

than mere delay, it should serve to make Israel Government aware of importance of early solution to Banat Yaacov. If Israel Government should refuse cooperation in efforts bring about early relaxation of tension resulting from construction there would be increased debt pressures with resultingly greater possibility of default early in 1954.

RUSSELL

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No. 675

681.44A:22/9-2653: Telegram

*The Chargé in Israel (Russell) to the Department of State*<sup>1</sup>

SECRET      PRIORITY      TEL AVIV, September 26, 1953—6 p. m.

366. Called this afternoon on Foreign Minister at his invitation his residence Tel Aviv. He made following points:

(1) Whereas in past with reference to drainage scheme United Nations at no time expressed opposition to scheme itself, Bennike decision does.

(2) In past requests to interrupt work had always been for definite period rather than indefinitely as in present instance.

(3) While Pennike's letter does not explicitly refer to agreement with Syria it is implied. Decisions of chairman UNTSO with regard to stoppage or commencement of work have never been contingent in past on obtaining Syrian agreement. Inasmuch as Syrians continue to pursue policy of economic warfare, compliance means agreeing to "death warrant for any development in demilitarized zone". As analogy Sharett referred to request by mandatory power in 1936 for temporary suspension of immigration. It was even harder in that case for Jews to refuse request as it meant loss of lives, he said, but they felt it essential do so because compliance would have destroyed position in international law.

Foreign Minister went on to say that fortunately there were features in both letters (Embassy telegrams 355, 356)<sup>2</sup> which mitigated seriousness of situation. Referred specifically to fact that Bennike's text does not explicitly state "agreement with Syria"; to Israel's position that request cease work was not ultimatum since no date given; and to fact that while his own letter asserts request unjustified, it does not say Israel will not comply. Suggested that if it were possible make clear that United Nations not questioning legitimacy of work as such, that stoppage is not for indefinite period, and that work agreement means Israel Government agreement

<sup>1</sup> Repeated to Damascus, London, Paris, Jerusalem, Amman, Beirut, Baghdad, Cairo, and Jidda.

<sup>2</sup> Not printed, but see footnotes 2 and 3, *supra*.