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Middle East / Suez story - 17

13-15 Oct. 56

- Verbatim record of 743-rd meeting of the U.N. Security Council
- France / U.K. - joint draft resolution
- Yugoslavia - draft resolution
- M. Fawzi, Foreign Minister of Egypt
 - 1 letter to the President of Secco,

UNITED NATIONS
SECURITY
COUNCIL



GENERAL
S/PV.743
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ENGLISH

VERBATIM RECORD OF THE SEVEN HUNDRED AND FORTY-THIRD MEETING

Held at Headquarters, New York,
on Saturday, 13 October 1956, at 9.30 p.m.

<u>President:</u>	Mr. PINEAU	France
<u>Members:</u>	Australia	Mr. WALKER
	Belgium	Mr. SPAAK
	China	Mr. TSIANG
	Cuba	Mr. NUÑEZ-PORTUONDO
	Iran	Mr. ABDOH
	Peru	Mr. BELAUNDE
	Union of Soviet Socialist Republics	Mr. SHEPILOV
	United Kingdom of Great Britain and Northern Ireland	Mr. LLOYD
	United States of America	Mr. DULLES
	Yugoslavia	Mr. POPOVIC

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Publication of the final printed records being subject to a rigid schedule, the co-operation of delegations in strictly observing this time-limit would be greatly appreciated.

ADOPTION OF THE AGENDA

The agenda was adopted

SITUATION CREATED BY THE UNILATERAL ACTION OF THE EGYPTIAN GOVERNMENT IN BRINGING TO AN END THE SYSTEM OF INTERNATIONAL OPERATION OF THE SUEZ CANAL, WHICH WAS CONFIRMED AND COMPLETED BY THE SUEZ CANAL CONVENTION OF 1888 (S/3654) (continued) ACTIONS AGAINST EGYPT BY SOME POWERS, PARTICULARLY FRANCE AND THE UNITED KINGDOM, WHICH CONSTITUTE A DANGER TO INTERNATIONAL PEACE AND SECURITY AND ARE SERIOUS VIOLATIONS OF THE CHARTER OF THE UNITED NATIONS (S/3656) (continued)

The PRESIDENT (translated from French): In accordance with the decision taken by the Council at its 754th meeting, I invite the representative of Egypt to take a place at the Council table.

At the invitation of the President, Mr. Fawzi, representative of Egypt, took a place at the Security Council table.

Mr. DULLES (United States of America): I wish first of all to express my gratification at the large measure of progress that was made during this week of Security Council activity. The Suez Canal problem is one of vast importance and of great complexity, and it easily arouses great emotion. It is a tribute to this Council and above all to the Foreign Ministers of Egypt, France and the United Kingdom and to our Secretary-General that the problem has been considered here calmly and constructively and that important agreements have emerged.

We cannot expect a solution all at once; a solution comes only by stages. And by agreeing upon the principles, the requirements of a definitive settlement, an important stage has been passed. We can enter into this next stage with confidence. The principles here agreed upon are realistic and concrete. They will permit the future proposals and conduct of the parties in interest in implementing them to be judged both by this Council and by the world.

In my opening statement, I spoke of the principles which govern a just solution of this problem. I emphasized one in particular, namely, that the operation of the Canal should be insulated from the politics of any country. I said that if that just principle were accepted I believed the remaining problems could be resolved. That principle has been accepted, and I adhere to my belief that the remaining problems can be resolved.

(Mr. Dulles, United States)

I turn now to the draft resolution introduced by the Governments of France and the United Kingdom. The first portion embodies the principles or requirements which have been agreed upon. From what was said here yesterday and what has been said here today, I believe that this portion of the draft resolution meets with our warm and complete acceptance.

I should like to comment briefly on the balance of the draft resolution, as to which certain questions have been raised. The third paragraph characterizes the proposals of the eighteen Powers as being suitably designed to bring about a settlement in conformity with justice. I think that that is an accurate and indeed a conservative statement. Those proposals emerged last August out of a week of intensive study. I should like to read to you the names of the eighteen countries: Australia, Denmark, Ethiopia, France, Germany, Iran, Italy, Japan, the Netherlands, New Zealand, Norway, Pakistan, Portugal, Spain, Sweden, Turkey, the United Kingdom and the United States.

This Council can, I think, confidently assume that proposals having this broad foundation, which includes countries whose nationals represent over ninety per cent of the shipping through the Canal, the countries whose pattern of traffic shows the greatest dependence on the canal, and countries of wide geographical and cultural distribution, must be reasonable. Of course, the draft resolution does not suggest that the proposals of the eighteen are the only proposals which could comply with the principles upon which we have agreed. No one has contended that.

In my opening statement I said that there exists, of course, a great variety of means whereby the basic principles stated by the eighteen could be carried out, and I went on to say:

"I believe that this Council ought not to close its mind to... alternative suggestions." (S/PV.738, p. 17)

I think this viewpoint is clearly reflected by the language of the draft resolution, which while pointing out the acceptability of the proposal of the eighteen goes on to invite the Egyptian Government to submit alternative proposals which would equally accomplish the desired result.

The resolution as it now stands, when read as a whole, makes it quite clear that alternative proposals submitted by Egypt, which would also meet these requirements, would be equally acceptable. We are, I am sure, all glad to have heard the declaration made earlier today by the Foreign Minister of Egypt that indeed a certain concrete proposal had been made by Egypt in the course of the confidential exploratory talks. This fact should, I think, make more acceptable this portion of the resolution which invites Egypt to make precisely such proposals.

The last paragraph of the resolution deals with provisional measures. The Foreign Minister of the Soviet Union has suggested that because this matter is before the Council no provisional or interim measures are required. That I think is hardly logical. Our Charter itself contemplates that provisional measures may be called for by the Council in relation to matters that are before it. In other words, the Charter makes it quite clear that simply because a case is pending before the Council, this does not exclude the need for interim arrangements.

The Soviet Foreign Minister has suggested that the interim arrangements contemplated would involve the exercise by the Users Association of Administrative powers in Egypt. That is not the case. What is contemplated is practical co-operation at the working level between the users and competent Egyptian authorities.

It has also been suggested that the resolution would substitute the Suez Canal Users Association for the Egyptian Authorities in the collection of dues. That again is not the case. What is said is that the Users Association is in fact, as organized, qualified to act in respect of dues payable by ships belonging to its members. Whether these ships decide to pay to the Association as their agent is for them and for their Governments to decide. Neither this Council, nor the Users Association itself, attempts any compulsory regime. Since, however, the Users Association already has a membership representing approximately ninety per cent of the shipping, it can be a useful instrument for practical co-operation at the operating level while a definitive solution is being worked out.

There is nothing in the resolution which should be in the slightest degree offensive to Egypt or which is derogatory of Egypt or Egyptian sovereignty. As we read it, it represents an honest attempt to advance our pursuit of peace and justice through the next stage. We attach particular importance to the invitation to the Governments of Egypt, France and the United Kingdom to continue their interchanges. What has so far developed out of these interchanges, held in the presence of the Secretary-General of the United Nations, has already yielded important positive results. We believe that it is a procedure to be pursued.

For the reasons given, the United States intends to vote for the resolution as submitted by France and the United Kingdom.

Mr. TSIANG (China): The general views of my delegation on the present item on the agenda were stated by me at the meeting of the Council on Tuesday afternoon, 9 October. I find it unnecessary to repeat or to revise any part of my earlier statement. In the brief submission which I am making I intend to confine myself exclusively to the new French-British joint draft resolution in document S/3671.

The first part of the draft resolution embodies the six principles or requirements as reported to us yesterday afternoon by the Secretary-General of the United Nations. In regard to this part, all I have to say is that I congratulate the Foreign Ministers of Egypt, France and the United Kingdom and the Secretary-General of the United Nations for their success in securing agreement. Although the Foreign Minister of Egypt has some reservation in regard to the language of the third requirement, I note that the language used in the draft resolution is that proposed by the Secretary-General; and I note further that, in spite of this slight reservation, the Foreign Minister of Egypt recommended that the Council should adopt that part of the draft resolution. My delegation will certainly vote for its adoption.

The second part of the joint draft resolution has been rejected, if I understand correctly, by the representative of Egypt. I regret this outright rejection. I had hoped that he might suggest specific amendments. My delegation finds the second part of the draft resolution important, useful and, on the whole, acceptable.

The amendments suggested by the representative of Iran are, in the judgement of my delegation, an improvement on the original. There is only one minor point to which I should like to call the attention of the representative of Iran. In the next to the last paragraph, beginning with the words "Invites the Governments of Egypt, France and the United Kingdom, etc.", he suggested the addition of the word "adequate" before the word "guarantees", and then the ~~deletion~~ of all the words following the word "guarantees". It seems to me that the phrase "to the users" should be retained. Aside from this minor point, my delegation supports all the amendments suggested by the representative of Iran.

What are my reasons? I do not think I **need** go into them because Mr. Abdoh stated the reasons better than I could hope to do.

(Mr. Tsiang, China)

I appeal, therefore, to the co-sponsors of the draft resolution to accept the amendments suggested by the representative of Iran. I find nothing in the draft resolution, either in the first part or in the second part, which is inconsistent with respect for the sovereignty of Egypt.

Mr. POPOVIC (Yugoslavia) (translated from French): With your permission, Mr. President, I should like to outline briefly my delegation's position with regard to the draft resolution which has been submitted to us this afternoon by France and the United Kingdom.

We should have earnestly wished to have presented to us a draft which was acceptable to all members of the Security Council. We do not believe, however, that the draft submitted to us corresponds to this wish and this need. The first part of this draft contains the general principles on which we have all agreed. The second part, on the other hand, contains points which do not stem from what we thought had been accepted; this part of the draft is based on the proposals of the eighteen States which, as I said in the course of my first statement in the general discussion, have already shown themselves to offer no basis for agreement.

The Yugoslav delegation will therefore vote for the first part of the draft; it cannot, however, vote for the second.

In these circumstances and in view of these considerations, the Yugoslav delegation is submitting a new draft resolution to the Security Council in the belief that it will prove helpful. The text of this draft resolution will be distributed shortly.

The conversations which have been held between the Foreign Ministers of Egypt, France and the United Kingdom, with the assistance of the Secretary-General of the United Nations, have shown that it was possible, at the present stage of our deliberations, to reach an agreement concerning the principles which must serve as a basis for any just solution of the problem. The positive results achieved by these conversations also show that it is desirable and necessary to continue the negotiations with a view to reaching agreement on the ways and means of putting these principles into effect. It is self-evident that the spirit which has prevailed during the discussions already held must be maintained. For this purpose, we must expect the parties concerned to refrain from any action which might complicate the subsequent negotiations.

The draft resolution which I have the honour to submit to the Security Council is therefore limited to noting what has actually occurred, what we have achieved in the course of our deliberations. It takes as a basis for the solution to be sought the six principles on which we have all agreed and which really constitute the first joint step towards a peaceful solution of this problem.

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The continuation of the negotiations with a view to putting these principles into effect is, as I have already said, desirable, possible and necessary. Our draft resolution therefore provides for the continuation of these negotiations with, if it is deemed necessary, the valuable assistance of our Secretary-General. Our draft resolution reads as follows:

Mr. Popovic (Yugoslavia) read out the text of document S/3672.

Mr. LLOYD (United Kingdom): I ask my colleagues' indulgence for intervening again, but I must confess that I am a little surprised at some of the things which have been said in our debate, and particularly, if I may say so, during the intervention of the representative of the Soviet Union.

We, the members of the Security Council, and many other countries affected are faced with a grave international situation. We believe that there has been a breach of an international obligation, and exactly what we think about that is set out in the preamble of our original draft resolution. But we are not insisting that the terms of that preamble should be included in the second draft resolution which we have tabled. We maintain that the Governments of France and the United Kingdom have acted with great restraint in this situation. In my speech of 5 October, I quoted what the distinguished Secretary of State of the United States said about that matter; I will not weary the Council by repeating it. But we, the Governments of France and the United Kingdom, took the initiative in informing the Security Council about the situation. We took the initiative in coming here to the Security Council to discuss it. We took the initiative about the suggestion of private meetings. We took the initiative about the suggestion of private conversations in the presence of the Secretary-General. There has been an idea put about in some quarters that we would come to the Security Council simply as a formality. I think our actions during these discussions have shown how utterly unfounded such a suggestion is. I believe we have done everything possible in a difficult situation to promote a peaceful solution, and we have done it of our own volition.

Our draft resolution, I maintain, is temperate and conciliatory. We are not demanding decisions from the Security Council on any of the matters affected. The Foreign Minister of the Soviet Union referred to the third paragraph of our draft resolution and suggested that it was coercion of Egypt. All we have stated there, in very moderate terms, is that we believe that proposals which are well known to our colleagues are suitably designed to bring about a settlement by peaceful means in conformity with justice. I think that is an extremely moderate statement about proposals which we still believe are the best way to effect a settlement.

However, in order to make the matter clear beyond any doubt, I myself am prepared to accept the amendment put forward by the representative of Iran which would add to that paragraph the words "while at the same time recognizing that other

(Mr. Lloyd, United Kingdom)

proposals may be submitted by the Egyptian Government which would meet the same requirements". I think, if I may say so, that that is a helpful amendment, and I would willingly accept it in order to make the matter absolutely clear. There is no coercion at all about that paragraph.

But we believe that at the moment the international community is suffering from a wrong, from a course of action which -- and I do not want to come into undue controversy -- was embarked upon without notice, without negotiation, as a unilateral act. And we believe, as I say -- I do not want to be too controversial, because that is quite contrary to the spirit in which we have introduced this draft resolution -- but it is our belief that Egypt is in breach, and we can really accept the continuation of that situation during discussions only if there is a genuine attempt to establish, ad interim, a system of co-operation between the users and the competent Egyptian authorities.

We have not sought to define in precise terms what that system of co-operation should be. I think it would have been unwise to try to define it. I think there may have been generated during these discussions an atmosphere which would make it possible, ad interim, for such a system of co-operation to come into being. But that, I think, is really the very least which we can ask.

The Foreign Minister of the Soviet Union talked during his speech about the Suez Canal Users Association, and he suggested that it was seeking to act in violation of the Convention of 1888. May I just remind my colleagues on the Security Council of the purposes which it was agreed that that Association should have:

"(1) to facilitate any steps which may lead to a final or provisional solution of the Suez Canal problem and to assist the members in the exercise of their rights as users of the Suez Canal in consonance with the 1888 Convention, with due regard for the rights of Egypt".

I do not see any violation of the Convention of 1888 in that.

"(2) to promote safe, orderly, efficient and economical transit of the Canal by vessels of any member nation desiring to avail themselves of the facilities of [the Suez Canal Users Association] and to seek the co-operation of the competent Egyptian authorities for this purpose".

I do not see anything very provocative about that.

"(3) to extend its facilities to vessels of non-member nations which desire to use them".

That, I think, is the least that could be done.

"(4) to receive, hold and disburse the revenues accruing from dues and other sums which any user of the Canal may pay to the Suez Canal Users Association, without prejudice to existing rights, pending a final settlement".

There is no coercion or compulsion about that.

"(5) to consider and report to members regarding any significant development affecting the use or non-use of the Canal".

That, I should have thought, was clearly within the competence of any one user or any body of users.

"(6) to assist in dealing with any practical problems arising from the failure of the Suez Canal adequately to serve its customary and intended purpose and to study forthwith means that may render it feasible to reduce dependence on the Canal".

That, I should have thought again, was an elementary matter well within the competence of any individual user or any body of users.

And finally:

"(7) to facilitate the execution of any provisional solution of the Suez problem that may be adopted by the United Nations".

(Mr. Lloyd, United Kingdom)

So I should have thought that the purposes of the Association, so far from being provocative or in breach of international law, are directly designed to assist the evolution of either provisional or of final settlements. Really, what we are asking the Security Council to vote upon is first of all the requirements -- there seems to be general agreement about them -- and secondly our ideas as to how we may move towards some agreed means of implementing those requirements. I do most earnestly ask my colleagues to accept our draft resolution in its entirety, subject to the amendment which I have said I will accept, and to accept it as a genuine contribution towards a peaceful settlement. I really believe, and I say this with all the emphasis which I can command, I really believe that the best contribution the Security Council can make to a reduction in the tenseness of this situation is to vote our draft resolution as we have put it forward.

Mr. WALKER (Australia): Having already made clear Australia's position on this matter, I had not thought it would be necessary for me to enter into the debate at this particular stage, but I would like to say a word or two particularly in relation to the draft resolution which is before us. The first point that I would like to make is that it is perhaps not altogether realized just what a large step has been taken by the distinguished foreign ministers of the United Kingdom, France and Egypt in their private conversations.

As Mr. Selwyn Lloyd has just remarked, the United Kingdom, France and for that matter Australia and others who have spoken have felt from the beginning that we have been concerned with a serious international wrong, and in the past we have referred to some of the legal aspects of it. But for the purpose of pushing on with the consideration of this matter in a practical way in the United Nations, we have let that aspect stand aside and have concentrated attention on the possibility of reaching some agreement looking to the future.

In the course of my previous remarks, I reminded the Council that when Mr. Menzies was in Cairo, he remarked as follows in the aide memoire that he gave to President Nasser on 3 September:

"Though superficially it may be thought by some that there is on this matter an irreconcilable difference in principle, we do not believe this to be so. It would be a grave misfortune for the world if it were so."

It was a great achievement for the Foreign Ministers of the United Kingdom, France and Egypt and the Secretary-General to have succeeded together in drawing up a statement of principles which demonstrates that there is no irreconcilable difference of principle in this particular matter. This, I repeat, was undoubtedly a very great achievement. In all sincerity, we should commend both the efforts that have been made and the restraint and the constructive approach employed by the Foreign Ministers. I would also like to join with those who have expressed their appreciation for the great services of the Secretary-General in providing facilities and assistance and contributing to the atmosphere which made this possible.

The world will scrutinize very carefully indeed the content of the actual achievement. At the present time, there must be in many countries throughout the world people busily considering this serious practical problem -- whether in their future economic plans, whether on behalf of business enterprises or of governments, they should build on the assumption of continued use of the Suez Canal in the way that they have used it in the past. There must be many people counting the cost of alternative plans involving to a varying degree lesser dependence upon the Canal in the future. With that sort of concern in the back of

their minds, they will scrutinize very carefully the content of whatever is achieved by the Security Council on this occasion.

The essential question is whether we are moving towards a situation in which people can continue to have confidence as regards the future of the Canal in their own individual planning of their affairs. From that point of view I am sure that many of us feel as I do -- that while these principles do represent a great achievement they only carry us a certain way, and we come now to the very crucial stage of working out arrangements that are going to give us all the assurances that we must have regarding the future.

We had hoped that it would be possible to proceed -- and we still hope that it is possible to do so -- on the basis of the proposals drawn up by the eighteen Powers in London. The essential thing has been stated again and again. May I use the words of my own Prime Minister when he was reporting to Parliament in Australia. Mr. Menzies said:

"The principle of internationally-assured non-political control of the Suez Canal is vital."

It is the practical ways of giving that assurance that the world undoubtedly is seeking at the present time.

For these reasons we hope that the Council will adopt the Franco-British draft resolution in the form in which it has been posed to us, with the modification which the Foreign Minister of the United Kingdom has just accepted from our colleague from Iran.

It has been shown that there is no irreconcilable difference of principle in this matter. I also believe that there is a very great community of interest between the users and Egypt. And I trust very much that that community of interest will be increasingly revealed in the further discussions that are needed. But those discussions should have some guide, and the Australian delegation feels that the terms of the draft resolution before us could be a very useful guide. We therefore greatly hope that the Council will adopt that draft resolution.

Mr. SPAAK (Belgium) (translated from French): I hardly think that I can contribute anything new at the present stage of the discussion. But I believe that, before the vote, each must make his position clear. That is why I wish to explain the reasons underlying my vote on the Franco-British draft resolution before us.

I must admit to some regret that certain representatives have said that they could not vote for the second part of this draft resolution, because it contained a reference to the position previously taken by those called "the Eighteen" and that they could not vote for it or recommend its adoption because it referred specifically to provisional measures.

In this connexion, I regret the uncompromising attitude adopted by the delegation of one country, because it precludes or renders negatory any effort on our part to produce an improved text. I do not consider it would be right to delete from this draft resolution everything relating to the previous position of the "Eighteen", nor do I feel that it would be wise to delete any reference to provisional clauses.

I think that it would not be right to delete from the draft resolution everything relating to the position of "the Eighteen", because we must recognize that, despite the progress achieved which, I believe, is real (and, like all my colleagues, I find this gratifying), it must be acknowledged that no precise, complete, definitive, unambiguous system has been proposed which can, at the present time, be considered by the representatives of "the Eighteen" and by "the Eighteen" themselves as a substitute for the system which they had worked out in an effort to solve the Suez problem.

Accordingly, the text proposed in the Franco-British draft resolution, amended again by the Iranian representative -- an amendment accepted by the Secretary of State for Foreign Affairs of the United Kingdom -- is really a moderate and reasonable text which there is no reason for rejecting in principle. One cannot deny "the Eighteen" (and I speak all the more freely since my country is not one of them) the right to have it placed on record that their proposal was

(Mr. Spaak, Belgium)

What does the resolution do after noting this acceptance of the principle and this lack of sufficient precision? What does it propose? Does it in any way condemn the Egyptian Government? Does it turn away from it? Not in the least. It invites it to finish its work, to submit, as soon as possible, full proposals which will enable us to form an opinion on its system. Is there anything excessive in that? It is, it seems to me, the correct line to take. Since the system proposed today is incomplete, we are inviting the Egyptian Government to provide fuller information so that we may obtain a clear picture of it and may discuss it with a full knowledge of the facts.

Why do some delegations refuse to vote for such paragraphs as these? I am really at a loss to understand why. I am not absolutely sure that the formula used is the best possible, but that is a matter of drafting rather than of substance. I am sure, however, that if another system is proposed, it must embody all the guarantees necessary to ensure that the six principles on which we have agreed are fully observed in practice. Indeed, to deny the Council the right to say a thing like that is to show ourselves to be -- and I would regret it -- unduly intransigent in this matter.

There remains the final question to which, as my colleagues know, I attach very great importance. I said just now that it is not right to wish to remove from the resolution every reference to the position of the eighteen Powers. I say, and I say it emphatically, for it is my profound conviction, that it would be unwise for the Security Council to disperse without expressing its views on what I shall call, not conservatory, but provisional measures. As the representative of the United States has clearly shown, when we speak of provisional measures we are conforming to and not violating the Charter. And those who drafted the Charter fully realized -- it is, moreover, a matter of common sense -- that in certain conditions when it is difficult to reach a final solution -- and in the present instance events have clearly shown that a final solution is hard to find -- the wise thing to do is not to leave things in the air but to agree upon a certain number of provisional measures which, in the minds of those who adopt them, should have the purpose and the effect of preventing the occurrence of incidents and the deterioration of the situation.

(Mr. Spaak, Belgium)

formulated in good faith, with the intention of putting into effect the six principles on which we agreed today. Nor can we speak of any undue or excessive pressure on Egypt, since, now that the Iranian amendment is virtually accepted, we recognize, or rather reaffirm, what has, it seems to me, always been the argument of "the Eighteen", namely that the negotiations between them and the Egyptian Government ought to be held on the basis of the principles formulated in London. And today we add that, if the Egyptian Government wishes to propose another system, we are prepared to discuss it. In what way is that excessive? In what way is it disagreeable, shall I say, to the Egyptian Government?

But it seems to me unjust, at this stage of the debate, to make the vote contingent on the stipulation, as an essential condition, that any reference to previous action by the eighteen Powers should be removed. It seems to me that the two ensuing paragraphs of the draft resolution are simply a statement of facts. I would, of course, like the representative of Iran, have preferred a positive rather than a negative statement. I think we could note in positive terms that the Egyptian representative has declared himself ready to explore the principle of organized collaboration between an Egyptian Authority and the users. I believe, in fact, from what I have heard about the conversations which took place in the office of the United Nations Secretary-General, that not only was the principle accepted by the Egyptian representative but that a first effort at elaboration was made. But would anyone here dare to suggest that the proposals were sufficiently precise or complete to permit us seriously to discuss them or to declare them satisfactory? Of course not. I am not making any criticism in this respect. This is probably the way things must go; perhaps we must be content with taking one step at a time and not expect to be able to do everything at once. But I think that when the Franco-British draft resolution notes that there is agreement on the principle and that the Egyptian representative has given his assent to it, but that the proposals have not yet been formulated sufficiently precisely to permit any real appraisal of the system proposed, this is a true reflection of the facts. It is a reflection of facts which cannot cause distress to anyone. We must not refuse to look the facts squarely in the face.

All this is very well put in Article 40 of the Charter, of which I shall read only two lines and a half:

"Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned."

Who, gentlemen, can reasonably oppose the application of such a provision? How is it possible in such a delicate and serious situation, where unintended incidents may break out at any moment and embroil the parties in measures far exceeding their real wishes, not to feel the absolute necessity of applying this same Article 40 and adopting by common accord such provisional measures, "without prejudice to the rights, claims, or position of the parties concerned"?

The Franco-British resolution offers us a formula for the provisional measures to be adopted. I am well aware that that Chapter of the Charter which relates to the type of question we are now considering does not specifically mention these provisional measures; but it is clear, to me at any rate, that there is no legal problem about applying this principle from Chapter VII to the matters referred to in Chapter VI.

Is the way in which the French and British have formulated these provisional measures a source of dissatisfaction? Does it involve any encroachment upon Egypt's interests? Does it prejudge a final solution? It does not. What limits does it observe? It invites the Egyptian Government to co-operate with the Users' Association in a system which will not be the final system but will, for so long as the discussion on the substance of the problem continues, make it possible to obviate incidents which might aggravate the situation.

I confess that, having listened very attentively to everything that has been said, I realize that the Soviet representative's statement contained an argument which I found impressive and which it might have been possible to try to take into account had it not been for this absolute intransigence: namely, that, however large the Users' Association -- which apparently represents at present 90 per cent of those who pass through the Canal -- there is a small percentage, about 10 per cent, which is not covered, and the provisional measures to be applied must, there is no question about it, be applied in one form or another in respect of all the users without exception. When this has been said, however, and as this formula is satisfactory, I cannot, I repeat, understand why the Egyptian Government could not accept a Security Council recommendation, the substance of which would be as follows: We have agreed to negotiate with you; we invite you to negotiate speedily;

(Mr. Spaak, Belgium)

we ask you to give us your detailed views as soon as possible; but, since we know that despite all this negotiations on the matter will take weeks and months and we are in a situation which may become delicate and dangerous at any moment, let us agree on a provisional system which does not affect our rights in the final solution.

As it stands, the resolution proposed by France and the United Kingdom appears to those familiar with the case to be a wise and moderate measure. As explained by Mr. Selwyn Lloyd, Mr. Pineau and Mr. Dulles, it genuinely appears to be a sincere effort, a real step towards understanding; but if it was bereft both of a just allusion to the position of "the Eighteen" and of the wise and necessary measures which must be adopted with regard to a provisional system, then unquestionably this resolution would be incomplete, and we should by that token have failed to do all our duty.

For that reason, I shall vote for the resolution as submitted and amended.

Mr. BELAUNDE (Peru) (translated from Spanish): My turn to speak has come so late that I am compelled to compress what I have to say. I should like to begin by expressing the great satisfaction of my delegation, which issued a cordial invitation to the Foreign Ministers to take part in meetings in the communal home of the United Nations, that such meetings have taken place.

I should next like to say that the result of these conversations has also been highly satisfactory. The six principles which we shall approve unanimously contain, I believe, a felicitous restatement and clarification of the essential principles of the 1888 Convention. For, two of these principles, the first and the third, state clearly and specifically that transit through the Canal shall be open and without discrimination either political or technical -- a renewed declaration of the so-called neutrality of the Canal which has remained open to all ships without distinction of flag and without distinction as to belligerency or neutrality. But these conversations did not merely result in a clarification of or, we might say, in laying the necessary emphasis on the principles of the 1888 Convention; they resulted in the adoption of the further principle that the operation of the Canal should be totally insulated from the politics of any country. The Canal is primarily a channel of human communication. It meets a human need -- subject, of course, to respect for Egypt's sovereignty -- but it cannot be allowed to serve any secondary political or purely economic purpose.

Then, in addition to this clarification which in my view, and I think in the view of public opinion in general, is of overriding importance, satisfying, as it does, the technical and political requirements postulated by the principles of universality laid down in the 1888 Convention, the principles agreed upon by the Ministers of Foreign Affairs contain something which we might say marks an advance upon the 1888 Convention. For the 1888 Convention left aside the matter of the operation of the Canal; it confirmed the situation established by the Firman which granted the Suez Canal concession and it was then left to the Company to determine rights, tolls and charges.

(Mr. Belaunde, Peru)

The agreed principles state categorically that the manner of fixing tolls and charges should be decided by agreement between Egypt and the users. Thus if tomorrow we arrive, as we hope to do, at a settlement and manage to establish a new regime for the Suez Canal, it will be possible to claim that the application of this article creates for the Suez Canal, for Egypt and for the users a system superior to that hitherto in operation.

This is something which must afford great satisfaction to those of us who believe that the United Nations must always use peaceful means and, above all, those means which are arrived at by the impartial judgement of a conciliator, and arbitrator or a tribunal.

Any discussions -- or, to quote the last principle -- in case of disputes, unresolved affairs between the Suez Canal Company and the Egyptian Government should be settled by arbitration with suitable terms of reference and suitable provisions for the payment of sums found to be due.

I do not think it is over-optimistic to say that we have taken a great step forward. The area of shadow or half-shadow beyond this area of light may, it is true, be wide; possibly so -- but for the time being I shall linger in this area of light, this constructive area which has earned all my praise, as in all sincerity I say to the Ministers of Foreign Affairs of Egypt, the United Kingdom and France, and to the Secretary-General.

We now know that this part of the resolution will be adopted unanimously. I should have preferred this unanimity to have applied to the whole resolution, but unfortunately this will not be the case. I respect, of course, each individual view, but in answer to this individual view which I respect, I may state with equal sincerity, my own view.

In the second part of the resolution it was inevitable that mention should be made of this process of negotiation.

(Mr. Belaunde, Peru)

We have -- or at all events the Peruvian delegation has -- avoided uttering any reproach, any word which might strike a disagreeable note. But we may make an objective review of the facts; and the fact is that the "eighteen Powers", as they are called, made certain proposals. We must take note of this fact, for we should be guilty of an injustice if we did not mention in our resolution that there had been a proposal from these eighteen Powers. We should likewise be guilty of an injustice if we failed to note that there had been some proposals from Egypt, even though these proposals were made with a view to this meeting. We should also be guilty of an injustice if we did not place the proposals of the eighteen Powers on the same legal footing as the proposals made by Egypt -- though it is possible to make a different **appraisal** from the technical standpoint, yet another from the moral point of view, and yet another from the point of view of expediency.

That is why I consider that the amendment made by the Iranian representative and accepted so definitely by the United Kingdom representative, which places the proposals of the eighteen on, so to speak, a footing of legal equality with such proposals as Egypt might or may put forward in the course of negotiations, is of great importance.

But in addition to noting that this part establishes an equality which is satisfactory to me and which amounts to a recognition of Egypt's sovereignty in the course of these negotiations or in the context -- so to speak -- of the draft resolution, I must do my duty to the truth by stating that I am unable to understand the repugnance, the degree of rejection or contempt, perhaps even -- were the word not very harsh -- the degree of prejudice, which the so-called proposals of the eighteen Powers have called forth.

In connexion with this resolution I have studied these four principles very carefully, and I find that when we affirm that the proposals of the eighteen States:

"correspond to the requirements set out above and are suitably designed to bring about a settlement of the Suez Canal question by peaceful means in conformity with justice",

we are in reality saying something which is neither an exaggeration nor an adulatory statement implying a parti-pris, a special sympathy for or support of either party. For what, in reality, do these proposals say? They begin by

(Mr. Belaunde, Peru)

affirming the sovereign rights of Egypt. I think that the words "sovereign rights of Egypt", used in the eighteen-Power proposals are still more emphatic, if I may say so, than the simple expression "the sovereignty of Egypt". Why? The proposals of sovereignty and of the rights of sovereignty and link those rights with the attribute of sovereignty, so that I find respect for the sovereignty of Egypt in the eighteen-Power proposals formulated in the same way as but even more emphatically than in the proposals which Egypt and the representative of the Soviet Union have accepted.

At another point the proposals speak of:

"efficient and dependable operation, maintenance and development of the Canal as a free, open and secure international waterway in accordance with the principles of the Convention of 1888."

I have developed the idea that, rather than refer to the principle of the Convention of 1888, it is better to be precise and to say: "the Canal shall be insulated from the influence of all politics", and: "the Canal must be technically efficient and politically neutral, politically impartial". The Canal must be used like a sacred thing is used, in the interest of mankind; this principle then corresponds entirely to the principle which we considered in the proposals or in the bases of agreement accepted by the Ministers. The principle with regard to politics says this almost in the same way, almost word for word, since principle (b) reads:

"insulation of the operation of the Canal from the influence of the politics of every nation."

In other words, we have approved -- or the Ministers have approved -- the actual text of the eighteen-Power proposal. And while points (c) and (d) refer to a proper return to Egypt, increasing with the enlargement of the Canal, and to Canal tolls, there is, in the proposals, certainly no reference to arbitration, but the same principles are established, because Egypt's right to a share of those dues is recognized and the need to enlarge the Canal is recognized; these points are also principles or basic elements in the text approved by the Ministers. There is this additional advantage: the basic points to which we refer in the part under study are a fortiori subject to the principles already accepted.

(Mr. Belaunde, Peru)

Hence these bases -- let us call them that -- have been embodied in the principles and must be understood in the operation of the principles already agreed; consequently they are governed by the agreement between the parties.

Thus, having made this earnest analysis, for which I must crave the indulgence of members of the Council, I think that this rejection, this abhorrence of or repugnance towards the idea of a reference to the principles of the eighteen Powers is due to an historical fact, the dramatic circumstance that they were proposed by those countries and summarily rejected by Egypt at a time when there was obviously a degree of tension abroad. But, gentlemen, let us not allow tension to lend a colour and meaning different from the objective colour and meaning of facts and events, in such a way that the circumstances which surround a proposal made, perhaps, too peremptorily by the great Powers and rejected even more peremptorily by Egypt -- the drama of this proposal and this rejection -- may lend a colour which is foreign to proposals made, in reality, in accordance with the bases we have adopted.

Let us, then, place in parentheses this gloss on the objective facts, and there will then be no bar to our accepting this proposal:

"Considers that the proposals of the Eighteen Powers correspond to the requirements set out above and are suitably designed to bring about a settlement of the Suez Canal question by peaceful means in conformity with justice;"

-- particularly now that we have the happy amendment proposed by Iran and accepted by the United Kingdom on behalf, I understand, of France also.

The other point concerns the note that the Egyptian Government,

"while declaring its readiness in the exploratory conversations to accept the principle of organized collaboration between an Egyptian Authority and the users, has not yet formulated sufficiently precise proposals..."

This is the case. The Peruvian delegation would, however, have preferred merely to state that we hope that the Egyptian representative would complete his proposals. But I do not wish to labour this point, for in reality it is covered by the first Iranian amendment, which places any suggestion by Egypt on a footing of equality with the proposal of the eighteen countries.

(Mr. Belaunde, Peru)

What is there left, then, in the resolution? There is an invitation which we had to extend. To do what? To maintain contact and continue negotiations. With what object? With the object of establishing a system which will meet the requirements and satisfy the needs expressed in the principles, providing the users with guarantees no less effective than those embodied in the proposals of the eighteen Powers.

The whole of this principle must be viewed in the light of the Iranian amendment, which is an amendment of great importance, for it not only gives a meaning, or a better meaning, to the specific point to which it applies but also places any proposals which Egypt may make on an equal footing with those of the eighteen Powers.

And I come finally to what has been called the question of provisional measures.

I am going to be very brief, because this matter has been dealt with in a masterly fashion by the Belgian representative. I am gratified that he accepts the interpretation which I gave at the time and that it is clear to all my colleagues that, although, strictly speaking, before provisional measures can be taken, the Council must first determine the existence of a threat to the peace, breach of the peace, or act of aggression, it is obvious that, by analogy, provisional measures may also be taken under Chapter VI. They are not specifically provided for in Chapter VI but in empowering the Security Council in Articles 34, 36 and 37 of this Chapter ex-officio to investigate any situation which is likely to endanger peace and, more particularly, in empowering it under Article 37 to recommend "terms of settlement", the Charter did not exclude provisional measures from those terms of settlement, precisely so that such measures could be put into effect.

There is a legal axiom according to which principles which are not directly relevant may be applied to similar cases by analogy.

If the provisional measures to prevent an aggravation of the situation -- "an aggravation" says Article 40 of the Charter -- are put into effect in the case of aggression or of a threat to the peace, why should they not be put into effect in cases where probably, or even very probably, with all due foresight, it may be said that there is a threat to the peace?

The Security Council has such full powers with regard to the terms of settlement that it can certainly decide upon these provisional measures, particularly when the application of such measures is also sanctioned by American law. I must state, in support of what the Minister of Foreign Affairs, Mr. Spaak, has said here, that article 7 of the Treaty of Mutual Assistance also provides for provisional measures in the event of a threat to the peace or of an aggression and also provides that those measures are without prejudice to the rights of the parties but have certain implications for the party which rejects them. It lays a kind of moral responsibility upon the party which rejects them.

I was -- as the Council well knows, and I can say this without revealing anything of what took place at the private meetings -- heartily in favour of these provisional measures. I think that such measures might have been included in article 8, in the navigation regulations and among other principles governing the operation of the Suez Canal.

In addition I think, of course, that some sort of provisional measures or some form of status quo will be created, under the influence of moral factors, by the simple fact that negotiations are under way, by the weight of the principles we have proclaimed, by the moral undertaking we are giving humanity -- and which the Powers concerned will give -- to bring these negotiations to a successful conclusion; I think, I repeat, that there will be a form of moral status quo, even though it is not given legal form. And there is that principle which we can perfectly well use and publicize, a principle which was discussed in the Security Council -- that all the countries concerned are under an obligation, while negotiations are in progress, to do nothing which might upset the course of those negotiations.

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(Mr. Belaunde, Peru)

Now we know, of course, that the last operative paragraph of the resolution contains a reference to the position of the users and a reference to general co-operation with the users to ensure the satisfactory operation of the Canal.

As a student, a modest student, of legal affairs I am to some extent impressed by the argument that we are not as yet, so to speak, in a proper legal position to take legal cognizance of the existence of the Suez Canal Users' Association. I accordingly venture to say -- without of course making it an amendment -- that I should have preferred the general term "users", since individual users -- the 10 per cent that have been mentioned -- may be outside the Association, while the users collectively speaking -- the 90 per cent -- may be considered in terms of co-operation with the Egyptian Government.

But these are small details which are not going to prevent me from, or give me serious qualms about, voting for the resolution adopted. I shall give it my vote; and, after this study, I shall do so in full awareness of the interpretation that, as Mr. Selwyn Lloyd so well expressed it, it does not represent any insinuation, any moral coercion, any principle of compulsion or pressure, but the expression of a desire, the free formulation of proposals which Egypt is fully at liberty to counter with its own and, at the same time, the statement of measures which are a guarantee to Egypt of respect for its sovereignty and a guarantee to mankind of the free use of the Canal.

The PRESIDENT (translated from French): The United Kingdom representative has informed me that in view of the late hour he would, for his own part, be willing to dispense with the interpretation into English of the statement we have just heard. Since the President is French, and following the Franco-British custom that we always strive to outdo one another in courtesy, it is impossible for me not to make the same proposal with regard to the interpretation into French. In these circumstances the President proposes to the Security Council that the double interpretation should be discontinued unless, of course, the speaker concerned requires it. Does the Council agree?

It is therefore so decided; this will enable our interpreters to rest for a few moments.

Mr. SHEPILOV (Union of Soviet Socialist Republics) (translated from Russian): I do not intend to engage in argument and shall confine myself to a brief rejoinder.

All those who have spoken here have unanimously expressed their full agreement with the first part of the resolution, for it represents a reasonable compromise. This part of the resolution marks progress in the elaboration of measures for the solution of the Suez problem. This part of the resolution is a distillation of the results of the conversations between the Ministers of Foreign Affairs of Egypt, the United Kingdom and France, with the active participation of Mr. Hammarskjold, the Secretary-General of the United Nations.

The second part of the Anglo-French resolution is entirely different. This is not a result of the conversations. It is something which has already been rejected by the Egyptian Government at an earlier stage in the development of the Suez question. That is why this part of the resolution also failed to receive the support of, and drew serious objections from, Egypt, the Soviet Union and Yugoslavia here today. The representatives of some other States have made reservations or amendments with respect to this second part of the resolution.

(Mr. Shepilov, USSR)

I ask this question: In these circumstances, is it necessary to complicate our proceedings and demonstrate the lack of unanimity in the Security Council? The world at large expects much of the Security Council, and we should be strengthening its hopes by adopting unanimously a resolution which would provide a sound basis for further negotiations.

In this connexion I should like to refer to the positive aspects of the resolution which the Yugoslav representative has introduced.

The first part of this resolution reproduces in its entirety the text of that part of the Anglo-French resolution which sets forth the six principles agreed on. The Yugoslav resolution in addition recommends that negotiations should be continued, requests the Secretary-General to offer, if necessary, his assistance in subsequent stages of negotiations and, finally, calls on all the parties concerned to abstain from taking any measures which might impair these negotiations.

It seems to me that we could adopt this resolution unanimously. Assuming, of course, that the representatives of France and the United Kingdom found it possible not to press the second part of their resolution, which is controversial, we could, by adopting the Yugoslav resolution, demonstrate our unanimity and our desire not to complicate negotiations, for which the path had already been prepared, by taking positions which are bound to cause discussion later, demonstrate our common resolve to lend our sincere assistance in the settlement of the Suez problem.

The PRESIDENT (translated from French): We have before us two draft resolutions.

The first is that proposed by France and the United Kingdom. An amendment to it has been submitted by the representative of Iran and accepted by the United Kingdom representative, and the Chair understands that the representative of France is also prepared to accept it. With the agreement of the two sponsors, this amendment will accordingly be incorporated in the draft resolution.

If I have rightly interpreted the statements which have been made, the draft resolution should, I think, be put to the vote in two parts. The first part would include the statement of the six principles and end with the words "for the payment of sums found to be due".

The second part would begin with the words: "Considers that the proposals of the Eighteen Powers..." and continue to the end of the resolution, taking into account the Iranian amendment.

Are members of the Council ready to vote on these two parts?

It was so decided.

The PRESIDENT (translated from French): I put to the vote the first part of the draft resolution.

A vote was taken by show of hands.

In favour: Australia, Belgium, China, Cuba, France, Iran, Peru, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

The PRESIDENT (translated from French): The first part of the draft resolution has been adopted unanimously.

I put the second part to the vote.

A vote was taken by show of hands.

In favour: Australia, Belgium, China, Cuba, France, Iran, Peru, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against: Union of Soviet Socialist Republics, Yugoslavia.

The PRESIDENT (translated from French): There were 9 votes in favour and 2 against, but I would point out that one of the two votes against was that of a Power which is a permanent member of the Security Council and therefore has the right of veto. The second part of the draft resolution, therefore, is not adopted.

I could put the draft resolution to the vote as a whole, but by our tradition the whole is now identical with the first part. Since the first part has been unanimously adopted I think I may take it that the whole has also been adopted unanimously.

Is there any objection?

It was so decided.

Mr. ABDOH (Iran) (translated from French): I should like to explain why my delegation voted in favour of the second part of the draft resolution.

It has become clear in the course of our discussions that the eighteen-Power proposals are not the only ones which meet the requirements set forth in the draft resolution; these could have been met by other suggestions, including those which the Egyptian Government might have proposed. This is the explicit sense of the Iranian amendment, which has been accepted by the United Kingdom and French delegations, a fact for which I am very grateful to them.

Thus from now on the eighteen-Power proposals will be considered in conjunction with any which may be made, in the same context, by Egypt.

I should also like to explain my delegation's vote on the last paragraph of the draft resolution. It has also become clear from our discussions that this concluding paragraph does not imply any administrative measure, on the part of the users which might affect Egypt's sovereignty. It refers, not to a compulsory system, but to a purely optional one. These provisional measures, moreover, in no way prejudice the sovereign rights of Egypt and contain no idea of coercion. Finally, in joining the Users' Association my Government was at pains to make it very clear that the primary aim of the Association was to seek the co-operation of Egypt.

Mr. DULLES (United States of America): I regret that it has not been possible for the Council to agree on more than the principles, the requirements, of a settlement; but that already is much. I think, of course, it is understood that the Council remains seized of this matter and that the Secretary-General may continue to encourage interchanges between the Governments of Egypt, France and the United Kingdom -- a procedure which has already yielded positive results.

Mr. POPOVIC (Yugoslavia) (translated from French): Although the part of the draft resolution which has just been adopted does not, in our opinion, cover all the points on which agreement has been reached, the Yugoslav delegation will not press for a vote on its own draft resolution.

The PRESIDENT (translated from French): Since no one else has expressed the wish to speak it remains for the President to thank the representatives present for the spirit of understanding and courtesy they have shown during these discussions. Thanks to this spirit we have been able to achieve results which, while incomplete, are nevertheless positive, and the President feels justified in saying that this session of the Security Council has done great credit to the United Nations of which we are all proud to be Members.

The meeting rose at 11.50 p.m.



UNITED NATIONS
SECURITY
COUNCIL



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S/3672
13 October 1956

ORIGINAL: ENGLISH

SITUATION CREATED BY THE UNILATERAL ACTION OF THE EGYPTIAN
GOVERNMENT IN BRINGING TO AN END THE SYSTEM OF INTERNATIONAL
OPERATION OF THE SUEZ CANAL, WHICH WAS CONFIRMED AND COMPLETED
BY THE SUEZ CANAL CONVENTION OF 1888

Yugoslavia: draft resolution

The Security Council,

Having discussed the question of the Suez Maritime Canal;

Noting with satisfaction the conversations which with the assistance of the Secretary-General of the United Nations have taken place between the Foreign Ministers of Egypt, France and the United Kingdom, as well as the spirit in which they have been conducted;

Considers that a solution to be found must meet the following requirements:

- (1) There shall be free and open transit through the Canal without discrimination overt or covert;
- (2) Egypt's sovereignty shall be respected;
- (3) The operation of the Canal should be insulated from the politics of any country;
- (4) The manner of fixing tolls and charges should be decided by agreement between Egypt and the users;
- (5) A fair proportion of the dues should be allotted to development;
- (6) In case of dispute, unresolved affairs between the Suez Canal Company and the Egyptian Government should be settled by arbitration with suitable terms of references and suitable provisions for the payment of the sums found to be due.

Recommends that the negotiations be continued;

Requests the Secretary-General to offer, if necessary, his assistance in subsequent stages of negotiations;

Calls on all the parties concerned to abstain from taking any measures which might impair these negotiations.



UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/3671
13 October 1956

ORIGINAL: ENGLISH/
FRENCH

SITUATION CREATED BY THE UNILATERAL ACTION OF THE EGYPTIAN
GOVERNMENT IN BRINGING TO AN END THE SYSTEM OF INTERNATIONAL
OPERATION OF THE SUEZ CANAL, WHICH WAS CONFIRMED AND COMPLETED
BY THE SUEZ CANAL CONVENTION OF 1888

France and United Kingdom of Great Britain and Northern Ireland:
joint draft resolution

The Security Council,

Noting the declarations made before it and the accounts of the development
of the exploratory conversations on the Suez question given by the Secretary-
General of the United Nations and the Foreign Ministers of Egypt, France and the
United Kingdom;

Agrees that any settlement of the Suez question should meet the following
requirements:

- (1) there should be free and open transit through the Canal without
discrimination, overt or covert - this covers both political and technical
aspects;
- (2) the sovereignty of Egypt should be respected;
- (3) the operation of the Canal should be insulated from the politics of any
country;
- (4) the manner of fixing tolls and charges should be decided by agreement
between Egypt and the users;
- (5) a fair proportion of the dues should be allotted to development;
- (6) in case of disputes, unresolved affairs between the Suez Canal Company
and the Egyptian Government should be settled by arbitration with suitable
terms of reference and suitable provisions for the payment of sums found to be
due;

Considers that the proposals of the Eighteen Powers correspond to the
requirements set out above and are suitably designed to bring about a settlement
of the Suez Canal question by peaceful means in conformity with justice;

reconnaissance que d'autres propositions etc.

Notes that the Egyptian Government, while declaring its readiness in the exploratory conversations to accept the principle of organized collaboration between an Egyptian Authority and the users, has not yet formulated sufficiently precise proposals to meet the requirements set out above;

A.

Invites the Governments of Egypt, France and the United Kingdom to continue their interchanges and in this connexion invites the Egyptian Government to make known promptly its proposals for a system meeting the requirements set out above and providing guarantees to the users not less effective than those sought by the proposals of the Eighteen Powers;

A: adequate

Considers that pending the conclusion of an agreement for the definitive settlement of the regime of the Suez Canal on the basis of the requirements set out above, the Suez Canal Users' Association, which has been qualified to receive the dues payable by ships belonging to its members, and the competent Egyptian authorities, should co-operate to ensure the satisfactory operation of the Canal and free and open transit through the Canal in accordance with the 1888 Convention.

October 15, 1956

Your Excellency,

I have the honour to bring to your attention the following:

During the debate in the Security Council on the question of the Suez Canal, and particularly in the course of the Council's meeting on the 13th of October 1956, several Representatives, including myself stressed the importance of providing the proper atmosphere for future negotiations and of avoiding anything which would be of a nature to affect negatively their progress and the chances of their success.

As a contribution by the Government of Egypt to this end, I accepted on its behalf the six principles which were later confirmed by the Security Council in its resolution on the 13th of October 1956; and I did not press for the immediate consideration of the item which figured on the Council's agenda as paragraph 3 and which reads as follows, "Actions against Egypt by some powers, particularly France and the United Kingdom, which constitute

H.E. Ambassador Bernard Cornut-Gentille
President of the Security Council
United Nations
New York

a danger to international peace and security and are serious violations of the Charter of the United Nations."

It is, therefore, a matter of deep regret and of real concern to all those who believe that a peaceful negotiated settlement of the Suez Canal question is the only way in which it can be resolved, to be faced with such statements by such highly placed and highly responsible statesmen as the one given only the day before yesterday by the Prime Minister of the United Kingdom, Sir Anthony Eden.

You will recall, Mr. President, that in this statement, the British Prime Minister announced that Britain would continue its military measures in the Eastern Mediterranean; and added, "We have always said that with us force is the last resort, but it cannot be excluded." The Prime Minister continued that Britain has refused to say that "in no circumstances would we ever use force."

This extremely unfortunate statement evokes the memory of other statements to the same effect made recently on the same subject by Sir Anthony Eden himself and by several other British responsible statesmen.

The timing of the statement of the British Prime Minister is no less unfortunate than the statement itself; as it came at a moment when the Foreign Ministers of Egypt, France and the United Kingdom had their Governments' approval of the six principles which were later adopted by the Security Council on the 13th of October 1956.

I hardly need to point out the destructive nature of such statements, and their going counter to the recommendations made during the debate in the Security Council in behalf of providing the proper atmosphere for negotiating a peaceful settlement of the Suez Canal question and of avoiding anything which would be of a nature to affect negatively the progress and the chances of success of such negotiations.

This is the more so in view of the fact that the Governments of France and the United Kingdom are persevering in the military and economic measures which they initiated after the nationalization of the former Suez Canal Company.

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No less serious than all this is the extremely damaging effect of such statements and such economic and military measures on the freedom of the proposed negotiations.

It is, furthermore, particularly to be noted that these statements and measures, instead of insulating the Suez Canal from politics as stipulated in the resolution of the Security Council, are of a nature to throw this question into the turmoil of politics.

I have the honour to request that the contents of this letter be brought to the attention of the members of the Security Council and circulated as an official document.

I avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

Mahmoud Fawzi
Minister for Foreign Affairs
of Egypt