

(A/3302) which specifically referred to the deployment of the Force on only one side of the armistice line. On this basis, the Force would have units in the Gaza area as well as opposite El Auja (i.e. in Egyptian territory). With demilitarization of the El Auja zone in accordance with the Armistice Agreement, it might be indicated that the Force should have units stationed also on the Israel side of the Armistice Demarcation Line, at least in that zone. Such deployment, which would require a new decision by the General Assembly, would have the advantage of the Force being in a position to assume the supervisory duties of the Truce Supervision Organization in all the territory where that Organization now functions under the Armistice Agreement between Egypt and Israel. In both Gaza and El Auja, the functions of the Truce Supervision Organization and the Force would somewhat overlap if such an arrangement were not to be made. As an arrangement of this kind was not foreseen by the Armistice Agreement, it obviously would require the consent of the two parties to that Agreement. Such mutual consent might be given to the United Nations directly, especially since the arrangement would be on an *ad hoc* basis.

UNEF and UNTSO, with their respective responsibilities, should cooperate, he said, in the prevention of incursions and raids across the armistice line.

The Secretary-General reported that the Government of Egypt had informed him of its desire that "all raids and incursions across the armistice line, in both directions", should be brought to an end and that United Nations auxiliary bodies should afford effective assistance to that end.

Finally the Secretary-General addressed himself to the question of Israel's withdrawal from the Sharm al-Shaikh area. The question of the situation in the Gulf of Aqaba and the Straits of Tiran, he said, was not directly related to the present crisis and had been of longer duration. Israel's military action and its consequences should not be elements influencing the solution.

A legal controversy exists as to the extent of the right of innocent passage through straits forming part of the territorial sea of one or more states (in this case Egypt and Saudi Arabia) constituting the sole means of access to the port of another state (in this case Israel's port of Eilat). The Secretary-General believed that in these circumstances rights in relation to the Gulf and the Straits should be exercised with restraint on all sides. Claims to belligerent rights, if asserted, "should be limited to clearly non-controversial situations". A Security Council resolution of September 1, 1951 had denied that the parties to the armistice agreement could claim belligerent rights, such as the right of search or seizure of vessels, which Egypt had exercised and against which Israel had protested. This resolution, the Secretary-General said, was still valid. He pointed out that if the armistice agreement, and especially articles 7 and 8 on limitation of armed forces in certain areas, were to be implemented again, the case against all acts of belligerency "would gain full cogency". With the broader implementation of the armistice agreement, the parties should be asked to give assurances that they will not assert any belligerent rights, including of course belligerent rights in the Gulf of Aqaba and the Straits of Tiran.

On the possible use of UNEF in the Sharm al-Shaikh area the Secretary-General had the following words to say in conclusion:

Israel troops, on their withdrawal from the Sharm al-Shaikh area, would be followed by the United Nations Emergency Force in the same way