

QUICK ACT SOUGHT

Move in Security Body Seeks Combat Halt 36 Hours After Request

RUSSIA FOR CONSIDERATION

Gromyko Does Not Endorse Resolution—Austin Declares a Threat to Peace Exists

The text of Mr. Austin's statement in the U. N., Page 6.

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Special to THE NEW YORK TIMES.

LAKE SUCCESS, N. Y., May 17.—The United States presented a resolution to the United Nations Security Council today ordering Jews and Arabs to stop fighting in Palestine within thirty-six hours after adoption of the proposal.

The Soviet Union demanded immediate consideration of the United States resolution, but did not specifically endorse it.

Warren R. Austin, United States representative, proposed a companion list of questions, to be addressed to the new Jewish State, the Arab Higher Committee, and the seven countries that constitute the Arab League. This was endorsed by Andrei A. Gromyko, Soviet representative.

Delegates to Consult Governments

Since none of the other members of the Council was willing to discuss the content of the United States resolution, the only discussion that took place developed in the United States questionnaire. Despite Mr. Gromyko's demand for immediate action on it, the Council adjourned early to permit the delegates to ask the views of their home governments.

In urging the postponement, Dr. T. F. Tsiang, Chinese representative, said the questionnaire should not be sent out until tomorrow and that the authorities concerned should have forty-eight hours in which to answer it. His request for a postponement was supported by Sir Alexander Cadogan, British representative.

The United States resolution marks the first time that a member of the Security Council has requested action under Chapter VII of the Charter, which authorizes enforcement measures against an aggressor that range from economic sanctions to a declaration of war by all members of the United Nations. Last year the Security Council adopted a resolution calling for a truce in Indonesia, and another calling for a truce in India on the Kashmir question, but both were based on Chapter VI of the Charter. This applies merely to the peaceful settlement of disputes and situations threatening, and nobody is required to do what the Council says.

Under Chapter VII, however, a truce resolution is binding upon all member nations. The Council has power under Chapter VII to or-

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der two nations that are at war to accept the Council's recommendation for a settlement.

This distinction was made by Mr. Austin in his speech to the Council last February on the Palestine question, which defeated any hope of carrying out partition in an orderly manner. At that time Mr. Austin emphasized that the Council had no power to compel either side to accept the partition resolution of the General Assembly. He acknowledged its power to order a truce, but said that at that time there was no threat to peace and security.

Today, however, the United States resolution specified that "the situation in Palestine constitutes a threat to the peace and a breach of the peace" within the meaning of Article 29. This was one of the provisions of Chapter VII which the partition resolution asked the Security Council to invoke if the need arose.

Mr. Austin, who was not informed in advance of the United States decision to recognize the State of Israel, made no reference today to the new reversal of the United States position on the Palestine question. Among other reasons, it is supposed this was hurried through in order to beat the Soviet Union to recognition of Israel, which was proclaimed this afternoon.

Relations between the new State of Israel and the United Nations have not been defined, but a spokesman for the Jewish Agency for Palestine said tonight that "we are very pleased" and "it is extremely heartening to have the United States and the Soviet Union once in agreement on the question of Palestine."

Although the United States and the Soviet Union both supported partition at the General Assembly last fall, each ignored officially the fact that the other was on the same side. This procedure was repeated today by Mr. Gromyko, who managed to avoid referring to the truce resolution as having been introduced by the United States even while he was urging its immediate consideration.

However, Mr. Gromyko insisted that the Security Council should take immediate steps to "stop the fighting in Palestine." Later, Mr. Austin said that "if I could get a vote today I would," and that the council should not be deterred by the refusal of either side to agree to the truce. Also, Mr. Austin said that application of the truce resolution should not be delayed to await answers to the questionnaire.

Faris el-Khouri, Syrian member of the Council, and Mahmoud Bey Fawzi of Egypt, who has received a seat at the Council table, both opposed action today. Fawzi Bey said

that members must have "a certain amount of time" to examine such a serious question, and opposed giving the truce resolution priority over other questions already before the Council. These include an Egyptian announcement that Egypt is intervening in Palestine.

Mr. el-Khouri concentrated his attention on the United States questionnaire, claiming that it was intended to obtain Security Council endorsement of the recognition of Israel. He contended that it implied that the new Jewish state was acting legitimately as long as its forces remained within the area set aside for it under the partition resolution.

Immediately after Mr. Austin spoke there was a long pause, and as no member commented at first on his proposal, the Council plunged into a procedural wrangle over the question whether it should take up the question of a truce for Palestine and various lengthy communications it had received.

At the demand of Mr. Gromyko, Council President Alexandre Parodi of France finally called for speakers on the United States resolution. Again no one spoke on the content or substance of the United States proposal. Finally, Dr. José Arce of Argentina pointed out that Mr. Gromyko, despite his demand for consideration of the resolution, had not given his

views on it, and the nine other members had been completely silent.

No such resolution, Dr. Arce pointed out, can be passed without the consent of the five great powers, and he argued that it would be "perfectly useless" to discuss it until their views were revealed. It would be better, Dr. Arce said, for the Council to adjourn so that its members could go home and study United Nations documents or read "interesting books."

Although rendered by an over-literal translator, M. Parodi's proposal that the Council meet tomorrow morning "for the purpose of delay" (the French word "delay," which he used, should have been translated as "time-limit" for getting answers to the questionnaire) expressed the sense of today's meeting.

It is believed that if the United States insists the Council will eventually adopt a truce resolution along the lines of the proposal submitted today. However, as Dr. Alfonso Lopez of Colombia pointed out, the truce resolution adopted by the Council a month ago has been ignored.

The previous resolution, however, invoked only Chapter VI. The use of Chapter VII would leave the way open for the United States to invoke economic sanctions — it does not want Soviet troops sent to Palestine—against

the side that disregarded the truce order.

Mr. el-Khouri insisted today that there was only one government for Palestine, and proposed asking the World Court for an opinion on the legal position. He and other Arab delegates had already made it plain that they would insist that the new State of Israel had no legal justification and that the Security Council therefore had no jurisdiction.