

**Middle East - Suez story No
15-18: Middle East - Suez
story No 15-18 - 29**

HS L 179:111



National Library
of Sweden

Dag Hammarskiöld's saml.

Suez story - 15

29 Oct. 56

Interoffice memorandum to D.H. from the
Legal Counsel on U.K. agreements with Egypt
and Jordan and the Tri-Partite Declaration by
U.K., U.S.A., and France.

UNITED NATIONS  NATIONS UNIES

INTEROFFICE MEMORANDUM

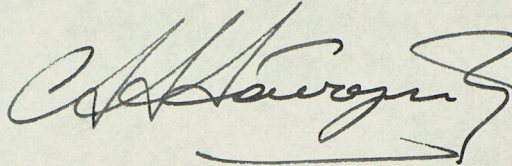
TO: The Secretary-General

Date: 29 October 1956

THROUGH:

FILE NO.: _____

FROM: The Legal Counsel



SUBJECT: United Kingdom Agreements with Egypt and Jordan, and the Tri-Partite Declaration of May 25 1950, by the Governments of the United Kingdom, United States and France

A. Suez Canal Base Agreement

1. In view of the attack of Israeli forces on Egypt, you may be interested in the following information concerning the Suez Canal Base Agreement between Egypt and the United Kingdom of 19 October 1954. Article 4 of this Agreement provides:

"In the event of an armed attack by an outside Power on any country which at the date of signature of the present Agreement is a party to the Treaty of Joint Defence between Arab League States, signed in Cairo on the 13th of April, 1950, or on Turkey, Egypt shall afford to the United Kingdom such facilities as may be necessary in order to place the Base on a war footing and to operate it effectively. These facilities shall include the use of Egyptian ports within the limits of what is strictly indispensable for the above-mentioned purposes."

2. However, in an "Agreed Minute" appended to the Agreement the expression "outside Power" as used in Article 4 means any country other than

"(i) the countries referred to in those Articles"
i.e. the Arab States and Turkey and

"(ii) Israel"

Thus it would appear that an attack by Israel upon Egypt does not activate the articles of the agreement relating to the return of British forces to the Canal Zone.

B. Anglo-Jordanian Alliance

3. It may also be of interest to note the following articles of the Treaty of Alliance between the United Kingdom and Jordan of 22 March 1946:

"Article 4 - Should a dispute arise with a third State, the continuance of which is likely to endanger the maintenance of international peace and security, the High Contracting Parties will, first of all, concert together to seek a solution by peaceful means as provided in Article 33 of the Charter of the United Nations."

"Article 5 - Should either High Contracting Party, notwithstanding the provisions of Article 4 of the present Treaty, become involved in hostilities, as a result of armed attack by a third party, the other High Contracting Party will, subject always to the provisions of Article 12 of the present Treaty, immediately come to his aid as a measure of collective self-defence. In the event of an imminent menace of hostilities the High Contracting Parties will immediately concert together the necessary measures of defence."

"Article 12 - Nothing in the present Treaty is intended to or shall in any way prejudice the rights and obligations which devolve, or may devolve, upon either of the High Contracting Parties under the Charter of the United Nations or, save as may result from the provisions of Articles 8 and 11, under any other international agreements, conventions or treaties."

4. It is of interest to note that Article 5 refers only to an "armed attack by a third party" and does not state upon whom the attack must be made. It is understood that Jordan might be able to invoke this article if it became involved in hostilities as the result of an attack on Egypt.

C. Tri-Partite Declaration

5. The third paragraph of the Declaration by the Governments of the United Kingdom, France and the United States regarding security in the Near East of 25 May 1950 is also of interest:

"The three Governments take this opportunity of declaring their deep interest in and their desire to promote the establishment and maintenance of peace and stability in the area and their unalterable opposition to the use of force or threat of force between any of the states in that area. The three Governments, should they find that any of these states was preparing to violate frontiers or armistice lines, would, consistently with their obligations as members of the United Nations, immediately take action, both within and outside the United Nations, to prevent such violation."

The first two paragraphs of this Declaration, of course, dealt with the prevention of an arms race in the area.

D. Agreements between Arab States

6. Agreements between Arab States, in addition to the foregoing agreements involving states outside of the area, are of course relevant. These include the Pact of the Arab League and various military alliances. Article 2 of the Arab League Pact provides as follows:

"Les Etats contractants considèrent toute agression armée dirigée contre l'un ou plusieurs d'entre eux ou contre leurs forces, comme étant dirigée contre tous à la fois. C'est pourquoi, en vertu du droit de légitime défense - isolé et collectif - ils s'engagent à se porter immédiatement au secours de l'Etat ou des Etats victimes de l'agression et de prendre immédiatement - isolément et collectivement - toutes les mesures et de recourir à tous les moyens en leur pouvoir, y compris l'usage de la force armée, pour repousser l'agression et rétablir la sécurité et la paix.

"Conformément aux dispositions de l'article 6 du Pacte de la Ligue des Etats arabes et de l'article 51 de la Charte des Nations Unies, le Conseil de la Ligue et le Conseil de Sécurité seront immédiatement avisés de cette agression et des mesures qui auront été prises en l'occurrence."

7. There is also an Egyptian-Saudi-Arabian-Syrian Alliance and the recent agreements for a united command made between Egypt, Syria and Jordan last week. In addition there is the Iraqi-Jordanian Alliance of 14 April 1947.