

No. 1400

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
YEMEN**

Exchange of notes constituting an agreement regarding relations between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Yemen. London, 20 January 1951

Official texts: English and Arabic.

Registered by the United Kingdom of Great Britain and Northern Ireland on 7 September 1951.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
YÉMEN**

Échange de notes constituant un accord relatif à l'établissement d'un *modus vivendi*. Londres, 20 janvier 1951

Textes officiels anglais et arabe.

Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 7 septembre 1951.

No. 1400. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ REGARDING RELATIONS BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF YEMEN. LONDON, 20 JANUARY 1951

I

*The Acting Minister for Foreign Affairs of the Yemen to the
Secretary of State for Foreign Affairs*

GROSVENOR HOUSE
PARK LANE, LONDON, W. 1

20th January, 1951

Your Excellency,

I have the honour to refer to the negotiations which took place between the representatives of the Government of His Majesty the King of Yemen and representatives of His Majesty's Government in the United Kingdom which commenced on 29th August, 1950, and ended on 12th October, 1950, as a result of which an agreement was reached to submit to the Governments of the two countries recommendations for a *modus vivendi* composed of ten articles the text of which is as follows:—

1. That diplomatic representation shall be established between the two countries according to normal practice, as soon as possible before the end of 1951.
2. That His Majesty's Government should co-operate with the Government of His Majesty the Imam on economic development, culture, education, hygiene and other matters in the Yemen on which the Government of His Majesty the Imam might wish to seek such co-operation. His Majesty's Government should, if the Yemeni Government so wish, provide to the best of their ability the assistance of experts or any other technical assistance which may be required in these matters.
3. That for the purpose of settling certain incidents or disputes which have occurred at various places in the limitrophe areas and which have already been the subject of discussions between the two Governments, they

¹ Came into force on 20 January 1951, by the exchange of the said notes.

should agree to set up a joint commission, composed of an equal number of representatives of the two Governments, with the following terms of reference :—

To demarcate on the ground in all the disputed areas, without prejudice to the reservations laid down in paragraph 7 of this *modus vivendi*, the position of each party as it existed at the time of the signature of the 1934 Treaty¹ and as it exists at the present time and to recommend on the basis of their findings such solutions of these incidents or disputes as may be required by the application of the 1934 Treaty or by equitable considerations, as appropriate.

4. That in the event of the commission failing to agree in regard to any of the matters submitted to it under the terms of the preceding paragraph, the two Governments may, in consultation, co-opt an impartial commissioner or may appoint each an impartial commissioner, who shall assist the commission to reach a unanimous recommendation.
5. That the commission be appointed and plan its method of work as soon as possible and that the Governments thereupon fix a date for the commencement of its work. The commission shall from time to time submit reports of progress to both Governments.
6. That it be agreed by the two Governments that, pending the conclusion of the work of the commission both Governments will refrain from taking any action which may alter the *status quo* existing in the disputed areas at the present time.

For the purposes of this article it is understood that in the town of Shabwa there are no military forces or administrative services at the present time.

7. That it be understood between the two Governments that their acceptance of any finding or recommendation by the commission under paragraph 3 shall not prejudice the claims of either Government based on that Government's interpretation of the *de jure* position, nor any claims in connection with the final settlement which is provided for in Article 3 of the 1934 Treaty.

In case of disagreement between the two Governments in the commission's findings or recommendations each party shall continue to pursue a settlement in accordance with Article 33 of the United Nations Charter.

8. That the two Governments should take appropriate measures, within the framework of their existing law and with the due regard to the local situation, to check any propaganda, which by its seditious or subversive character tends to impair the friendly relations between the two countries or which tends to defame their sovereigns or Royal Families.

¹ League of Nations, *Treaty Series*, Vol. CLVII, p. 63.

9. That the two Governments will consider at an appropriate time any specific proposals put forward by either with a view to reaching an agreement relating to fugitive offenders.
10. That as soon as the commission provided for in paragraph 3 of this Agreement begins its work, and pending conclusion of its work, His Majesty's Government shall agree to the evacuation of the customs house at Nagd Marqad. The Yemeni Government shall agree during the same period not to re-occupy the demolished building in the vicinity of the customs house.

M. A.

G. W. F.

The Yemen delegation submitted this proposal to the Government of His Majesty the King of Yemen, Imam Ahmed.

The Government of His Majesty the King of Yemen, Imam Ahmed, confirmed this proposal, the terms of which were approved by His Majesty, Imam Ahmed.

My Government instructed me to inform your Excellency officially of the final approval to these terms by the Government of Yemen.

Moreover, the Government of His Majesty the King of the Yemen are prepared to start negotiations for the necessary measures required to implement the said agreement.

If His Majesty's Government in the United Kingdom also approve the said recommendations, I have the honour to suggest that the present Note and your Excellency's reply to that effect should be regarded as constituting an agreement between the two Governments.

Please accept, &c.

ALKADI AL-AMRI
Minister of State, Acting Foreign Minister
of the Government of Yemen

II

*The Secretary of State for Foreign Affairs to the Acting Minister for
Foreign Affairs of the Yemen*

FOREIGN OFFICE, S. W. 1

20th January, 1951

Your Excellency,

I have the honour to acknowledge receipt of your Excellency's Note of to-day's date couched in the following terms:—

[See note I]

2. In reply I have the honour to inform your Excellency that His Majesty's Government in the United Kingdom have also approved the recommendations of the Anglo-Yemeni Conference as set forth in your Note and are prepared to enter into negotiations forthwith with a view to their implementation. They will regard your Note and this reply as constituting an agreement between the two Governments.

I have, &c.

(for the Secretary of State)
G. W. FURLONGE