conflicts", thoughts of using the UN "to reshape the world" are misplaced and outright "mistaken". Moreover, due to the inability to fashion a permanent UN standing army, the author proposes:

While waiting for the member states of the UN, and in particular the great powers, to agree on a clear and coherent philosophy on military intervention and how it should be implemented, the UN must return to the great principle that governed the creation of the Blue Helmets [namely UNEF]. That is no doubt a less spectacular, less heroic mission, but returning to it is the only way that the Blue Helmets will be able to continue to be an

effective instrument of international diplomacy in the settlement of conflicts and a credible hope for thousands of people caught up in the turmoil of war.<sup>(97)</sup>

Yet, although the conclusion may be grounded in realism, the author seems to have ignored the changing nature of international conflicts and disputes for many decades. To reach a conclusion not cognizant of the realities of the current strife-ridden world, and oblivious to the complexity and limitations of the original UN peacekeeping mission, is equally unrealistic.

## Summary

State sovereignty, rooted in the original peace of Westphalia arrangements in the seventeenth century, was bolstered by the emerging concept of nationalism in the nineteenth century. The post-World War Two mantra of sovereign equality along with the earlier 1933 Montevideo principle linking sovereignty to statehood, have predominantly governed the conduct of nations in the international arena. Although Article 2 (1) of the UN Charter enshrines the principle of sovereign equality, Article 23 of the same Charter undermines that very principle by establishing an exclusive permanent Security Council membership to few states and guarantees them the right of veto not allowed to any other member state. This exclusive privilege was labelled as enthroneing a new colonialism within the UN.

Contemporary developments since the 1990s have placed increasing limits on the exercise of sovereign authority. The emergence of human rights as an overriding international concern has caused the gradual circumspection of the sovereign state, and placed clear limits on the authority of governments to act within their borders. It should be acknowledged, however, that such limitations on state authority are not applicable across the board, as human rights abuses in the US, Russia, and China demonstrate.

The distinction between inter-state and intra-state is crucial in situating the principle of sovereignty in relations to peace operations and international human rights law. Traditional peacekeeping concerns shifted from maintaining ceasefires to a more interventionist response to conflicts, including the use of force for more than self-defence.

The great fallacy in liberal peace theory is the belief that peace can be equated with absence of direct violence, and can be obtained by imposing a super structure above the

antagonists. Peacekeeping is viewed by some as a colonial intervention from above to legitimize existing world order. UNEF is seen, therefore, as more than a reverberation of empire. A new conceptual framework for peacekeeping is needed to guarantee collective security. What is needed is a broader and fundamentally political process of peace implementation.

After Suez, the rationale for engaging in peace operations has changed. The essence of peacekeeping has been expanded to deal with humanitarian disasters resulting from domestic as well as external strife. The concept of absolute sovereignty is, therefore, undergoing fundamental reexamination of its basic foundations.

New approaches for international peace operations have developed into a legal self-contained regime, based on observing the rules of armed conflict, the transition from war to peace, human rights law, international humanitarian law, international criminal law, and post-conflict peace-building. Three major developments helped to consolidate this new basis for peace operations. First, Agenda for Peace (1992); second, the Brahimi Report (2000); third, the Responsibility to Protect (2001). These political and legal innovations fundamentally strove to achieve a balance between national sovereignty and the international quest for human protection.

To put teeth into this new international resolve to restructure peace operations, several proposals were made to establish a permanent UN peace force. Notable among the proposals was the idea of SHIRBRIG (Standby High Readiness Brigade), a standby UN force ready to intervene without delay. However, concerns for protecting national sovereignty, fear of sustain large casualties during a robust peace operations, and a reluctance to commit national resources in the service of external objectives all combined to bring an end to the idea of a permanent UN peacekeeping structure.

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## Chapter 6

### Conclusion

#### War and Peace

The 1956 Suez War ushered in a new chapter in international relations. It demonstrated beyond any doubt that old colonial arrangements under the imperial banners were no longer accepted or tolerated by the majority of the world's population. The march towards independence and freedom for the colonial world was unstoppable. The tools of colonial control were crumbling. Meanwhile, however, there was a changing of the guard in the imperial world, as a new and potent force, the United States, emerging victorious from the ruins of World War II, spoiling to inherit the mantle of colonial control under a different *modus operandi*.

One of the main objectives of the West in the developing Cold War was to deny the Soviet Union access to and control of the oil resources of the Middle East, as well as inhibiting the exercise of Soviet political leverage. By mid-1956 the stubborn leadership of the Egyptian revolutionary regime of President Nasser was becoming a major challenge to continued Western domination in the region. Attempts at containment, appeasement, and half-hearted accommodation of the Egyptian leader's nationalist demands all proved unsuccessful. The old – and new – colonial masters in the region made the decision to eliminate the challenge. The difference between the United States on one hand, and Britain and France, on the other, in relation to the Suez War and Nasser's leadership, was not about objectives (they all wanted to eliminate Nasser), it was about timing and tactics. Israel – a willing and eager partner - was enlisted to be the West's instrument in the Middle East, keeping the Arabs at bay, drowning them in endless struggle, and sapping their energies and resources in the process. Such a policy achieved the demonstrable results of preventing a strong and independent Arab block from

emerging and controlling the pivotal Middle East. From the time of the Balfour Declaration in 1917, Israel was envisaged to be a permanent Western foothold in the Arab world.

The Suez War, in addition to changing old colonial assumptions, saw the introduction of a new mechanism for conflict control (not resolution) in the shape of an international UN-authorized peace force, UNEF. In establishing this body, UN member states by-passed the Security Council, and its veto power, and authorized the creation of the international force through a majority vote in the UN General Assembly. This process was not an enforcement action imposed on parties to a conflict under Chapter VII, but a negotiated action dependent on the voluntary sovereign consent of the victim of aggression. UNEF operations began in order to conclude one disastrous war and ended at the beginning of another because of a failure to translate “absence of war” into the “presence of peace”. The formation of UNEF was inextricably linked to the crucial central theme of the “end of empire” and the escalating anti-colonial struggle, which hastened the decline of the imperial powers. The termination of the UNEF mission was problematic as it brought into focus the clash between the principle of sovereign consent and the need of the international community to ensure peace and security.

The tortuous negotiations and maneuvers to get the UNEF force formed and operational took place in an environment of superpower competition, crumbling old-style empires, national liberation struggles, and a UN system trying to establish its meaningful presence and effectiveness, indeed its relevance, in the post-World War Two era. Later peace operations benefited greatly from the experience of UNEF. How those later operations developed depended on the changing international environment.

## Peacekeeping & Peacemaking: The Chicken and the Egg

The UNEF experience can be summed up in the words of the veteran UN hand, Ralph Bunche, who said in 1960 that “UNEF is not an end in itself ... The most that can be hoped from it in this regard is to buy time.”<sup>(1)</sup> Unfortunately, and despite maintaining peace for a time, this time was squandered by the antagonists and by the international community at large.

Secretary-General U Thant addressed the UN Security Council on 19 May 1967 and stated “It is true to a considerable extent that UNEF has allowed us for ten years to ignore some of the hard realities of the underlying conflict.”<sup>(2)</sup> It is often said that the result of the 1967 war was a “failure of peacemaking not peacekeeping.”

The experience of UNEF, therefore, warrants an extensive and detailed study of the complex political-diplomatic efforts expended in the period from 1956 to 1967 mainly in a futile attempt to forge an Arab-Israeli settlement. Given the lack of success in achieving an accommodation, one must examine the reasons behind such a lack of accomplishment, and whether failure was intentional.

On the Israeli side, any just settlement would have by necessity addressed the issue of the expelled Palestinian refugees’ repatriation (the right of return). The recognition of an Arab state in Palestine would have had to be part of the settlement. An agreement would have had to deal also with the issue of Arab territorial contiguity in the Negev and the redrawing of borders. These contentious issues were vetoed repeatedly by Israel.

On the Arab side, any unfair settlement with Israel would have meant the recognition and acceptance by the Arabs of a Zionist-Jewish state in Palestine, confirming and accepting the Arabs’ historical loss in Palestine. Such an outcome would have undermined any claim for leadership and shaken the legitimacy of Arab regimes in the eyes of their populations.



As for the West, there was a preoccupation with the growing anti-colonial challenge, and the perceived need of keeping Israel as a Western outpost in the Middle East, and keeping the Arab “revolutionary” regimes off-balance in the process. It was more important for the US and Britain to remove Nasser and other “trouble makers” from power than to help achieve an Arab-Israeli accommodation.

It is a fact of international relations, however, that international conflicts occur or endure because of the nature and structure of the world distribution of power and the realities of its regional manifestations. “Proxy” conflicts cannot be resolved without being disentangled from great power rivalries. Similarly, local conflicts are tied to socio-economic and ethnic profiles and their power manifestations. It is easier to interject between warring countries, but it is a far more difficult proposition to address local skewed-societies and help establish social peace in afflicted communities.

Canada’s former prime minister and secretary of state for external affairs, Joe Clark, added his voice to the debate over the appropriate role of peacekeeping in conflict resolution in his statement:

Peacekeeping has a new role in th[e] new notion of security. Peacekeeping in the future must anticipate as well as react. It must deal with the causes of conflict and not just their symptoms. It must build peace, and not simply keep it.<sup>(3)</sup>

As Michael Carroll observes, “Peacemaking activities should have been part and parcel of UNEF’s original mandate ... The parties in conflict need to ceaselessly strive for peace, and the UN needs to have structures in place to aid with these efforts. Otherwise, the job of peacekeepers is little more than a temporary, albeit worthy, distraction.”<sup>(4)</sup>

The experience of UN peacekeeping operations in the field over the last nearly sixty years has contributed to the growing realization that separating combatants without establishing

foundations for future peaceful coexistence and political conflict resolution, does not necessarily lead to peaceful and permanent solutions. The failure by the mid-1990s to establish a workable mechanism led to the secretary-general of the UN, the Egyptian diplomat Boutros Boutros-Ghali, developing of the concept of “post-conflict peacebuilding”, defined as “action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict.”<sup>(5)</sup>

As a precedent-setting peacekeeping operation, UNEF is recognized, according to Davis Brown, as having served as a guide for “future operational norms.” The five principles developed based on UNEF’s practice in the field are: first, consent of the host state to the presence of the force; second, impartiality of the force and non-intervention in the state’s domestic affairs; third, defensive rules of engagement; fourth, U.N. control of the forces participating in its operations; and fifth, restrictions on the constituency of U.N. peacekeeping forces.<sup>(6)</sup>

The fifth operational norm is interpreted to mean that the composition of the forces should be “international in character and that permanent members of the Security Council be excluded from participation.”<sup>(7)</sup>

The stages of development in the concept and application of international “peace intervention” can now be divided into: one, ‘First Generation’, missions entirely consensual based on sovereign consent; two, ‘Second Generation’, missions involving more complex and wider peacekeeping based on the enforcement of peace; and, ‘Third Generation’, missions including external Governance/Administration of a territory based on what some describe as “liberal peace” schemes seeking to implement the “ideals of global liberal governance”, along with the ultimate goal of realizing neo-liberal “democratization and marketization”.<sup>(8)</sup>

## **The Past and the Future**

Since 1956, peace operations under UN auspices can be authorized as Chapter VI consensual arrangements, or activated as Chapter VII enforcement measures. Both the provisions of International Humanitarian Law and International Human Rights Law figure prominently in the conduct and objectives of the peace operations. By the end of the millennium, theoretical and innovative conceptual frameworks for peace operations ranged from the original “UNEF” model to the “Agenda for Peace” blueprint (1992) developed in response to the horrors of ethnic cleansing in the 1990s. This was then followed by the “Brahimi Report” (2000), and then the introduction of the novel concept of the “Responsibility to Protect” (2001), formulated with the objective of showing more teeth in international efforts to restore peace and protect human lives.

A UN international peace force was proposed and formed, but it failed to remain mobilized due to political, logistical and financial constraints. Although progress has been made, the international community has all too obviously not yet succeeded in arriving at a fail-safe formula for peace intervention. A fundamental change in international power alignments and structures would seem to be a pre-requisite for streamlining a universal collective response to peace and security issues.

## **Recommendations**

Based on the UNEF experience and the results of its deployment in the midst of the Suez conflict as well as its experience on the ground for over a decade, several policy recommendations can be made. Simply inserting a UN force between warring parties without requiring the parties to engage in a UN-supervised conflict resolution arrangement risks wasting a historic opportunity to reach a permanent and just accommodation in the Middle East and other crisis areas.

The following is a ‘set of recommendations’ for a streamlined peace operations regime:

*First*, to achieve success, any peacekeeping operation authorized by the UN will ideally include, in tandem, a “mandatory conflict resolution mechanism” in accordance with the UN Charter principles, and a defined time-frame for arriving at an accommodation administered by neutral UN personnel. Although the UNEF had succeeded beyond all expectations in bringing an end to the initial armed conflict during the Suez War, there was a lack of ground rules for the transformation of the absence of war into a durable and stable peace. This represented a failure, not primarily of the UNEF, but of the international system and the structure of international relations, indeed of the UN itself. Lester B. Pearson, the main mover behind the UN Resolution to establish UNEF, was prescient in commenting on his “crowning achievement” in a prophetic statement:

[T]here is one great omission from this resolution....It does not provide for any steps to be taken by the United Nations for a peace settlement, without which a ceasefire will be only of temporary value at best.<sup>(9)</sup>

*Second*, the lack of an “agreed prior mission termination mechanism”, which doomed the UNEF despite its decade-long success in maintaining peace (or at least an absence of war), should not be allowed to undermine future peace operations. In future, negotiations over the introduction of UN troops into conflict zones must also embody not only an agreed-upon mechanism for setting up the international force, but certainly a clear and binding agreement on the terms of its “termination”, in association with a conflict resolution regime, without being dependent on the narrow political interests of one party or the other to the conflict.

*Third*, “Respect of the sovereign rights” of the nations involved is crucial for the success of any UN intervention. All the evidence suggests that Egypt would never have accepted the stationing of the UN Force on its soil against its consent. Any such unauthorized intervention

risks having the deployment turned into an international occupation regime fraught with dangers both for the country subject to intervention and for the international force as well. Sovereign rights, however, must never override the protection of human rights.

*Fourth*, the deployment of UN peacekeeping troops in an international conflict will ideally be “on both sides of the lines of control” separating the antagonists. The fact that Israel did not give its consent for UNEF deployment on its territory made it easier for the hostilities to break out once Egypt paradoxically demanded the withdrawal of UNEF. If UN troops had been on both sides of the ceasefire line, the ability of one side to demand the speedy termination of the peacekeeping presence would have been thwarted, or at least slowed down. In future, this measure could give the international community a “breathing space” to mount a concerted effort to defuse a crisis, or at least to bring about an orderly and measured withdrawal that could slow the immediate rush to reignite a conflict.

*Fifth*, the choice of the “commander” of the International Force and the “liaison” counterpart from the host country is of paramount importance in ensuring the successful deployment and operations of any international peacekeeping force.

*Sixth*, “Membership” in an international peace force not authorized by a Security Council Chapter VII enforcement resolution, and not engaged in a conflict with the host nation, must be acceptable for deployment by the country(s) in question. Sovereignty in such a case would not be impacted by a peace operation regime aimed solely to defuse and resolve a serious conflict affecting international peace security.

*Seventh*, any peace operation authorized by the UN, should include, as a primary terms of reference, the upholding and enforcement of the applicable international human rights law

provisions aimed at protecting human lives and fundamental human rights without constraints of sovereign prerogatives of the member states.

*Eighth*, looking beyond the UNEF to current global realities, one could suggest that a permanent 25-nation expanded UN “Peace Operations Commission” (to replace the current and ineffective Department of Peace Keeping Operations, DPKO) be established to oversee the “formation”, “deployment”, “peace negotiation”, and “termination” of all UN peace operations missions. The Commission should be universally composed with representation from every continent and group of nations. The idea of establishing a permanent international peace force is not new. But the experience in the field has proven that such undertaking is fraught with difficulties and complications. The magic formula for such an army has not yet been discovered.

*Ninth*, long-standing “chronic” conflicts, such as the Middle East and Cyprus conflicts should not be allowed to continue unabated, exhausting UN peace operations capacity and posing a real danger to international peace and security. If peace is not established within a “reasonable” time, a UN sponsored international peace conference must be convened to deal with the conflict. If the parties to the conflict cannot arrive at an acceptable resolution or a workable compromise, again after a reasonable time has lapsed, then the conflict must be submitted to a binding international arbitration supervised by the International Court of Justice. Naturally, such proposed course of action is at odds with the prevailing supremacy of the Security Council role, which in turn, reflects the power configurations in the international arena. However, a new model for the conduct of international relations and for conflict resolution should be analyzed.

*Tenth*, the UNEF experience should provide a powerful incentive to structure future peacekeeping operations by the UN and regional organizations differently in order to provide

clear and unambiguous agreements with the host nation(s) on sovereign consent and the issue of withdrawal. As well, a conflict resolution mechanism should be embedded within the process.

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## Appendix

### **A. Final Communique of the Bandung Conference. 24 April 1955. (Highlights)**

1. Afro-Asian Cooperation. The 24 countries pledged to work toward “fuller economic, cultural and political co-operation”. They “recognized the urgency of promoting economic development”, “to provide technical assistance to one another”, recommended “the early establishment of the United Nations Fund for Economic Development”, to stabilize “commodity trade”, to “diversify their export trade”, to “the establishment of national and regional banks”, they “emphasized the particular significance of the development of nuclear energy for peaceful purposes”, and they agreed on “prior consultation of participating countries in international forums”.
2. The participating countries “reiterated their determination to work for closer cultural co-operation”, they took note that “colonialism suppresses the national cultures of the people”, the conference condemned the “denial of the fundamental rights” of the colonized peoples. In particular, the “Conference condemned racialism as a means of cultural suppression”.
3. The Afro-Asian Conference “declared its full support of the fundamental principles of Human Rights”, and of the “principle of self-determination”.
4. The Conference declared that “colonialism in all its manifestations is an evil which should speedily be brought to an end”; the Conference agreed that the “alien subjugation of peoples is an impediment to the promotion of world peace and co-operation”, the Conference declared “its support of the cause of freedom and independence” for all peoples.
5. The Conference supported the “principle of equitable geographical distribution” for the UN Security Council representation. The Conference called for “disarmament and the prohibition of the production, experimentation and use of nuclear and thermo-nuclear weapons of war”, and for the establishment of “effective international control” over international disarmament.
6. The Conference summarized its deliberations in a 10-point declaration of principles emphasizing respect for: fundamental human rights, sovereignty and territorial integrity, equality of all races and all nations, the right of self-defence, justice and international

obligations. Finally, the declaration called for the non-interference in the internal affairs of countries, for the non-participation in collective defence of the big powers, opposition to the exertion of pressures or threats of aggression or the use of force against the territorial integrity or political independence by any country.

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**B. The Sèvres Protocol between Britain France and Israel. Signed in France on 24 October 1956. (Highlights)**

The three governments agreed on the following course of action:

1. Israel attacks Egypt on 29 October 1956.
  2. The British and French governments, in response, request, on 30 October 1956, that Egypt and Israel withdraw their troops ten miles west and east of the Suez Canal respectively.
  3. Egypt is asked to accept the temporary occupation of key positions on the Canal by the Anglo-French forces.
  4. Failure of Egypt to comply with the Anglo-French ultimatum would result in the commencement of Anglo-French military action against Egypt starting 31 October 1956.
  5. The three government also agree that Israel is to occupy the western shore of the Gulf of Aqaba and the Islands of Tiran and Sanafir at the entrance to the Gulf (facing Sharm el-Sheikh).
  6. Israel undertakes not to attack Jordan during the period of operations against Egypt, but if Jordan should attack Israel, Britain undertakes not to come to the aid of Jordan.
  7. The arrangements of the present protocol must remain strictly secret.
  8. Signed by David Ben-Gurion (Israel), Patrick Dean (Britain), and Christian Pineau (France).
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**C. The Good Faith Agreement between Egypt and the UN – Aide-mémoire:  
General Assembly (A/3375) – 20 November 1956. (Highlights)**

The Government of Egypt and the Secretary-General of the United Nations arrived at an understanding on the basic principles for the presence and functioning of the United Nations Emergency Force (UNEF) in Egypt as follows:

1. The Government of Egypt declares that, when exercising its sovereign rights on any matter concerning the presence and functioning of UNEGF, it will be guided, in good faith, by its acceptance of General Assembly Resolution 1000 (ES-1) of 5 November 1956.
  2. The United Nations takes note of this declaration of the Government of Egypt and declares that the activities of UNEF will be guided, in good faith, by the task established for the Force in the aforementioned resolutions; in particular, the United Nations, understanding this to correspond to the wishes of the Government of Egypt, reaffirms its willingness to maintain UNEF until its task is completed.
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**D. Status of the Force Agreement between Egypt and the UN – General Assembly (A/1126-XI) – 22 February 1957. (Highlights)**

The two sides agreed that:

1. UNEF could not stay or operate in Egypt unless Egypt continued its consent.
  2. Agreed on the conditions and area of operations for UNEF.
  3. UNEF could not remain in Port Said or the Suez Canal Zone.
  4. The question of the reopening of the Suez Canal was separated from the functions of UNEF.
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## **E. Egyptian-UN officials' Meeting in Cairo – 6 January 1959. (Unpublished)**

### Top Secret

Minutes of the Meeting Between  
Dr. Mahmoud Fawzi, Egypt's Minister of Foreign Affairs  
and  
Mr. Dag Hammarskjold, Secretary-General, United Nations  
Attended by Egyptian and UN Officials

#### Attended By:

Mr. Dag Hammarskjold, United Nations Secretary-General  
Dr. Mahmoud Fawzi, Foreign Minister of Egypt  
Mr. Hussein Zul-Fiqar Sabri, Deputy Minister of Foreign Affairs of Egypt  
General Edison Burns, Commander, UNEF  
General Amin Hilmy II, Chief, Egyptian Liaison Officer with UNEF  
Mr. Fathi Radwan, Director of the Arab Affairs Dept., Egyptian Ministry of Foreign Affairs  
Mr. Hernando Sampir, Political Assistant to Mr. Hammarskjold  
Major Adly El-Sherif, Dept. of Palestine Affairs, Egyptian Ministry of Foreign Affairs

The Meeting was held at the Ministry of Foreign Affairs in Cairo at 11:30 AM on 6 January 1959.

#### Introduction:

Prior to the meeting Dr. Fawzi conferred with General Hilmy over the issues concerning Al-Arish Airport, and Al-Auga Road project, and other issues raised during the previous meeting between Dr. Fawzi and Mr. Hammarskjold. The Minister asked General Hilmy to explain all the issues involved in details during the current meeting.

The Meeting:

(Names without titles or ranks)

Fawzi: Welcomed Mr. Hammarskjold and General Burns and turned over the floor to General Burns to present his issues.

Burns: I would like to discuss the following subjects:

- A. The Al-Auga Road project which has reached point 267 near the international lines.
- B. The situation in Al-Arish Airport in light of the presence of UAR jet fighters next to the UN planes.
- C. The withdrawal of the Columbian Contingent.
- D. The presence of the Palestinian Police inside the 500 meter zone along the Armistice Line.

A. Al-Auga Road Construction:

Hammarskjold: I would like to mention that as far as the road project is concerned you have every right to build any road within your borders, and that the issue of sovereignty is not under discussion here as it is fully accepted.

Burns: The work on the road project has now reached the vicinity of the international borders. I have already written to General Hilmy concerning that, and he has informed Dr. Fawzi. I fear that a military clash might occur between the Egyptian troops, advancing ahead of the road project work crew, and the Israeli troops. I prefer, and the Secretary General agrees with me, that the road project stops without further progress in order to avoid any incidents.

Fawzi: When will the road project conclude?

Hilmy: It will conclude in a few weeks. I would like to comment on what General Burns said. The road under discussion is being built as part of a road network planned for the whole country. What General Burns described as advancing Egyptian troops are in fact few members of the Border Police Guard entrusted with the security of the equipment of the builder who is under

contractual obligations with the Government to complete the project. I also explained to General Burns that there is nothing in the Agreement (Status of the Force Agreement), from a legal or political standpoint, to prevent us from building the road. That is why the General's request was rejected when it was first made.

Fawzi: Although I am not a military man, but I can say that the remaining short distance for the completion of the project, which is about 3 kilometers, will not change the military situation at all.

Sabri: There is an existing United Nations Truce Supervision Commission (UNTSO) as well as UNEF troops in the area. They could be informed and take responsibility to prevent any incidents, and make determination of culpability.

Burns: There is no need to wait until a dozen of your men are killed before the Truce Commission makes a decision.

Sabri: Israel only observes the provisions of UNTSO with Jordan which are to its liking, such as Section 8 of the Agreement, but does not recognize the UNTSO Agreement with the UAR. For instance, Israel has completely violated the provisions for the Al-Auga demilitarized zone. What is required now is to demand that Israel recognizes and respects the application of UNTSO on the Egyptian Border.

Hammaraskjold: We are heading now towards more serious problems. Each problem has its time and its occasion. This is not a weakness or a compromise on our part, as we have already secured some privileges from the UAR government. The benefits of further extending the road currently under construction are extremely limited. The problem that appears small at present, in the light of the involvement of the UN Forces, could become a large problem. And if other small problems are added then in the end we will be facing a truly large problem indeed with a widening circle of conflict. I can anticipate tying these problems with other problems in other areas.

The lesson I have learnt from this region is that if we press on one finger the pain will be felt in another finger. That is why I connect these incidents with other incidents in the Northern Region

of the UAR (Syria) such as the Hula area. We are concentrating our efforts there now as there is a strong correlation between the two problem areas (Al-Augha, Egyptian Region and Hula, Syrian Region). I, therefore, confess that I have some serious concerns. I would like to enquire if you have any objections to the presence of the Yugoslav contingent alongside the road construction crew to help prevent any incident.

Hilmy: We not only welcome that, but we had already asked the Yugoslav forces which patrol the border area to be close to the road construction crew to avoid any problem but General Burns refused our request.

Burns: What are the reasons for building the road anyway?

Hilmy: My dear general, progress could be one of the reasons.

Sabri: Yes, that is very possible.

Hilmy: Why is this subject being taken as an aggressive act? Why not consider it a development effort in the Sinai Desert, and an effort to facilitate the lives of the Bedouins, as well as a means to combat smuggling? Why don't we consider the fact that the road did exist already and was destroyed by the Israeli forces during the last aggression? Finally, why don't we remember that Israel builds whatever roads it wants in the Negev?

Fawzi: Such question (by Burns) should not be addressed to a sovereign state, and General Burns knows that very well. I can refuse to discuss the subject altogether.

Hammar skjold: I hope it is taken as a suggestion to avoid confrontation, and not for any other motive.

Fawzi: Let us move to other subjects in the agenda.

Hammar skjold: Yes, but I have to confess that the road issue is still worrisome.

#### B. Al-Arish Airport:

Burns: According to the March Agreement (between the UN and Egypt) we have the freedom of passage and flight over Sinai. The UAR government has, consequently, allowed us the use of Al-

Arish airport. We have spent large sums on the airport, and General Hilmy has provided valuable assistance associated with our preparations. Lately, an Egyptian squadron of fighter jets arrived at the airport, causing our pilots a great deal of anxiety. The UN pilots were informed by Egyptian officers, not even posted at the airport, that if their planes were delayed by even two minutes from their E.T.A. they would be fired upon. Because the airport is surrounded by Egyptian troops and anti-aircraft artillery units, the pilots were concerned for their safety and the safety of their passengers of UNEF troops. Consequently, I was forced to order the suspension of all internal and external flights. I confirmed my order with our Flight base in Pisa in Italy.

The other issue associated with the airport is the theft of the electric cables and the landing lights of the runway and many other items by Egyptian military personnel. The situation has considerably improved, though, due to the efforts of General Hilmy. However, the situation at the airport is fraught with a great deal of uncertainty, and I require an urgent solution as we cannot continue operating under such circumstances.

Fawazi: I believe General Hilmy has something to say.

Hilmy: I heard from General Burns around midnight about his decision to suspend all flights. By six o'clock the next morning I had completed my investigations and informed the general that all his flights could resume normally as I am in a position to guarantee their safety. I explained to the general the circumstances of the air battle which took place over the airport, and that the request not to delay and to adhere to the E.T.A. of the UN planes was to guarantee the safety of the UN flights in the midst of military clashes. [Editor's Note: A week earlier Egyptian jet fighters intercepted Israeli jet fighters inside Egyptian airspace. The ensuing air battle between the two air forces took place in the vicinity of Al-Arish airport, the largest Egyptian air base in the Sinai as well as the base for UNEF air transport operations].

When General Burns flew to New York, I wrote to the Chief of Staff of UNEF candidly informing him that we authorize UNEF to use Al-Arish airport, but we do not authorize them to own it. The airport belongs to Egypt and will be used in accordance with Egyptian needs. I have repeatedly informed General Burns that our radar stations have repeatedly recorded the infiltration of Israeli planes of our airspace. The UN forces at the General's disposal are



completely unable to prevent such aerial infiltration unlike their ability to confront ground infiltration. We have the right, therefore, to defend our national territory which includes scrambling our fighter jets to meet the intruders. It is imperative, consequently, to account for all friendly UN planes in the air in order to separate them from enemy aircrafts.

It is an international practice for all planes to identify their locations so they can be tracked and, in case of an emergency, be found. Such practice is not considered an imposition of limitations on the freedom of flights as claimed by General Burns.

As for the incidents of theft, I can confirm that a soldier in one of the communications units was laying a cable for his unit along the UN cable. Later on when he retrieved the cable belonging to his unit he also retrieved the UN cable, mistakenly believing it to be part of a joint network. I ordered the UN cable returned to UNEF immediately.

Hammar skjold: This is what I call “Joint Operations”. (Laughter).

Sabri: Al-Arish airport is very important for our air defences and for tracking aircrafts in the air in order to avoid unintended clashes. General Burns has just acknowledged the extensive assistance provided by General Hilmy; it is not clear, therefore, the reasons for the complaints.

Hammar skjold: The defence around Al-Arish airport is the responsibility of the UAR government alone. But this situation has caused some problems due to the presence of the international forces at the same airport. Such a problem should not continue. Our generals have expressed their respective views on the issue.

Fawzi: I ask General Burns to comment on General Hilmy’s reply.

Burns: When the international force is operating in an area, there should not be other armed forces operating next to it in the same area.

Fawzi: This is not a “joint operation”, but a case of one force receiving assistance from another force.

Hilmy: The principle being invoked by General Burns has very serious adverse consequences. The UNEF has a logistical unit in Port Said. Should the UAR forces be withdrawn from this area in order not to be in the same area with UNEF? Moreover, the UNEF uses many transportation routes. Does that mean that we should withdraw all our forces from the routes used by the UN? Is it reasonable to accept that? The UN force is authorized to be stationed along the armistice lines and the international borders as its theatre of operations. Other areas are considered logistical bases and transportation routes only.

Hammaraskjold: I accept what General Hilmy has said. However, the occurrence of an air battle over Al-Arish and the presence of UAR fighter jets in the same airport where UN planes are stationed; will turn the airport into a military target for the Israeli fighter jets. We require a ruling in accordance with international law, because our presence in Al-Arish is very problematic.

Fawzi: I suggest that General Burns and General Hilmy hold a meeting this afternoon to study the Al-Arish airport issue, and we can then reconvene tomorrow at 4:00 in the afternoon to study the result of their discussions.

Burns: I held numerous meetings with General Hilmy, and we exchanged many letters concerning this issue. I want to state as a matter of principle that the presence of UAR forces alongside the neutral international force and to use the same airport under UAR control and commanded by a UAR officer renders the international force not strictly neutral.

Fawzi: What does General Hilmy think about coordinating the airport operations?

Hilmy: The UNEF is a neutral force. As far as we are concerned, they are not belligerent but guests in our country and we always treat them as such, and we offer all the facilities they require.

Hammaraskjold: I do not believe that our Generals will be able to resolve this issue.

Fawzi: I doubt that within 24 hours we will be able to discover new approaches.

Hammaraskjold: Clearly, the two Generals are holding fast to their positions.

Burns: I prefer to postpone dealing with this issue until a guiding principle is established. I will then study the new interpretation with General Hilmy.

Fawzi: Let us then deal with another Item.

#### C. The Withdrawal of the Columbian Contingent:

Burns: Since the withdrawal of the Columbians from participation in UNEF, the Indian and Brazilian units have been working overtime and are overextended to fill the gap. The peaceful conditions prevailing in the (Gaza) Strip at present - unlike the past – compel me to request the re-evaluation of this situation.

Fawzi: This is a purely political issue and is being evaluated between now and tomorrow.

Hammaraskjold: Of course General Burns was reviewing the situation of the Brazilian and Indian forces from a technical perspective.

Fawzi: We move on then to the next item.

#### D. The Palestinian Police:

Burns: General Hilmy has requested the cancellation of the previous agreement to maintain the 500-meter zone along the armistice line for the exclusive use by UNEF. He now considers this agreement already cancelled. General Hilmy has also requested the entry of the Palestinian Police to the zone. If the Palestinian Police is allowed into the zone, I fear that clashes might occur between the Palestinians and the Israelis. In the past, when the UN forces were using the zone alone, peaceful conditions prevailed to the benefit of the Strip, so why change the arrangements now?

I do not agree that the Palestinian Police should be present in the border zone, and I have communicated my position to the Secretary General. I was supposed to discuss that with General Hilmy after meeting Dr. Fawazi, but unfortunately Hilmy's illness prevented me from completing the discussions.

Hammaraskjold: Of course this issue has nothing to do with your sovereignty in the Strip.

Hilmy: The Palestinian Police was supposed to enter the zone from the beginning. General Burns was asking me to expedite the entry of the Police to participate with the UN forces in overseeing the Armistice Line area. General Burns suddenly changed his mind and the resulting exclusion of the Palestinian Police has continued until now. The Egyptian Administration has noticed that the Police do not have the freedom of action to maintain security in this area along the Armistice Line. Based on past experience, we have found that asking permission from UNEF for the Police to enter the area is impractical, insulting and violates our sovereignty and we cannot accept it.

Burns: What kind of police is the general talking about, regular soldiers or guerillas?

Hilmy: Do the guerillas have an identifiable badge known to General Burns?

Burns: I see them myself armed with machine guns.

Hilmy: Any police force in any country has regular soldiers and plain-cloth elements. I had explained that in details in a meeting with the UNEF Chief-of-Staff, and a record of the meeting was sent to New York and there is no reason to repeat all that here. Unfortunately, my illness at the time prevented me from reaching an agreement with General Burns until now.

Fawzi: This is a lesson that General Hilmy does not get ill again.

Hilmy: I would like to present some practical examples. Sometimes, the Narcotics Bureau requests, based on their information about drug smuggling from Israel across the Armistice Line, assistance in allowing a tracker to identify the route of the smugglers. This happens sometimes around midnight or at dawn. It is not practical to ask the General's permission to enter the zone, and in turn he gives permission to the battalion commander who then passes the order to the platoon commander, etc. This is totally impractical as we found out from past experience.

Sabri: It is known that Israel encourages such smuggling, and even participates in the operations.  
Hammaraskjold: Why does Israel participate in narcotics smuggling? I am not aware of the reasons for that.

Hilmy: As Japan did in encouraging opium use in China.

Hammaraskjold: I appreciate what General Hilmy has said and understand the resulting problems because of such situation.

Burns: I can discuss this issue with General Hilmy. We can then submit a report to you about the results of our discussions.

The Meeting Adjourned

(Minutes Ended)

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## F. Egyptian – UNEF Agreements

UNEF was able to reach accommodation and strike agreements with the Egyptian Government on host of issues. The following are examples of such cooperation:

Exchange of Letters. Confirming Egypt-UNEF agreement between the United Nations and the Government of the United Arab Republic.

17 October 1960

No. 5575

UNITED NATIONS and UNITED ARAB REPUBLIC

*Official text: English.*

*Registered ex officio on 13 February 1961.*

No. 5575. Exchange of letters constituting an agreement between the United Nations and the Government of the United Arab Republic concerning the settlement of claims between the United Nations Emergency Force and the Government arising out of traffic accidents. Gaza 14 October 1959 and Cairo 15 September and 17 October 1960.

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## Egypt-UNEF Exchange of Letters

ONE

UNITED NATIONS EMERGENCY FORCE

Headquarters – Gaza

14 October 1959

Dear Brigadier-General Hilmy,

I should like to refer to the previous correspondence between the UNEF Legal Adviser and your Office concerning the settlement of claims arising out of traffic accidents.

It is an unfortunate fact that in an operation involving the use of a large number of motor vehicles, occasional traffic accidents are unavoidable despite the most rigorous safety precautions. Experience, however, has shown that while over a period of time, the number of accidents may be considerable, strict preventive and disciplinary measures are likely to reduce the gravity of damage caused by such accidents. I have good reason to believe that, in the long run, the ultimate balance of accounts reflecting reciprocal traffic accident claims between the UAR authorities and UNEF would show an amount relatively small in relation to the number of cases involved, and that this amount would certainly not be important enough to justify the effort and expense involved in a mutual presentation and negotiation of settlement of each individual claim.

I should therefore like to propose the following arrangement, based on the procedure applicable to the settlement of similar claims as between national contingents serving in UNEF, for a reciprocal elimination of claims which UNEF and the UAR Government may have against each other in connection with traffic accidents:

1. UNEF and the Government of the UAR agree, on the basis of reciprocity, to waive and consider as non-existent claims resulting from traffic accidents which involve:

*a.* A motor vehicle or vehicles owned or operated by, or on behalf of, (i) UNEF, (ii) the armed forces in the S.R. of the UAR or the Administration of the Administrative Governor-General of the Gaza Strip; and

*b.* Loss of, or damage to, the property owned, leased, requisitioned, or otherwise placed under the control or at the disposal of (i) UNEF, (ii) the armed forces in the S.R. of the UAR or the Administration of the Administrative Governor-General of the Gaza Strip.

2. This agreement covers all claims involving loss or damage to the property specified in paragraph 1 (*b*) above, including the cost of replacement or repairs, loss of use or earnings, and other incidentals, and covers actual expenditures as well as any contingent liability.

3. This agreement is not intended to affect claims for death or bodily injury sustained in connection with traffic accidents by drivers or passengers of the vehicles involved or by any other persons. It is understood, however, that neither UNEF nor the Government of the UAR would seek to claim against each other the reimbursement of expenditures incurred by providing to its employees or personnel medical treatment, sick leave pay, compensation for incapacity, or any other payments due to them under the provisions of workmen compensation laws or other regulations applicable to service-incurred injuries, and that any funds so expended are to be considered as constituting a property loss sustained by one of the parties.

4. Nothing in this agreement shall be deemed to affect any right or claims which UNEF or the Government of the UAR may have under insurance policies or as against third persons.

5. This agreement may be terminated by either party upon 30 days-notice, if it should be established by practical experience that there is a considerable disproportion in the number and importance of accidents attributable to the other party. I should appreciate receiving from you a confirmation of the above-proposed terms of agreement at your earliest convenience.

Yours sincerely,

E. L. M. BURNS  
(Lieutenant-General)  
Commander, UNEF

Brigadier-General A. Hilmy II  
Chief of Staff  
UAR-LS

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**TWO**

UNITED ARAB REPUBLIC  
MINISTRY OF WAR  
Palestine Affairs Department

Cairo, 15 September 1960

Dear Lt. General Gyani,

Reference your letter dated 14 October 1959 concerning the settlement of claims arising out of traffic accidents between the Government of the UAR and UNEF. I should like to inform you that I agree to the terms proposed as follows:

*[See letter I]*

'Yours sincerely,

Brig. General H. S. GOHAR  
Director of Palestine Affairs Department

Lt General P. S. Gyani  
Commander UNEF  
Gaza

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**THREE**

## UNITED ARAB REPUBLIC

Ref. 3226/501

17 October 1960

My dear General Gyani,

General Burns had written to me on 14 October 1959 regarding the arrangements of "Knock-for-Knock" between UNEF HQ and the appropriate authorities in UAR.

After the matter has been studied and revised by the State Council, I have the pleasure to advise you that the appropriate authorities in UAR has agreed and accepted all the items in your letter. Furthermore, herewith you will find the letter to be exchanged in order to put this Agreement into effect.

Yours sincerely,

Major-General Amin HILMY II  
Commander UAR LS to UNEF

Lt. General P. S. Gyani  
Commander UNEF  
Gaza

No. 5575 (1) Came into force on 17 October 1960 by the exchange of the said letter

**Source:**

Exchange of letters between the United Nations and the United Arab Republic (dated 14 October 1959, 15 September 1960, and 17 October 1960). **United Nations Treaty Series No. 5575**. The agreements came into effect on 17 October 1960 and registered ex officio on 13 February 1961. New York: UN Treaty Series.

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