

5. The Regulations and the Agreement referred to in paragraph 3 of this letter also secure to the Force and its individual members the privileges and immunities necessary for the independent exercise of its functions. I should like to direct your attention to the provisions of the Regulations and of the Agreement which provide these privileges and immunities and particularly to Article 34 of the Regulations (Annex II) and to paragraphs 10, 11 and 12 of my letter to the Ministry of Foreign Affairs of Egypt of 8 February 1957 (A/3526, pp. 4 and 5-Annex I). It will be noted that paragraph 11 of this letter states that "Members of the Force shall be subject to the exclusive jurisdiction of their respective national States in respect of any criminal offences which may be committed by them in Egypt". This immunity from the jurisdiction of Egypt is based on the understanding that the authorities of the participating states would exercise such jurisdiction as might be necessary with respect to crimes or offences committed in Egypt by any members of the Force provided from their own military services. It is assumed that the participating states will act accordingly.

6. I should also like to direct your attention to Article 13 of the UNEF Regulations (Annex II) concerning "Good Order and Discipline". This Article provides:

"The Commander of the UNEF shall have general responsibility for the good order of the Force. Responsibility for disciplinary action in national contingents provided for the Force rests with the commanders of the national contingents. Reports concerning disciplinary action shall be communicated to the Commander of the UNEF who may consult with the commander of the national contingent and if necessary the authorities of the Participating State concerned."

7. In view of the considerations set out in paragraphs 5 and 6 above, I should appreciate your assurance that the commander of the national contingent provided by your Government will be in a position to exercise the necessary disciplinary authority. I should also appreciate your assurance that your Government will be prepared to exercise jurisdiction with respect to any crime or offence which might be committed by a Member of such national contingent.

8. The effective functioning of the United Nations Emergency Force requires that some continuity of service of units with the Force be ensured in order that the UNEF Commander may be in a position to plan his operations with knowledge of what units will be available. I should, therefore, appreciate your assurance that the national contingent provided by your Government will not be withdrawn without adequate prior notification, to the Secretary-General, so as to avoid the impairment of the ability of the Force to discharge its functions. Likewise, should circumstances render the service of your national contingent with the Force no longer necessary, the Secretary-General undertakes to consult with your Government and to give adequate prior notification concerning its withdrawal.

9. Reference is also made to Articles 11 and 12 of the UNEF regulations which deal with "Command Authority" and "Chain of Command and Delegation of Authority". Article 12 provides "*inter alia* that changes in commanders of national contingents which have been made available by participating governments should be made in consultation between the Commander of the United Nations Emergency Force and the appropriate authorities of the participating government.