

UN Security Council Resolution 95

Resolution of 1 September 1951

Concerning the Passage of Israeli Ships through the Suez Canal

[S/2322]

The Security Council,

Recalling that in its resolution 73 (1949) of 11 August 1949 relating to the conclusion of Armistice Agreements between Israel and the neighbouring Arab States it drew attention to the pledges in these Agreements "against any further acts of hostility between the parties"

Recalling further that in its resolution 89 (1950) of 17 November 1950 it reminded the States concerned that the Armistice Agreements to which they were parties contemplated "the return of permanent peace in Palestine", and, therefore, urged them and the other States in the area to take all such steps as would lead to the settlement of the issues between them,

Noting the report of the Chief of Staff of the United Nations Truce Supervision Organization in Palestine to the Security Council of 12 June 1951,^{1/}

Further noting that the Chief of Staff of the Truce Supervision Organization recalled the statement of the senior Egyptian delegate in Rhodes on 13 January 1949, to the effect that his delegation was "inspired with every spirit of co-operation, conciliation and a sincere desire to restore peace in Palestine", and that the Egyptian Government has not complied with the earnest plea of the Chief of Staff made to the Egyptian delegate on 12 June 1951, that it desist from the present practice of interfering with the passage through the Suez Canal of goods destined for Israel,

Considering that since the armistice regime, which has been in existence for nearly two and a half years, is of a permanent character, neither party can reasonably assert that it is actively a belligerent or requires to exercise the right of visit, search and seizure for any legitimate purpose of self-defence.

Finds that the maintenance of the practice mentioned in the fourth paragraph of the present resolution is inconsistent with the objectives of a peaceful settlement between the parties and the establishment of a permanent peace in Palestine set forth in the Armistice Agreement between Egypt and Israel;^{2/}

Finds further that such practice is an abuse of the exercise of the right of visit, search and seizure;

Further finds that that practice cannot in the prevailing circumstances be justified on the ground that it is necessary for self-defence;

And further noting that the restrictions on the passage of goods through the Suez Canal to Israel ports are denying to nations at no time connected with the conflict in Palestine valuable supplies required for their economic reconstruction, and that these restrictions together with sanctions applied by Egypt to certain ships which have visited Israel ports represent unjustified interference with the rights of nations to navigate the seas and to trade freely with one another, including the Arab States and Israel,

Calls upon Egypt to terminate the restrictions on the passage of international commercial shipping and goods through the Suez Canal wherever bound and to cease all interference with such shipping beyond that essential to the safety of shipping in the Canal itself and to the observance of the international conventions in force.

Adopted at the 558th meeting by 8 votes to none, with 3 abstentions (China, India, Union of Soviet Socialist Republics).

1/ Ibid., Supplement for 1 April through 30 June 1951, document S/2194.

2/ Ibid., Fourth Year, Special Supplement No. 3.