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PERMANENT MISSION OF ISRAEL  
TO THE UNITED NATIONS

STATEMENT

by

HER EXCELLENCY MRS. GOLDA MEIR  
MINISTER FOR FOREIGN AFFAIRS

in the

SECURITY COUNCIL

WEDNESDAY, 22 JUNE 1960.

Mr. President,

My Government deeply regrets that the Argentine Government found it necessary to bring this question before the Security Council. Our regret is first because we have always had the most friendly relations with the Argentine people and its Government, relations which we deeply value, and secondly, that we have to discuss here, in this forum, the fact that Adolph Eichmann, one of the top war criminals, was discovered by Jews, including Israelis, and taken to Israel.

I am in full accord with the learned and distinguished Representative of the Argentine in his desire to keep this discussion on the highest level and to avoid recriminations, and I regret that in the course of my statement I am going to have to take exception to some of his remarks and the manner in which he expressed himself. At the same time, with reference to what he said at the beginning of his speech this morning, I wish once again to place on record our appreciation of the help which we have received from the Government and the people of the Argentine, with whom we have always had the most friendly relations. We hope these friendly relations will continue. We are firmly convinced that there is only one firm foundation for friendly relations, namely, that they are based on a proper appreciation of the mutual advantages which they give to both sides.

In our Note to the President of the Security Council last night (S/4341) we referred to two aspects which we consider of great significance. The first concerned the competence of the Security Council under Article 34 of the Charter, which is the Article invoked by Argentina, and we also explained why we cannot and do not share the view of the Argentine Government regarding the failure of diplomatic representations and we

gave four reasons why we hold that point of view.

The first reason was that the Note Verbale of 3 June 1960 contained an ultimatum.

The fourth of those reasons, and in our view perhaps the most significant, was that a meeting between the Prime Minister of Israel and the President of Argentina has been arranged to take place in Europe later this week. In his statement this morning, the distinguished Representative of Argentina, partly on the basis of press reports, suggested that in view of the known attitude of the Government of Israel on the question of the return of Eichmann to Argentina, and of conditions laid down by Mr. Ben-Gurion, the Government of Argentina does not believe that there exists at the present time the requisite minimum basis for negotiation, and therefore President Frondizi cannot agree to a meeting the results of which have been vitiated in advance. I am informed by the Prime Minister that he was reported out of context, and that the word "condition" should not appear. I think it would interest members of the Security Council to be informed of the contents of a Note Verbale received this morning by our Embassy in Brussels from the Embassy of Argentina in that city. That Note Verbale states:

" Since the Government of Israel has submitted a Note to the United Nations, the President considers that the meeting would not be possible until after the United Nations has dealt with this question. The President very much regrets that the Note which has been presented by Israel has changed the situation."

Members of the Security Council can judge for themselves what the true situation is, and what are the reasons for it, regarding the meeting between the two leaders. If the meeting does not take place, despite our readiness for such a meeting, it is

Argentine.

The distinguished Representative of the Argentina referred to the meeting which took place recently here in New York between himself and myself. I wish to take this opportunity to express my appreciation that the Representative of Argentina, with the consent of his Government, made this meeting, which I requested, possible and I can only regret that we were not successful there in reaching an amicable and mutually satisfactory solution of our problem.

The distinguished Representative of Argentina referred to the fact that in the Republic of Argentina there lived several hundreds of thousands of Jews and that all of them, both under the law and in custom, enjoyed absolute equality of treatment. I wish to assure the Government of Argentina, through its Representative here, and the members of the Security Council that the Government and people of Israel, and I am sure Jews the world over, are aware of this and appreciate the freedom and equality which the Jewish community of the Argentine enjoys.

I do not wish to occupy the time of the Council with a detailed refutation of the legal argumentation which was adduced this morning by the distinguished Representative of Argentina, whose legal qualifications and skill are well-known to all delegations in the United Nations. At this stage I merely wish to reserve the right of my delegation to make further observations on that part of the statement if we find this to be necessary after we have given it the full and dispassionate consideration which it merits. However, I find it necessary to amplify a little what we put forward in our Note yesterday (S/4341) regarding the competence of the Security Council under Article 34 of the Charter and I must say that the distinguished Representative of the Argentine has certainly not answered our objections, or rather limitations,

I must again stress, is the Article, the only Article, invoked by the Government of the Argentine in its request to the Council.

That Article states:

" The Security Council may investigate any dispute, or any situation which might lead to international friction, or give rise to a dispute..."

I wish to stress the words "may investigate." The Article goes on to specify the one and only legitimate purpose of that investigation:

" ... in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security."

This means that the Council can only take action in accordance with that Article. My Government is bound, therefore, to regard as ultra vires any resolution which may not be in conformity therewith.

There are, however, one or two parts of the ostensibly legal argument which transcend the limits of legal argument and which I am sure were included by the distinguished Representative of Argentina without full appreciation of their more general implications, and to these I must make a brief but emphatic reply now.

In one part of the statement the distinguished Representative of Argentina based an argument on the fact that not only Eichmann had entered and established himself in Argentina under false papers and irregularly, but also many refugees, including Jewish refugees, from Nazi oppression. I find it quite extraordinary that even in the context of legal argument the distinguished Representative of Argentina found it possible and appropriate to speak in one and the same breath of Eichmann and of his victims. With all my love of equality as a sacred political concept, I am quite unable to accept this kind of

Having said that, I wish to say we recognize that the persons who took Eichmann from Argentina to Israel broke the laws of Argentina. For this the Israel Government has apologized to the Argentine Government through a Note, dated 3 June 1960, stating:

" Should it be that the group of volunteers violated Argentine law or infringed the sovereign rights of Argentina, the Government of Israel expresses its regret. The Government of Israel requests that the extraordinary significance of bringing to trial a person who bears the responsibility for the murder of millions of our people be taken into consideration and that it be noted that these volunteers, themselves among the survivors of the Nazi halocaust, placed this historical mission above all other considerations. The Government of Israel is fully confident that the Government of Argentina will reveal understanding for these historical and moral values. "

and in a personal letter from the Israel Prime Minister to President Frondizi, in which he stated:

" Though I do not question for a moment the duty of every State to respect its neighbour's laws - and we regard the Argentine Republic of which you are the head, as an outstanding example of a State founded on respect for law -- yet we can appreciate the overriding motives whose tremendous moral and emotional force underlay the determination to find the chief murderer and to bring him, with his consent, to Israel.

" I am convinced that Your Excellency will give full weight to the transcendental moral force of these motivations, for you yourself have fought against tyranny and shown your deep regard for human values. I hope you will understand our feelings, accept the expression of our sincere regret for the violation of your country's laws which was the result of an inner moral imperative, and associate yourself with all the friends of justice in the world, who see in the trial of Adolf Eichmann in Israel an act of supreme historic justice, and that the friendly relations between Israel and your country will not be impaired.

But my Government sincerely believes that this isolated violation of Argentine law must be seen in the light of the exceptional and unique character of the crimes attributed to Eichmann on the one hand, and the motives of those that acted in this unusual manner on the other hand.

Mr. President,

These men belong, as do I, to a people whose tragedy in the Second World War is unmatched in history. No people in modern times has ever mourned the loss of one-third of its people in so short a period. We were 18 million at the beginning of the War; we were 12 million when the War was over. Six million of European Jewry were gassed and murdered, among them over one million children.

Historians of this period tell us that the Nazis were responsible for the death of 12 million civilians, not as a result of military operations but as a result of the naked design to enslave and annihilate those populations who did not fit into their picture of a new world order. Half of these were Jews and the other half Slavs, predominantly Russians and Poles.

Hitler divided the peoples of the world into several categories: Germans - the Herrenvolk; French, British, Scandinavians and a few other nations to be absorbed into the Nazi Herrenvolk; Slavic peoples - some to be exterminated, and the rest to be turned into slaves of the Germans; Negroes were not even to be considered human; and Jews - physical extermination of every man, woman and child. Only for Jews was there to be an immediate "final solution".

The Nuremberg Tribunal made a finding that -

" In the summer of 1941...plans were made for the 'final solution' of the Jewish question in Europe. This 'final solution' meant the extermination of the Jews, which early in 1939 Hitler had threatened would be one of the consequences of an outbreak of war, and a special section in the Gestapo under Adolf Eichmann, as head of Section B 4 of the Gestapo, was formed to carry out the policy. "

In the record of the Nuremberg Trial, we read what Wisliceny, Eichmann's aide, said on the process of the "final

" Until 1940 the general policy within the section was to settle the Jewish question in Germany and in areas occupied by Germany by means of a planned emigration. The second phase, after that date, was the concentration of all Jews, in Poland and in other territories occupied by Germany in the East, in ghettos. This period lasted approximately until the beginning of 1942.

" The third period was the so-called 'final solution' of the Jewish question, that is, the planned extermination and destruction of the Jewish race; this period lasted until October 1944, when Himmler gave the order to stop their destruction. "

He further states, in answer to a question whether in his official connection with Section IV-A,4 he learned of any order which directed the annihilation of all Jews, he said:

" Yes, I learned of such an order for the first time from Eichmann in the summer of 1942. "

Hitler did not solve the Jewish question according to his plans. But he did annihilate 6 million Jews -- Jews of Germany, France, Belgium, Holland, Luxemburg, Poland, USSR, Hungary, Yugoslavia, Greece, Italy, Czechoslovakia, Austria, Roumania, Bulgaria. With these Jews there were destroyed over 30,000 Jewish communities which for centuries had been the centre of the Jewish faith, learning and scholarship. From this Jewry stemmed some of the giants in the field of arts, literature and science. Was it only this generation of Jews of Europe that was gassed? One million children - the future generation - were annihilated. Who can encompass this picture in all its horror and its consequences for the Jewish people for many generations to come and for Israel? Here was destroyed the natural reservoir for all that is needed for a new country - learning, skill, devotion, idealism, a pioneering spirit.

And what about those who remained alive? Who are they? Each individual is a splinter of a family destroyed - each one lives in the nightmare recollection of his dearest and closest



led to the crematorium. Mothers who have seen their babies thrown into the air and used as targets for Nazi bullets. Thousands upon thousands of Jewish women will never be mothers because of Nazi "scientific experiments" performed on them. Israel alone has within its borders tens of thousands of the maimed and sick, all victims of the attempt to solve the Jewish question.

Rudolph Hoess, the Commandant of Auschwitz, testified at the Nuremberg trial as follows:

" We had two SS doctors on duty at Auschwitz to examine the incoming transports of prisoners. The prisoners would be marched past by one of the doctors, who would make spot decisions as they walked by. Those who were fit for work were sent into the camp. Others were sent immediately to the extermination plants. Children of tender years were invariably exterminated since by reason of their youth they were unable to work. Very frequently women would hide their children under their clothes but, of course, when we found them we would send the children in to be exterminated. "

He goes on to describe the killing:

" It took from 3 to 15 minutes to kill the people in the death chamber -- we knew when the people were dead because their screaming stopped. After the bodies were removed, our special commandos took off the rings and extracted the gold from the teeth of the corpses. "

Rudolph Hoess says that in Auschwitz 2,500,000 Jews were gassed.

There was no lack of heroic attempts to resist this mass slaughter. The most dramatic attempt was made in the Warsaw Ghetto. How these courageous people were dealt with by the Nazis is related by SS Brigadier General Stroop, Military Commander of Warsaw, in one report dated April-May 1943 :

" Countless numbers of Jews were liquidated in sewers and bunkers through blasting. Police and Wehrmacht discharged their duties in an exemplary manner. Stroop recorded that his action at Warsaw eliminated ' a proved total of 56,065 people. To that we have to add the number of those killed through blasting, fire, etc. which cannot be counted. ' "

According to the Nuremberg judgment:

" Adolph Eichmann, who had been put in charge of this programme by Hitler, has estimated that the policy pursued resulted in the killing of 6 million Jews, of which 4 million were killed in the extermination institutions. "

Mr. President,

I will not go on with descriptions of these horrors. It would take years to relate all.

But let us see what was Eichmann's role. Was he an unimportant cog in this monster machine of death and torture?

No! He was in charge of this department. Wisliceny says on this subject:

" Eichmann had special powers from Muller, his immediate superior, and from the Security Police. He was responsible for the so-called solution of the Jewish question in Germany and in all countries occupied by Germany. "

Bruno Wanek, another witness at the trial of the major was criminals, says:

" Eichmann has occupied, already in Heydrich's lifetime, respectively, a dominant, or absolute special position, constantly widening and growing and in the whole Jewish sector (meaning within the Reichssicherheitshauptamt), he has acted fully independently. Then, after Heydrich's death till the end he was directly responsible to Himmler. This fact was, to my knowledge, generally known, within RSHA. "

Affidavit incorporated in the records of the abovementioned trial, by Walter Huppenkothen, Gestapo Officer:

" The Jewish Section (IV-b.4, later IV-A,b.4) and its director, SS-Obersturmbannfuehrer Eichmann, occupied a special position in Amt.IV. It (the Section) was situated in a building on Kurfuerstenstrasse, in which Eichmann and most officials of his service unit lived as well. Eichmann himself and a major portion of the officials of his service unit were not civil servants but officers of the S.D. (Security Service.) "

It should be noted in this connection that the so-called Jewish section and all of Amt.IV were declared by the Nuremberg judgment to be a criminal organization.

And how did Eichmann carry out his task? Here is what Hoess, in his Memoirs written in the Warsaw prison, says about this:

" Eichmann was a vivacious, active man in his thirties, and always full of energy. He was constantly hatching new plans and perpetually on the lookout for innovations and improvements. He could never rest. He was obsessed with the Jewish question and the order which had been given for its final solution."

And he goes on:

" Yet even when we were quite alone together and the drink had been flowing freely so that he was in his most expansive mood, he showed that he was completely obsessed with the idea of destroying every single Jew that he could lay his hands on. "

And he quotes Eichmann:

" Without pity and in cold blood, we must complete this extermination as rapidly as possible. Any compromise, even the slightest, would have to be paid for bitterly at a later date. "

Morgen, a witness for the defense at the Nuremberg Trial, tells of his horror over what he found in the camps. He said:

" I asked the SS Court at Berlin to investigate Eichmann on the basis of my report. The SS Court in Berlin thereupon submitted to the chief of the Reich Security Main Office, SS-Obergruppenfuehrer Kaltenbrunner, in his capacity as highest judge, a warrant to arrest Eichmann. Dr. Bachman reported to me that on the submission of this matter, rather dramatic incidents took place. Kaltenbrunner immediately called in Muller, and now the judge was told that an arrest was in no event to be considered, for Eichmann was carrying out a special secret task of utmost importance entrusted to him by the Fuehrer. "

Wisliceny was asked: " Did he (Eichmann) say anything at that time as to the number of Jews that had been killed? "

The answer:

" Yes, he expressed this in a particularly cynical manner. He said he would leap laughing into the grave because the feeling that he had 5 million people on his conscience would be for him a source of extraordinary satisfaction. "

Mr. President,

This is 1960 --fifteen years after Nazi Germany was defeated. Is it not inconceivable that Eichmann has enjoyed

freedom during all these years? That he has not been brought to trial? Is this not a violation of the sovereignty of the spirit of man and of humanity's conception of justice?

It is not a matter of revenge. In the words of the Hebrew Poet Laureate - Bialik - the devil himself cannot think up a revenge for the murder of one single child.

It is a matter of justice.

One of the major war criminals, Frank, governor-general of Nazi-occupied Poland, said at the Nuremberg trial:

" A thousand years will pass and this guilt of Germany will not be erased."

Is 15 years long enough a period to forget? Could a Jew be expected to forget that Eichmann is still free?

What wonder that many Jews could find no rest until they ascertained whether he was alive and tracked him down. Are these the " armed bands" referred to in the statement of the distinguished Representative of the Argentine?

Mr. President,

I am convinced that many in the world were anxious to bring Eichmann to trial but the fact remains that for fifteen years nobody found him. And he could break laws, of who knows how many countries, by entering them under a false name and forged passport, and abuse the hospitality of countries which, I am sure, recoil in horror from his deeds. But Jews, some of whom personally are the victims of his brutal actions, found no rest until they located him and brought him to Israel -- to the country to whose shores hundreds of thousands of the survivors of the Eichmann horror have come home; to the country that existed in the hearts and minds of the 6,000,000 , as on the way to the crematoria they chanted the great Article of our Faith -- " Ani maamin be'emuna shlema beviat haMashiah" -- I believe with perfect faith in the coming of the Messiah.

A considerable part of the address we heard this morning was devoted to elaborating the charge that the State of Israel has violated the sovereignty of Argentina. I emphatically deny this charge. The State of Israel has not violated the sovereignty of Argentina in any manner whatsoever and there is nothing in the record to enable the Security Council to make any such finding. The Government of Israel has made clear in official communications to the Argentine Government, which appear now on the record of the Security Council, that certain of its nationals in the course of their efforts to bring Eichmann to justice, may have committed infringements of the law of Argentina, and it has already twice expressed its regrets for this. I wish to repeat in all solemnity before this Council my Government's regret at any infringements of the law of Argentina which may have been committed by any Israel nationals. But, with the greatest respect for the distinguished Representative of the Argentine, I think that he is in complete error, as a basic legal proposition, in confusing the illegal actions of individuals, for which regrets have been expressed, with a non-existent intentional violation of the sovereignty of one member-State by another. This distinction is so fundamental, and so well-established in international law, that I am at a complete loss to understand how it could be expected that the Security Council should make so far-reaching a finding as is implicit in the statement we heard this morning without any adequate basis in fact and in law. And again I want to stress that if Israeli citizens broke the law of Argentine, they broke it not in tracking down any ordinary criminal but in tracking down Adolph Eichmann. And here I must ask: Would Argentina have admitted Adolph Eichmann into its territory had it known his true identity? Would asylum have been accorded him? Surely not. The distinguished delegate of Argentina expressed anxiety that this, if not dealt with by the Security

no such other monster as an Adolph Eichmann.

The distinguished Representative of the Argentine has sought to contrast the norms of ordinary legal procedure on the one hand with resort to lynchings and mob violence on the other. Insofar as he sought in the latter connection to draw an analogy to the apprehension of Eichmann, there is no analogy. Far from lynching Eichmann or hanging him on the nearest tree, those who pursued him over 15 years and finally seized him have handed him over to the processes and judgement of the courts of law. The reference to mob passions and lawless justice in this context is unwarranted and provocative. This is not only my view and that of the Government of Israel. It is also shared by prominent Argentinians. In an article by the well-known publicist, published in the important paper EL MUNDO of 17 June, Ernesto Sabato, under the suggestive title "SOVEREIGNTY FOR BUTCHERS", we read:

"How can we not admire a group of brave men who have during the years endangered their lives in searching throughout the world for these criminals, and had yet the honesty to deliver him up for trial by judicial tribunals instead of being impelled by an impulse of revenge and finish him off on the spot."

I am sure that view is echoed in many parts of the world.

In introducing this draft resolution the distinguished Representative of the Argentine expressed his desire to offer a conciliatory approach for the conclusion of the present debate. I appreciate these sentiments which we fully share. I do not wish at this stage to comment in detail on the draft resolution which he proposed, while fully reserving the right of my delegation to do so in due course. I will content myself now with putting one question to the distinguished Representative of the Argentine. In paragraph 2 of the operative clause he refers to "an adequate reparation". My question to the Representative of the Argentine is: What is the meaning of the expression "adequate reparation?"

In putting this question I wish to repeat the general reservation we have made regarding the competence of the Security Council under Article 34 of the Charter and my question is solely directed to the purpose of obtaining the necessary clarifications so that the members of the Security Council who may be called upon to vote on this resolution will know what they are voting about. In the view of my Government the expressions of regret which we have already made directly to the Argentine Government, and repeated here by me to-day, constitute adequate reparation.

Will not our Argentinian friends see the exceptional nature and uniqueness of this case? I am sure that their conception of right and justice must place this isolated incident in its proper perspective.

I again ask - Is this a problem for the Security Council to deal with? This is a body that deals with threats to the peace. Is this a threat to peace -- Eichmann brought to trial by the very people to whose total physical annihilation he dedicated all his energies, even if the manner of his apprehension violated the laws of the Argentine? Or did the threat to peace lie in Eichmann at large, Eichmann unpunished, Eichmann free to spread the poison of his twisted soul to a new generation?

We value the friendship of the Argentine people; we fully understand its concern for its sovereignty; but we also respect it for its sense of justice. It is because we know that no threat to the sovereignty of the Argentine or of any other country has or will come from Israel, because of the sense of justice we both share, that we say in real friendship that this is not an item that should divide us any longer.