

N° 4031.

ROYAUME-UNI
DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
ET ÉGYPTE

Traité d'alliance, signé à Londres, le
26 août 1936, avec note acceptée
de la même date, et notes y rela-
tives, Londres, le 26 août 1936,
et Ramleh et Alexandrie, le 12
août 1936.

UNITED KINGDOM
OF GREAT BRITAIN
AND NORTHERN IRELAND
AND EGYPT

Treaty of Alliance, signed at London,
August 26th, 1936, with Agreed
Minute of the same Date, and
Notes relating thereto, London,
August 26th, 1936, and Ramleh
and Alexandria, August 12th, 1936.

No. 4031. — TREATY¹ OF ALLIANCE BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND EGYPT. SIGNED AT LONDON, AUGUST 26TH, 1936.

English official text communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Treaty took place January 6th, 1937.

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and HIS MAJESTY THE KING OF EGYPT ;

Being anxious to consolidate the friendship and the relations of good understanding between them and to co-operate in the execution of their international obligations in preserving the peace of the world ;

And considering that these objects will best be achieved by the conclusion of a treaty of friendship and alliance, which in their common interest will provide for effective co-operation in preserving peace and ensuring the defence of their respective territories, and shall govern their mutual relations in the future ;

Have agreed to conclude a Treaty for this purpose, and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA (HEREINAFTER REFERRED TO AS HIS MAJESTY THE KING AND EMPEROR) :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

The Rt. Hon. Anthony EDEN, M.C., M.P., His Principal Secretary of State for Foreign Affairs.

The Rt. Hon. James Ramsay MACDONALD, M.P., Lord President of the Council.

The Rt. Hon. Sir John SIMON, G.C.S.I., K.C.V.O., O.B.E., K.C., M.P., His Principal Secretary of State for the Home Department.

The Rt. Hon. Viscount HALIFAX, K.G., G.C.S.I., G.C.I.E., Lord Privy Seal.

Sir Miles Wedderburn LAMPSON, K.C.M.G., C.B., M.V.O., His High Commissioner for Egypt and the Sudan.

HIS MAJESTY THE KING OF EGYPT :

Moustapha EL-NAHAS Pacha, President of the Council of Ministers.

Dr. Ahmed MAHER, President of the Chamber of Deputies.

Mohamed MAHMOUD Pacha, former President of the Council of Ministers.

Ismail SEDKY Pacha, former President of the Council of Ministers.

Abdel Fattah YÉHIA Pacha, former President of the Council of Ministers.

Wacyf Boutros GHALI Pacha, Minister of Foreign Affairs.

Osman MOHARRAM Pacha, Minister of Public Works.

¹ The exchange of ratifications took place at Cairo, December 22nd, 1936.

¹ TRADUCTION. — TRANSLATION.

N^o 4031. — TRAITÉ² D'ALLIANCE ENTRE LE ROYAUME-UNI DE GRANDE-BRETAGNE ET D'IRLANDE DU NORD ET L'ÉGYPTE. SIGNÉ A LONDRES, LE 26 AOUT 1936.

Texte officiel anglais communiqué par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement de ce traité a eu lieu le 6 janvier 1937.

SA MAJESTÉ LE ROI D'ÉGYPTE et SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES,
Soucieux de consolider l'amitié et les relations de bonne entente entre eux et de coopérer dans l'exécution de leurs obligations internationales en vue de la conservation de la paix du monde,

Et considérant que le meilleur moyen d'arriver à ces fins serait la conclusion d'un traité d'amitié et d'alliance, qui, dans leur intérêt commun, faciliterait une coopération efficace dans la conservation de la paix et la défense de leurs territoires respectifs, et réglerait pour l'avenir leurs relations mutuelles,

Sont convenus de conclure un traité à ces fins et ont désigné pour leurs plénipotentiaires, savoir :

SA MAJESTÉ LE ROI D'ÉGYPTE :

- S. E. Moustapha EL-NAHAS Pacha, président du Conseil des ministres.
- S. E. D^r Ahmed MAHER, président de la Chambre des députés.
- S. E. Mohamed MAHMOUD Pacha, ancien président du Conseil.
- S. E. Ismaïl SEDKY Pacha, ancien président du Conseil.
- S. E. Abdel Fattah YÉHIA Pacha, ancien président du Conseil.
- S. E. Wacyf Boutros GHALI Pacha, ministre des Affaires étrangères.
- S. E. Osman MOHARRAM Pacha, ministre des Travaux publics.
- S. E. Makram EBEID Pacha, ministre des Finances.
- S. E. Mahmoud Fahmy EL-NOKRACHI Pacha, ministre des Communications.
- S. E. Ahmed Hamdi Seif EL-NASR Pacha, ministre de l'Agriculture.
- S. E. Aly EL-CHAMSI Pacha, ancien ministre.
- S. E. Mohamed Helmi ISSA Pacha, ancien ministre.
- S. E. Hafez AFIFI Pacha, ancien ministre.

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES DOMINIONS BRITANNIQUES AU DELA DES MERS, EMPEREUR DES INDES (ci-après désigné par « SA MAJESTÉ LE ROI ET EMPEREUR »),

POUR LA GRANDE-BRETAGNE ET L'IRLANDE DU NORD :

Le Rt. Hon. Anthony EDEN, M.C., M.P., premier secrétaire d'Etat pour les Affaires étrangères.

¹ Traduction du Gouvernement égyptien.

¹ Translation of the Egyptian Government.

² L'échange des ratifications a eu lieu au Caire, le 22 décembre 1936.

Makram EBEID Pacha, Minister of Finance.
Mahmoud Fahmy EL-NOKRACHI Pacha, Minister of Communications.
Ahmed Hamdi Seif EL NASR Pacha, Minister of Agriculture.
Aly EL CHAMSI Pacha, former Minister.
Môhamed Helmi ISSA Pacha, former Minister.
Hafez AFIFI Pacha, former Minister.

Who, having communicated their full powers, found in good and due form, have agreed as follows :

Article 1.

The military occupation of Egypt by the forces of His Majesty The King and Emperor is terminated.

Article 2.

His Majesty The King and Emperor will henceforth be represented at the Court of His Majesty the King of Egypt and His Majesty the King of Egypt will be represented at the Court of St. James's by Ambassadors duly accredited.

Article 3.

Egypt intends to apply for membership to the League of Nations. His Majesty's Government in the United Kingdom, recognising Egypt as a sovereign independent State, will support any request for admission which the Egyptian Government may present in the conditions prescribed by Article 1 of the Covenant.

Article 4.

An alliance is established between the High Contracting Parties with a view to consolidating their friendship, their cordial understanding and their good relations.

Article 5.

Each of the High Contracting Parties undertakes not to adopt in relation to foreign countries an attitude which is inconsistent with the alliance, nor to conclude political treaties inconsistent with the provisions of the present Treaty.

Article 6.

Should any dispute with a third State produce a situation which involves a risk of a rupture with that State, the High Contracting Parties will consult each other with a view to the settlement of the said dispute by peaceful means, in accordance with the provisions of the Covenant of the League of Nations and of any other international obligations which may be applicable to the case.

Article 7.

Should, notwithstanding the provisions of Article 6 above, either of the High Contracting Parties become engaged in war, the other High Contracting Party will, subject always to the provisions of Article 10 below, immediately come to his aid in the capacity of an ally.

The aid of His Majesty the King of Egypt in the event of war, imminent menace of war or apprehended international emergency will consist in furnishing to His Majesty The King and Emperor on Egyptian territory, in accordance with the Egyptian system of administration and legislation, all the facilities and assistance in his power, including the use of his ports, aerodromes and means of communication. It will accordingly be for the Egyptian Government to take all

the administrative and legislative measures, including the establishment of martial law and an effective censorship, necessary to render these facilities and assistance effective.

Article 8.

In view of the fact that the Suez Canal, whilst being an integral part of Egypt, is a universal means of communication as also an essential means of communication between the different parts of the British Empire, His Majesty the King of Egypt, until such time as the High Contracting Parties agree that the Egyptian Army is in a position to ensure by its own resources the liberty and entire security of navigation of the Canal, authorises His Majesty The King and Emperor to station forces in Egyptian territory in the vicinity of the Canal, in the zone specified in the Annex to this Article, with a view to ensuring in co-operation with the Egyptian forces the defence of the Canal. The detailed arrangements for the carrying into effect of this Article are contained in the Annex hereto. The presence of these forces shall not constitute in any manner an occupation and will in no way prejudice the sovereign rights of Egypt.

It is understood that at the end of the period of twenty years specified in Article 16 the question whether the presence of British forces is no longer necessary owing to the fact that the Egyptian Army is in a position to ensure by its own resources the liberty and entire security of navigation of the Canal may, if the High Contracting Parties do not agree thereon, be submitted to the Council of the League of Nations for decision in accordance with the provisions of the Covenant in force at the time of signature of the present Treaty or to such other person or body of persons for decision in accordance with such other procedure as the High Contracting Parties may agree.

Annex to Article 8.

1. Without prejudice to the provisions of Article 7, the numbers of the forces of His Majesty The King and Emperor to be maintained in the vicinity of the Canal shall not exceed, of the land forces, 10,000, and of the air forces, 400 pilots, together with the necessary ancillary personnel for administrative and technical duties. These numbers do not include civilian personnel, *e.g.*, clerks, artisans and labourers.

2. The British forces to be maintained in the vicinity of the Canal will be distributed (*a*) as regards the land forces, in Moascar and the Geneifa area on the south-west side of the Great Bitter Lake, and (*b*) as regards the air forces, within 5 miles of the Port Said-Suez railway from Kantara in the north, to the junction of the railway Suez-Cairo and Suez-Ismailia in the south, together with an extension along the Ismailia-Cairo railway to include the Royal Air Force Station at Abu Sueir and its satellite landing grounds; together with areas suitable for air firing and bombing ranges, which may have to be placed east of the Canal.

3. In the localities specified above there shall be provided for the British land and air forces of the numbers specified in paragraph 1 above, including 4,000 civilian personnel (but less 2,000 of the land forces, 700 of the air forces and 450 civilian personnel for whom accommodation already exists), the necessary lands and durable barrack and technical accommodation, including an emergency water supply. The lands, accommodation and water supply shall be suitable according to modern standards. In addition, amenities such as are reasonable, having regard to the character of these localities, will be provided by the planting of trees and the provision of gardens, playing fields, &c., for the troops, and a site for the erection of a convalescent camp on the Mediterranean coast.

4. The Egyptian Government will make available the lands and construct the accommodation, water supplies, amenities and convalescent camp, referred to in the preceding paragraph as being necessary over and above the accommodation already existing in these localities, at its own expense, but His Majesty's Government in the United Kingdom will contribute (1) the actual sum spent by the Egyptian Government before 1914 on the construction of new barracks as alternative accommodation to the Kasr-el-Nil Barracks in Cairo and (2) the cost of one-fourth of the barrack and technical accommodation for the land forces. The first of these sums shall be paid at the time specified in paragraph 8 below for the withdrawal of the British forces from Cairo and the second at the time for the withdrawal of the British forces from Alexandria under paragraph 18 below. The Egyptian Government may charge a fair rental for the residential accommodation provided for the civilian personnel. The amount of the rent will be agreed between His Majesty's Government in the United Kingdom and the Egyptian Government.

5. The two Governments will each appoint, immediately the present Treaty comes into force, two or more persons who shall together form a committee to whom all questions relating to the execution of these works from the time of their commencement to the time of their completion shall be entrusted. Proposals for or outlines of plans and specifications put forward by the representatives of His Majesty's Government in the United Kingdom will be accepted, provided they are reasonable and do not fall outside the scope of the obligations of the Egyptian Government under paragraph 4. The plans and specifications of each of the works to be undertaken by the Egyptian Government shall be approved by the representatives of both Governments on this committee before the work is begun. Any member of this committee as well as the Commanders of the British forces or their representatives shall have the right to examine the works at all stages of their construction, and the United Kingdom members of the committee may make suggestions as regards the manner in which the work is carried out. The United Kingdom members shall also have the right to make at any time, while the work is in progress, proposals for modifications or alterations in the plans and specifications. Effect shall be given to suggestions and proposals by the United Kingdom members, subject to the condition that they are reasonable and do not fall outside the scope of the obligations of the Egyptian Government under paragraph 4. In the case of machinery and other stores, where standardization of type is important, it is agreed that stores of the standard type in general use by the British forces will be obtained and installed. It is, of course, understood that His Majesty's Government in the United Kingdom may, when the barracks and accommodation are being used by the British forces, make at their own expense improvements or alterations thereto and construct new buildings in the areas specified in paragraph 2 above.

6. In pursuance of their programme for the development of road and railway communications in Egypt, and in order to bring the means of communications in Egypt up to modern strategic requirements, the Egyptian Government will construct and maintain the following roads, bridges and railways :

(A) — *Roads.*

- (i) Ismailia—Alexandria, via Tel-el-Kebir, Zagazig, Zifta, Tanta, Kafr-el-Zayat, Damanhour.
- (ii) Ismailia—Cairo, via Tel-el-Kebir and thence continuing along the Sweet Water Canal to Heliopolis.
- (iii) Port Said—Ismailia—Suez.
- (iv) A link between the south end of the Great Bitter Lake and the Cairo—Suez road about 15 miles west of Suez.

In order to bring them up to the general standard of good-class roads for general traffic, these roads will be 20 feet wide, have bye-passes round villages, &c., and be made of such material as to be permanently utilisable for military purposes, and will be constructed in the above order of importance. They will comply with the technical specifications set out below which are the ordinary specifications for a good-class road for general traffic.

Bridges and roads shall be capable of carrying a double line of continuous columns of either heavy four-wheeled mechanical transport, six-wheeled mechanical transport or medium tanks. With regard to four-wheeled vehicles, the distance between the front axle of one vehicle and the rear axle of the vehicle next ahead shall be calculated at 20 feet, the load on each rear axle to be 14 tons, on each front axle to be 6 tons and the distance between axles 18 feet. With regard to six-wheeled vehicles, the distance between the front axle of one vehicle and the rear axle of that next ahead shall be calculated to be 20 feet, between rear axle and middle axle to be 4 feet and between middle axle and front axle 13 feet; the load on each rear and middle axle to be 8.1 tons and on each front axle to be 4 tons. Tanks shall be calculated for as weighing 19.25 tons, to be 25 feet over all in length and to have a distance of 3 feet between the front of one tank and the rear of the next ahead; the load of 19.25 tons to be carried by tracks which have a bearing of 13 feet upon the road or bridge.

(B) — *Railways.*

- (i) Railway facilities in the Canal Zone will be increased and improved to meet the needs of the increased garrison in the zone and to provide facilities for rapid entrainment of personnel, guns, vehicles and stores according to the requirements of a modern army. His Majesty's Government in the United

Kingdom are hereby authorised to make at their own expense such subsequent additions and modifications to these railway facilities as the future requirements of the British forces may demand. Where such additions or modifications affect railway lines used for general traffic, the permission of the Egyptian Government must be obtained.

(ii) The line between Zagazig and Tanta will be doubled.

(iii) The Alexandria-Mersa Matruh line will be improved and made permanent.

7. In addition to the roads specified in paragraph 6 (A) above, and for the same purposes, the Egyptian Government will construct and maintain the following roads :

(i) Cairo south along the Nile to Kena and Kus ;

(ii) Kus to Kosseir ;

(iii) Kena to Hurghada.

These roads and the bridges thereon will be constructed to satisfy the same standards as those specified in paragraph 6 above.

It may not be possible for the construction of the roads referred to in this paragraph to be undertaken at the same time as the roads referred to in paragraph 6, but they will be constructed as soon as possible.

8. When, to the satisfaction of both the High Contracting Parties, the accommodation referred to in paragraph 4 is ready (accommodation for the forces retained temporarily at Alexandria in accordance with paragraph 18 below not being included) and the works referred to in paragraph 6 above (other than the railways referred to in (ii) and (iii) of part (B) of that paragraph) have been completed, then the British forces in parts of Egypt other than the areas in the Canal Zone specified in paragraph 2 above and except for those maintained temporarily at Alexandria, will withdraw and the lands, barracks, aircraft landing grounds, seaplane anchorages and accommodation occupied by them will be vacated and, save in so far as they may belong to private persons, be handed over to the Egyptian Government.

9. Any difference of opinion between the two Governments relating to the execution of paragraphs 3, 4, 5, 6, 7 and 8 above will be submitted to the decision of an Arbitral Board, composed of three members, the two Governments nominating each a member and the third being nominated by the two Governments in common agreement. The decision of the Board shall be final.

10. In order to ensure the proper training of British troops, it is agreed that the area defined below will be available for the training of British forces : (a) and (b) at all times of the year, and (c) during February and March for annual manœuvres :

(a) West of the Canal : From Kantara in the north to the Suez-Cairo railway (inclusive) in the south and as far as longitude 31 degrees 30 minutes east, exclusive of all cultivation ;

(b) East of the Canal as required ;

(c) A continuation of (a) as far south as latitude 29 degrees 52 minutes north, thence south-east to the junction of latitude 29 degrees 30 minutes north and longitude 31 degrees 44 minutes east and from that point eastwards along latitude 29 degrees 30 minutes north.

The areas of the localities referred to above are included in the map (scale 1 : 500,000) which is annexed to the present Treaty.

11. Unless the two Governments agree to the contrary, the Egyptian Government will prohibit the passage of aircraft over the territories situated on either side of the Suez Canal and within 20 kilometres of it, except for the purpose of passage from east to west or *vice versa* by means of a corridor 10 kilometres wide at Kantara. This prohibition will not, however, apply to the forces of the High Contracting Parties or to genuinely Egyptian air organisations or to air organisations genuinely belonging to any part of the British Commonwealth of Nations operating under the authority of the Egyptian Government.

12. The Egyptian Government will provide when necessary reasonable means of communication and access to and from the localities where the British forces are situated and will also accord facilities at Port Said and Suez for the landing and storage of material and supplies for the British forces, including the maintenance of a small detachment of the British forces in these ports to handle and guard this material and these supplies in transit.

13. In view of the fact that the speed and range of modern aircraft necessitate the use of wide areas for the efficient training of air forces, the Egyptian Government will accord permission to the British air forces to fly wherever they consider it necessary for the purpose of training. Reciprocal treatment will be accorded to Egyptian air forces in British territories.

14. In view of the fact that the safety of flying is dependent upon provision of a large number of places where aircraft can alight, the Egyptian Government will secure the maintenance and constant availability of adequate landing grounds and seaplane anchorages in Egyptian territory and waters. The Egyptian Government will accede to any request from the British air forces for such additional landing grounds and seaplane anchorages as experience may show to be necessary to make the number adequate for allied requirements.

15. The Egyptian Government will accord permission for the British air forces to use the said landing grounds and seaplane anchorages, and in the case of certain of them to send stocks of fuel and stores thereto, to be kept in sheds to be erected thereon for this purpose, and in case of urgency to undertake such work as may be necessary for the safety of aircraft.

16. The Egyptian Government will give all necessary facilities for the passage of the personnel of the British forces, aircraft and stores to and from the said landing grounds and seaplane anchorages. Similar facilities will be afforded to the personnel, aircraft and stores of the Egyptian forces at the air bases of the British forces.

17. The British military authorities shall be at liberty to request permission from the Egyptian Government to send parties of officers in civilian clothes to the Western Desert to study the ground and draw up tactical schemes. This permission shall not be unreasonably withheld.

18. His Majesty the King of Egypt authorises His Majesty The King and Emperor to maintain units of his forces at or near Alexandria for a period not exceeding eight years from the date of the coming into force of the present Treaty, this being the approximate period considered necessary by the two High Contracting Parties :

- (a) For the final completion of the barrack accommodation in the Canal zone ;
- (b) For the improvement of the roads :
 - (i) Cairo—Suez ;
 - (ii) Cairo—Alexandria via Giza and the desert ;
 - (iii) Alexandria—Mersa Matruh ;

so as to bring them up to the standard specified in part (A) of paragraph 6 ;

- (c) For the improvement of the railway facilities between Ismailia and Alexandria, and Alexandria and Mersa Matruh referred to in (ii) and (iii) of part (B) of paragraph 6.

The Egyptian Government will complete the work specified in (a), (b) and (c) above before the expiry of the period of eight years aforesaid. The roads and railway facilities mentioned above will, of course, be maintained by the Egyptian Government.

19. The British forces in or near Cairo shall, until the time for withdrawal under paragraph 8 above, and the British forces in or near Alexandria until the expiry of the time specified in paragraph 18 above, continue to enjoy the same facilities as at present.

Article 9.

The immunities and privileges in jurisdictional and fiscal matters to be enjoyed by the forces of His Majesty the King and Emperor who are in Egypt in accordance with the provisions of the present Treaty will be determined in a separate convention to be concluded between the Egyptian Government and His Majesty's Government in the United Kingdom.

Article 10.

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

Covenant of the League of Nations or the Treaty¹ for the Renunciation of War signed at Paris of the 27th August, 1928.

Article II.

1. While reserving liberty to conclude new conventions in future, modifying the agreements of the 19th January² and the 10th July, 1899, the High Contracting Parties agree that the administration of the Sudan shall continue to be that resulting from the said agreements. The Governor-General shall continue to exercise on the joint behalf of the High Contracting Parties the powers conferred upon him by the said agreements.

The High Contracting Parties agree that the primary aim of their administration in the Sudan must be the welfare of the Sudanese.

Nothing in this Article prejudices the question of sovereignty over the Sudan.

2. Appointments and promotions of officials in the Sudan will in consequence remain vested in the Governor-General, who, in making new appointments to posts for which qualified Sudanese are not available, will select suitable candidates of British and Egyptian nationality.

3. In addition to Sudanese troops, both British and Egyptian troops shall be placed at the disposal of the Governor-General for the defence of the Sudan.

4. Egyptian immigration into the Sudan shall be unrestricted except for reasons of public order and health.

5. There shall be no discrimination in the Sudan between British subjects and Egyptian nationals in matters of commerce, immigration or the possession of property.

6. The High Contracting Parties are agreed on the provisions set out in the Annex to this Article as regards the method by which international conventions are to be made applicable to the Sudan.

Annex to Article II.

1. Unless and until the High Contracting Parties agree to the contrary in application of paragraph 1 of this Article, the general principle for the future shall be that international conventions shall only become applicable to the Sudan by the joint action of the Governments of the United Kingdom and of Egypt, and that such joint action shall similarly also be required if it is desired to terminate the participation of the Sudan in an international convention which already applies to this territory.

2. Conventions to which it will be desired that the Sudan should be a party will generally be conventions of a technical or humanitarian character. Such conventions almost invariably contain a provision for subsequent accession, and in such cases this method of making the convention applicable to the Sudan will be adopted. Accession will be effected by a joint instrument, signed on behalf of Egypt and the United Kingdom respectively by two persons duly authorised for the purpose. The method of depositing the instruments of accession will be the subject of agreement in each case between the two Governments. In the event of its being desired to apply to the Sudan a convention which does not contain an accession clause, the method by which this should be effected will be the subject of consultation and agreement between the two Governments.

3. If the Sudan is already a party to a convention, and it is desired to terminate the participation of the Sudan therein, the necessary notice of termination will be given jointly by the United Kingdom and by Egypt.

4. It is understood that the participation of the Sudan in a convention and the termination of such participation can only be effected by joint action specifically taken in respect of the Sudan, and does not follow merely from the fact that the United Kingdom and Egypt are both parties to a convention or have both denounced a convention.

¹ Vol. XCIV, page 57 ; Vol. CXXXIV, page 411 ; Vol. CLII, page 298 ; and Vol. CLX, page 354, of this Series.

² *British and Foreign State Papers*, Vol. 91, page 19.

5. At international conferences where such conventions are negotiated, the Egyptian and the United Kingdom delegates would naturally keep in touch with a view to any action which they may agree to be desirable in the interests of the Sudan.

Article 12.

His Majesty The King and Emperor recognises that the responsibility for the lives and property of foreigners in Egypt devolves exclusively upon the Egyptian Government, who will ensure the fulfilment of their obligations in this respect.

Article 13.

His Majesty The King and Emperor recognises that the capitulatory régime now existing in Egypt is no longer in accordance with the spirit of the times and with the present state of Egypt.

His Majesty the King of Egypt desires the abolition of this régime without delay.

Both High Contracting Parties are agreed upon the arrangements with regard to this matter as set forth in the Annex to this Article.

Annex to Article 13.

1. It is the object of the arrangements set out in this Annex :

(i) To bring about speedily the abolition of the Capitulations in Egypt with the disappearance of the existing restrictions on Egyptian sovereignty in the matter of the application of Egyptian legislation (including financial legislation) to foreigners as its necessary consequence ;

(ii) To institute a transitional régime for a reasonable and not unduly prolonged period to be fixed, during which the Mixed Tribunals will remain and will, in addition to their present judicial jurisdiction, exercise the jurisdiction at present vested in the Consular Courts.

At the end of this transitional period the Egyptian Government will be free to dispense with the Mixed Tribunals.

2. As a first step, the Egyptian Government will approach the Capitulatory Powers as soon as possible with a view to (a) the removal of all restrictions on the application of Egyptian legislation to foreigners, and (b) the institution of a transitional régime for the Mixed Tribunals as provided in paragraph 1 (ii) above.

3. His Majesty's Government in the United Kingdom, as the Government of a Capitulatory Power and as an ally of Egypt, are in no way opposed to the arrangements referred to in the preceding paragraph and will collaborate actively with the Egyptian Government in giving effect to them by using all their influence with the Powers exercising capitulatory rights in Egypt.

4. It is understood that in the event of its being found impossible to bring into effect the arrangements referred to in paragraph 2, the Egyptian Government retains its full rights unimpaired with regard to the capitulatory régime, including the Mixed Tribunals.

5. It is understood that paragraph 2 (a) involves not merely that the assent of the Capitulatory Powers will be no longer necessary for the application of any Egyptian legislation to their nationals, but also that the present legislative functions of the Mixed Tribunals as regards the application of Egyptian legislation to foreigners will terminate. It would follow from this that the Mixed Tribunals in their judicial capacity would no longer have to pronounce upon the validity of the application to foreigners of an Egyptian law or decree which has been applied to foreigners by the Egyptian Parliament or Government, as the case may be.

6. His Majesty the King of Egypt hereby declares that no Egyptian legislation made applicable to foreigners will be inconsistent with the principles generally adopted in modern legislation or, with particular relation to legislation of a fiscal nature, discriminate against foreigners, including foreign corporate bodies.

7. In view of the fact that it is the practice in most countries to apply to foreigners the law of their nationality in matters of "statut personnel," consideration will be given to the desirability of excepting from the transfer of jurisdiction, at any rate in the first place, matters relating to "statut personnel" affecting nationals of those Capitulatory Powers who wish that their Consular authorities should continue to exercise such jurisdiction.

8. The transitional régime for the Mixed Tribunals and the transfer to them of the jurisdiction at present exercised by the Consular Courts (which régime and transfer will, of course, be subject to the provisions of the special convention referred to in Article 9) will necessitate the revision of existing laws relating to the organisation and jurisdiction of the Mixed Tribunals, including the preparation and promulgation of a new Code of Criminal Procedure. It is understood that this revision will include amongst other matters :

- (i) The definition of the word "foreigner" for the purpose of the future jurisdiction of the Mixed Tribunals ;
- (ii) The increase of the personnel of the Mixed Tribunals and the Mixed Parquet, which will be necessitated by the proposed extension of their jurisdiction ;
- (iii) The procedure in the case of pardons or remissions of sentences imposed on foreigners and also in connection with the execution of capital sentences passed on foreigners.

Article 14.

The present Treaty abrogates any existing agreements or other instruments whose continued existence is inconsistent with its provisions. Should either High Contracting Party so request, a list of the agreements and instruments thus abrogated shall be drawn up in agreement between them within six months of the coming into force of the present Treaty.

Article 15.

The High Contracting Parties agree that any difference on the subject of the application or interpretation of the provisions of the present Treaty which they are unable to settle by direct negotiation shall be dealt with in accordance with the provisions of the Covenant of the League of Nations.

Article 16.

At any time after the expiration of a period of twenty years from the coming into force of the Treaty, the High Contracting Parties will, at the request of either of them, enter into negotiations with a view to such revision of its terms by agreement between them as may be appropriate in the circumstances as they then exist. In case of the High Contracting Parties being *unable to agree* upon the terms of the revised Treaty, the difference will be submitted to the Council of the League of Nations for decision in accordance with the provisions of the Covenant in force at the time of signature of the present Treaty or to such other person or body of persons for decision in accordance with such procedure as the High Contracting Parties may agree. It is agreed that any revision of this Treaty will provide for the continuation of the alliance between the High Contracting Parties in accordance with the principles contained in Articles 4, 5, 6 and 7. Nevertheless, with the consent of both High Contracting Parties, negotiations may be entered into at any time after the expiration of a period of ten years after the coming into force of the Treaty, with a view to such revision as aforesaid.

Article 17.

The present Treaty is subject to ratification. Ratifications shall be exchanged in Cairo as soon as possible. The Treaty shall come into force on the date of the exchange of ratifications, and shall thereupon be registered with the Secretary-General of the League of Nations.

In witness whereof the above-named Plenipotentiaries have signed the present Treaty and affixed thereto their seals.

Done at London in duplicate this 26th day of August, 1936.

(L. S.) Anthony EDEN.
(L. S.) J. Ramsay MacDONALD.
(L. S.) John SIMON.
(L. S.) HALIFAX.
(L. S.) Miles W. LAMPSON.
(L. S.) Moustapha EL-NAHAS.
(L. S.) Ahmad MAHER.
(L. S.) M. MAHMOUD.
(L. S.) I. SEDKI.
(L. S.) A. YEHA.
(L. S.) Wacyf Boutros GHALI.
(L. S.) O. MOHARRAM.
(L. S.) Makram EBEID.
(L. S.) Mahmoud Fahmy EL-NOKRACHY.
(L. S.) A. Hamdy Seif EL NASR.
(L. S.) Aly EL CHAMSI.
(L. S.) M. H. ISSA.
(L. S.) Hafez AFIFI.

AGREED MINUTE.

The United Kingdom and Egyptian Delegations desire at the moment of signature to record in a Minute certain points of interpretation of the provisions of the Treaty of Alliance upon which they are agreed.

These points are as follows :

(i) It is of course understood that the facilities provided for in Article 7 to be furnished to His Majesty The King and Emperor include the sending of British forces or reinforcements in the eventualities specified in that Article.

(ii) With reference to Article 7, it is understood that as a result of the provisions of Article 6, there will have been mutual consultation between the two Governments in the case of a risk of a rupture. In the case of an apprehended international emergency, the same principle of mutual consultation applies.

(iii) The " means of communication " referred to in the second sentence of Article 7 include telecommunications (cables, telegraphs, telephones and wireless).

(iv) Amongst the military, administrative and legislative measures referred to in the third sentence of Article 7 are included measures under which the Egyptian Government, in the exercise of their powers as regards radio-electric communications, will take into account the requirements of the W/T stations of the British forces in Egypt, and will continue to co-operate with the British authorities to prevent any mutual interference between British and Egyptian W/T stations, and measures providing for the effective control of all means of communications referred to in that Article.

(v) The words "Geneifa area" in paragraph 2 (a) of the Annex to Article 8 mean : along the shore of the Great Bitter Lake from a point 3 kilometres North of Geneifa Station to a point 3 kilometres South-East of Fayid Station to a depth of 3 kilometres from the shore of the lake.

(vi) With reference to paragraph 2 (b) of the Annex to Article 8, it is understood that the exact sites in the area therein referred to where the air forces will be located will be defined as soon as possible.

The Royal Air Force Depot at present situated at Aboukir will also be transferred to this area not later than the date of the withdrawal of the British forces from Cairo under paragraph 8.

(vii) With reference to paragraph 3 of the Annex to Article 8, it is understood (a) that British barrack accommodation includes married quarters for officers and for a proportion of the other ranks, (b) that though the site of the convalescent camp cannot be definitely fixed at the moment, El Arish might possibly prove suitable, and (c) that the Egyptian Government, in pursuance of the policy which it has already taken in hand for the benefit of the inhabitants of those areas, will take all reasonable sanitary measures for the combating of malaria in the areas adjacent to those where the British forces are situated.

(viii) With reference to paragraph 6 of the Annex to Article 8, it is understood that, with regard to road No. (iii), the Egyptian Government will, unless they are able to make arrangements with the Suez Canal Company for the use of this road by the British and Egyptian forces and for the improvement of those sections which are not already up to this standard so as to satisfy the conditions laid down in paragraph 6, construct an entirely new road connecting these places.

(ix) With reference to paragraph 12 of the Annex to Article 8, it is understood that the number of the detachment referred to shall be limited to the minimum strictly necessary to handle and guard this material.

(x) With reference to paragraph 13 of the Annex to Article 8, it is understood that flying will take place for training purposes mostly over desert areas, and that populated areas will only be flown over where necessity so demands.

(xi) With reference to paragraph 2 of the Egyptian Note relating to military matters, it is of course understood that the cost of the Military Mission will be defrayed by the Egyptian Government, and that the words "proper training" in this paragraph include training in British military colleges and academies.

(xii) Paragraph 2 of the Egyptian Note relating to military matters only applies to persons who are already at the time members of the Egyptian armed forces.

(xiii) The word "equipment" in paragraph 3 of the Egyptian Note relating to military matters, means all such stores as it is desirable for forces acting together to have as a common pattern. It does not include articles of clothing or articles of local production.

(xiv) With reference to paragraph 1 of Article 11, it is agreed that the Governor-General shall furnish to His Majesty's Government in the United Kingdom and the Egyptian Government an annual report on the administration of the Sudan. Sudan legislation will be notified directly to the President of the Egyptian Council of Ministers.

(xv) With reference to paragraph 2 of Article 11, it is understood that, while the appointment of Egyptian nationals to official posts in the Sudan must necessarily be governed by the number of suitable vacancies, the time of their occurrence and the qualifications of the candidates forthcoming, the provisions of this paragraph will take effect forthwith on the coming into force of the Treaty. The promotion and advancement of members of the Sudan Service shall be irrespective of nationality up to any rank by selection in accordance with individual merits.

It is also understood that these provisions will not prevent the Governor-General occasionally appointing to special posts persons of another nationality when no qualified British subjects, Egyptian nationals or Sudanese are available.

(xvi) With reference to paragraph 3 of Article 11, it is understood that, as the Egyptian Government are willing to send troops to the Sudan, the Governor-General will give immediate consideration to the question of the number of Egyptian troops required for service in the Sudan, the precise places where they will be stationed and the accommodation necessary for them, and that the Egyptian Government will send forthwith, on the coming into force of the Treaty, an Egyptian military officer of high rank whom the Governor-General can consult with regard to these matters.

(xvii) With reference to Article 11, as it has been arranged between the Egyptian Government and His Majesty's Government in the United Kingdom that the question of the indebtedness of the Sudan to Egypt and other financial questions affecting the Sudan shall be discussed between the Egyptian Ministry of Finance and the Treasury of the United Kingdom, and as such discussions have already commenced, it has been considered unnecessary to insert in the Treaty any provision in regard to this question.

(xviii) With regard to paragraph 6 of the Annex to Article 13, it is understood that questions relating to this declaration are not subjects for the appreciation of any Courts in Egypt.

Signed in duplicate at London this 26th day of August, 1936.

(Signed) Anthony EDEN,
*His Majesty's Principal Secretary of
State for Foreign Affairs.*

(Signed) Moustapha EL-NAHAS,
*President of the Egyptian Council of
Ministers.*

NOTES.

I.

LONDON, August 26th, 1936.

SIR,

With reference to Article 2 of the Treaty signed this day, I have the honour to inform Your Excellency that, as His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, will be the first foreign sovereign to be represented in Egypt by an Ambassador, British Ambassadors will be considered senior to the other diplomatic representatives accredited to the Court of His Majesty the King of Egypt.

The provisions of this note are subject to revision at the time and in the conditions provided for in Article 16 of the Treaty.

I avail, &c.

Moustapha EL-NAHAS,
President of the Council of Ministers.

II.

LONDON, August 26th, 1936.

SIR,

With reference to Article 12 of the Treaty signed this day, I have the honour to inform Your Excellency that the Egyptian Government intend to abolish forthwith the European Bureau of the Public Security Department, but will retain, for five years from the coming into force of the Treaty, a certain European element in their city police. The said police will remain for the same period under the command of British officers.

With a view to facilitating the gradual substitution of Egyptian officials for the said European element and thereby securing the harmonious working of the police organisation, the Egyptian Government propose to dispense annually with the services of one-fifth of the number of European police officials.

The Egyptian Government, in view of the Treaty of friendship and alliance signed to-day, will, when engaging the services of foreign experts, generally prefer British subjects possessing the necessary qualifications.

I avail, &c.

Moustapha EL-NAHAS.

President of the Council of Ministers.

III.

LONDON, August 26th, 1936.

SIR,

I wish to place on record certain further understandings in regard to military matters which have been reached between us in connexion with the Treaty of Alliance signed this day.

(1) British personnel shall be withdrawn from the Egyptian Army and the functions of the Inspector-General and his staff shall terminate.

(2) The Egyptian Government, desiring to perfect the training of the Egyptian Army including the Air Force, and intending, in the interests of the alliance which has been established, that such foreign instructors as they may deem necessary shall be chosen from amongst British subjects only, will avail themselves of the advice of a British Military Mission for such time as they may deem necessary for the purposes aforesaid. His Majesty's Government in the United Kingdom will furnish the Military Mission which the Egyptian Government desire, and will also undertake to receive and provide proper training in the United Kingdom for any personnel of the Egyptian forces which the Egyptian Government may desire to send for the purpose of being trained. In the circumstances created by this Treaty the Egyptian Government will naturally not desire to send any personnel of their armed forces to undergo a course in any training establishment or unit abroad elsewhere than in the United Kingdom, provided that this shall not prevent it from sending to any other country such personnel as cannot be received in training establishments and units in the United Kingdom.

(3) In the interests of the alliance, and in view of the possible necessity of co-operative action between the British and Egyptian forces, the armament and equipment, land and air, of the Egyptian forces shall not differ in type from those of the British forces. His Majesty's Government in the United Kingdom undertake to use their good offices to facilitate the supply of such

armament and equipment from the United Kingdom, at prices similar to those which would be paid by His Majesty's Government, whenever the Egyptian Government so desire.

I avail, &c.

Mustapha EL-NAHAS,
President of the Council of Ministers.

IV.

THE RESIDENCY, RAMLEH,
August 12th, 1936.

SIR,

With reference to paragraph 6 (B) (i) of the Annex to Article H (9), Your Excellency asked me on behalf of the Egyptian Delegation to communicate information as regards the work which would be required to be done under this paragraph. I have the honour to enclose a statement which gives these details so far as they can be stated at the present moment. This statement is, however, only approximate and further details might have to be added to it.

I avail, &c.

Miles W. LAMPSON,
High Commissioner.

APPROXIMATE RAILWAY REQUIREMENTS IN CANAL ZONE.

MOASCAR.

The existing siding with troop entrainment platform and one siding with end loading ramp, each to hold "60" unit trains, with facilities to enable a train to be despatched every three hours, will be maintained.

GENEIFA AREA.

(a) *Entrainment Station.*—Two sidings with loop entrainment platforms and two sidings with end loading ramps, each to hold "60" unit trains.

(b) Depot Area, facilities as given below together with the necessary shunting loops, &c.

Supply Depot : One spur with two loading sidings (each 20 units).

Petrol Depot : One loading siding (10 units).

M.T. Vehicle Reception Depot : One end loading siding (30 Flats).

Ordnance Depot : One spur with one loading and one end loading siding (each 20 units).

Camp Equipment Depot : One loading siding (40 units).

Ammunition Depot : One spur with two loading sidings (each 20 units).

Hospital Area : One siding and one off-loading platform for one Hospital train.
 R.E. Stores Depot : One loading siding (20 units).
 N.A.A.F.I. Depot : One loading siding (10 units).

(c) Marshalling and Locomotive Yards to enable one personnel train, or one M.T. train, being despatched every three hours throughout the twenty-four.

(d) Wharves and other unloading facilities as required.

NOTE.—All loading sidings to have platforms corresponding with the length of the train.

V.

ANTONIADES PALACE, ALEXANDRIA,

August 12th, 1936.

SIR,

With reference to paragraph 18 (b) of the draft Annex to Article H (g) initialled the 24th July last, I have the honour to inform Your Excellency that the work which is at present being done on the roads Cairo-Alexandria, via Giza and the desert, and Cairo-Suez will be pushed forward and will be completed by the end of 1936.

I avail, &c.

Moustapha EL-NAHAS,

President of the Council of Ministers.

VI.

THE RESIDENCY, RAMLEH,

August 12th, 1936.

SIR,

In the course of discussions on questions of detail, arising out of paragraph 2 of Article K, the suggestion for the secondment of an Egyptian economic expert for service at Khartoum, and the Governor-General's wish to appoint an Egyptian officer to his personal staff as military secretary, were noted and considered acceptable in principle. It was also considered desirable and acceptable that the Inspector-General of the Egyptian Irrigation Service in the Sudan should be invited to attend the Governor-General's Council when matters relating to his departmental interests were before the Council.

I avail, &c.

Miles W. LAMPSON,

High Commissioner.