

No. 437

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SECRET

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1221. Comment on Embtels 1196 May 15, 1192 May 14, 1191 May 13. Despite obvious maneuvering for position on part delegates to ISMAC, Emb believes discussions reveal some progress. Two lines of approach discernible May 12 mtg ISMAC. On one hand, both parties sparring cautiously with eye to maintaining strong legal position, as in case of attitude toward right to use checking gates with or without regard to repair of bridge. On other hand, both sides showing disposition consider concrete problem of effect of closing gates on Bouteiha farmland. Hope lies in discouraging abstract controversy of first kind, which leads inevitably into fruitless legalisms concerning sovereignty demil zone and meaning gen armistice agreement, and in focusing attn on practical means of minimizing and, if necessary, compensating for damage to Arab lands.

Despite numerous obstacles to satis settlement Huleh controversy, outlook considered more favorable than last year. On negative side is (1) continuation Israel determination impose its auth in most demil zone, (2) insistence by Bouteiha farm owners that any closure of gates wld have adverse effect on farmland, and (3) refusal senior Syrian delegate accept Israel representation in group to determine if claim Bouteiha farm owners valid. Re latter, Chief of Staff UNTSO inquired informally whether TCA mission Israel might be able supply neutral agric experts to pass on point and director of mission advises qualified member of mission expected arrive shortly and cld be made available temporarily for above purpose. At same time Amer engineer familiar with project informs me in confidence that estimate by senior Israel delegate of 120 working hours required to deepen Jordan through rocky ledge is much too low.

On positive side, however, is (1) comparative frank manner in which both sides have discussed points at issue and disposition evidenced by them to attempt reach agreement by negotiation, (2) assertion senior Syrian delegate that it is not intention Syria to hinder unnecessarily operation of checking gates and implication that his chief interest is to prevent damage and work out plan of compensation for such damage as might occur, and (3) apparent desire Israelis avoid any renewal hostilities and willingness adopt

¹ Repeated to London, Paris, Ankara, Beirut, Damascus, and Jerusalem (for Riley).