

No. 3265

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

**Special Agreement (with exchange of notes) Signed at
Baghdad, on 4 April 1955**

Official texts: English and Arabic.

Registered by Iraq on 17 April 1956.

**Exchange of notes constituting an agreement referring to
the Special Agreement signed at Baghdad on 4 April
1955. Baghdad, 20 December 1955**

Official texts: English and Arabic.

*Registered by Iraq and the United Kingdom of Great Britain and Northern Ireland
on 17 April 1956.*

No. 3265. SPECIAL AGREEMENT¹ BETWEEN IRAQ AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND. SIGNED AT BAGHDAD, ON 4 APRIL 1955

The Government of the Kingdom of Iraq and the Government of the United Kingdom of Great Britain and Northern Ireland, considering that the United Kingdom intends to accede to the Pact of Mutual Co-operation between Iraq and Turkey agreed at Baghdad on February 24, 1955 ;² and

Desiring as equal and sovereign partners in the Pact to make a Special Agreement in accordance with the provisions of Article 1 of the Pact,

Have agreed as follows :

Article I

The two contracting Governments shall maintain and develop peace and friendship between their two countries and shall co-operate for their security and defence in accordance with the Pact of Mutual Co-operation.

Article II

The Treaty of Alliance between the United Kingdom and Iraq signed at Baghdad on June 30, 1930,³ with annexures and notes exchanged shall terminate from the date when the present agreement comes into force.

Article III

The Government of Iraq by the present agreement undertake no obligations beyond the frontiers of Iraq.

Article IV

The Government of Iraq assume full responsibility for the defence of Iraq and will command and guard all defence installations in Iraq.

Article V

In accordance with Article 1 of the Pact, there shall be close co-operation between the competent authorities of the two Governments for the defence of

¹ Came into force on 5 April 1955, in accordance with article IX.

² See p. 199 of this volume.

³ League of Nations, *Treaty Series*, Vol. CXXXII, p. 363.

Iraq. This co-operation shall include planning, combined training and the provision of such facilities as may be agreed upon between the two contracting Governments for this purpose and with the object of maintaining Iraq's Armed Forces at all times in a state of efficiency and readiness.

Article VI

The Government of the United Kingdom shall, at the request of the Government of Iraq, do their best

- (a) to afford help to Iraq :
 - (i) in creating and maintaining an effective Iraqi Air Force by means of joint training and exercises in the Middle East ;
 - (ii) in the efficient maintenance and operation of such airfields and other installations as may from time to time be agreed to be necessary ;
 - (b) to join with the Government of Iraq in :
 - (i) establishing an efficient system of warning against air attacks ;
 - (ii) ensuring that equipment for the defence of Iraq is kept in Iraq in a state of readiness ;
 - (iii) training and equipping the Iraqi Forces for the defence of their country ;
- (c) to make available in Iraq technical personnel of the British Forces for the purpose of giving effect to the provisions of paragraphs (a) and (b) of this Article.

Article VII

Service aircraft of the two countries shall enjoy staging and overflying facilities in each other's territories.

Article VIII

In the event of an armed attack against Iraq or the threat of an armed attack which, in the opinion of the two contracting Governments, endangers the security of Iraq, the Government of the United Kingdom at the request of the Government of Iraq shall make available assistance including if necessary Armed Forces to help to defend Iraq. The Government of Iraq shall provide all facilities and assistance to enable such aid to be rapid and effective.

Article IX

(a) The present agreement shall come into force on the date on which the United Kingdom becomes a Party to the Pact.

(b) The agreement shall remain in force so long as both Iraq and the United Kingdom are Parties to the Pact.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto, have signed the present Agreement and have affixed thereto their seals.

DONE at Baghdad this 11th day of Shaban, 1374 Hijri, corresponding to the 4th day of April, 1955, in duplicate, in the English and Arabic languages, both texts being equally authentic except in cases of doubt when the English text shall prevail.

(Signed) NOURY SAID

(Signed) Robert H. TURTON

(Signed) BURHANUDDIN BASHAYAN

(Signed) Michael R. WRIGHT

EXCHANGE OF NOTES

OFFICE OF THE PRIME MINISTER
BAGHDAD

April 4, 1955

NOTE 1

Your Excellency,

I have the honour to refer to the Special Agreement¹ signed to-day between the Government of Iraq and the Government of the United Kingdom, and to propose that the provisions set out in the memorandum² attached to this Note should be made for the purpose of giving effect to the Special Agreement.

I have the honour further to propose that, if those provisions are acceptable to the Government of the United Kingdom, this Note and attached memorandum, together with Your Excellency's reply, shall constitute an agreement between our two Governments, which shall come into force on the same date, and remain in force for the same period, as the Special Agreement, and that detailed arrangements shall be made accordingly between the competent authorities of the two Governments.

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

(Signed) NOURY SAID

His Excellency Sir Michael Wright, K.C.M.G.
Her Britannic Majesty's Ambassador
Baghdad

¹ See p. 236 of this volume.

² See p. 242 of this volume.

MEMORANDUM ATTACHED TO NOTE 1

1. (a) Command of Habbaniya, Shaiba and Margil shall pass as from the date of signature of the Special Agreement to the Government of Iraq, and Iraqi officers of appropriate rank shall be appointed for this purpose on May 2, 1955.

(b) All flying units of the Royal Air Force now stationed in Habbaniya and Shaiba shall be withdrawn progressively and their withdrawal shall be completed within one year after the date of signature of the Special Agreement.

(c) As the withdrawal of these flying units proceeds, the Government of the United Kingdom shall also progressively withdraw members of their technical and administrative personnel and personnel of authorised service organisations until only those remain in Iraq who are required for the purpose of the Special Agreement and this memorandum.

2. (a) Under the Special Agreement, British personnel shall be in Iraq to assist the Iraqi Forces with training and with the installation, operation and maintenance of facilities and equipment, and to service aircraft.

(b) The command and administration of British personnel and installations shall be the responsibility of the Government of the United Kingdom, and for this purpose the Government of the United Kingdom shall make available the necessary British staff to command and administer them under the overall authority of the Iraqi officer in charge of each establishment.

(c) The senior British officer appointed in each case shall act in close liaison with the Iraqi officer in command.

3. The provisions of the agreement regarding the Status of Forces of the Parties to the North Atlantic Treaty, signed in London on June 19, 1951,¹ shall apply to the forces of each Government in the territories of the other Government. Detailed arrangements for the application of those provisions shall be made by the two Governments as soon as possible. Until such detailed arrangements have been made in Iraq, the provisions at present applicable to British Forces there shall continue to apply.

4. (a) In accordance with Article 4 of the Special Agreement the Government of Iraq shall assume responsibility for the protection of all airfields and installations in Iraq, and to this end shall incorporate into the Iraqi Forces those members of the Royal Air Forces Levies Iraq who wish to volunteer. The Government of the United Kingdom shall, for a limited period, make available for loan to the Iraqi forces British personnel, as far as possible from among those now serving with the Royal Air Force Levies Iraq, to facilitate such transfer and integration.

(b) The two Governments shall use their best endeavours to ensure that as many as possible of the civilians at present employed at Habbaniya, Shaiba and Margil shall continue in employment there.

5. The Government of the United Kingdom undertake, in accordance with Article 6 (a) and (c) of the Special Agreement and in order to facilitate the closest co-operation between the air forces of the two countries, to do their best :

¹ United Nations, *Treaty Series*, Vol. 199, p. 67, and Vol. 200, p. 340.

(a) to provide expert advice and assistance in operational and technical matters, including the extension of Iraqi airfields, and in the construction of such additional airfields and facilities as may be agreed to be necessary ;

(b) to provide personnel to assist in the training of the Royal Iraqi Air Force and to offer continuous consultation regarding methods and techniques of training at all stages ;

(c) to arrange that Royal Air Force squadrons and other British aircraft shall make periodic visits to Iraq in accordance with the provisions of the Special Agreement and this memorandum, in particular for the purpose of joint training at all times ;

(d) to make available in Iraq British personnel for servicing, maintenance and repair of British aircraft as well as for such airfield services as it may be agreed that they should provide on the airfields jointly used by both parties ;

(e) to grant facilities, including instructional courses abroad, for training Iraqi personnel if suitable facilities are not available in Iraq ;

(f) to facilitate as far as possible the supply of necessary aircraft and associated equipment of modern design.

6. The Government of the United Kingdom shall do their best to join with the Government of Iraq in establishing as soon as possible an efficient system for anti-aircraft defence, including a radar warning system and a system for aircraft reporting. For these purposes, the Government of the United Kingdom shall make available to the Government of Iraq the co-operation and advice of qualified service and technical personnel.

7. For the purposes of Article VIII of the Special Agreement, the Iraqi land forces shall be so trained as to facilitate the closest co-operation with the land forces of the United Kingdom, and suitably trained and experienced British personnel shall be made available to assist in the training of the Iraqi land forces and to attend and advise on field and other exercises. The Government of the United Kingdom shall do their best to facilitate the supply to the Government of Iraq of arms and other appropriate equipment of modern design.

8. The Government of the United Kingdom shall co-operate with the Government of Iraq in establishing in advance and maintaining to an agreed standard such maintenance installations, including tank repair facilities, as may be agreed to be necessary in the event of an armed attack, for the Iraqi forces and British forces co-operating with them. Expert service advice on their siting and construction, and advice and assistance in their maintenance and manning shall be made available by the Government of the United Kingdom.

9. (a) The Government of the United Kingdom shall make available, as may be agreed between the two Governments, the co-operation and advice of suitably qualified service and technical personnel with a view to the establishment of an organisation for mine watching and mine clearance on the Shatt el Arab.

(b) The Government of Iraq shall continue to permit British naval units to visit the Shatt el Arab at any time on previous notification being given.

10. The existing procedures and facilities under which aircraft under the control of the Royal Air Force overfly, land, refuel and are serviced in Iraq, shall be continued. Similar procedures shall apply and similar facilities shall be made available in the United Kingdom and its dependent territories to aircraft under the control of the Royal Iraqi Air Force.

11. (a) The Government of the United Kingdom shall join with the Government of Iraq in establishing in Iraq stocks of military stores and equipment for use by the armed forces of the two countries for the defence of Iraq in the event of an armed attack against Iraq. These stocks shall be stored at sites in Iraq to be agreed between the competent authorities of the two Governments.

(b) The Government of Iraq shall provide the depots necessary for the safe keeping of those stocks and shall assume full responsibility for their security.

(c) For administrative purposes, stocks which are the property of the Government of Iraq shall be stored separately from those which are the property of the Government of the United Kingdom.

(d) Stocks shall be kept in a state of readiness at all times. Accordingly, provision shall be made for their maintenance, turnover, inspection and periodic replacement and each Government shall provide the personnel necessary for those purposes with respect to stocks belonging to them.

(e) The Government of the United Kingdom may freely dispose of any items of such stocks, the property of the Government of the United Kingdom, which may become surplus to British requirements, subject to offer of first refusal to the Government of Iraq in case of any property to be disposed of in Iraq.

12. (a) The Government of Iraq shall make available essential services for the use of British personnel and shall, if necessary, allocate suitable accommodation for them and their families.

(b) Where new installations are from time to time agreed to be necessary for the purposes of the Special Agreement and this memorandum, the terms of their provision shall be agreed between the two Governments.

BRITISH EMBASSY
BAGDAD

April 4, 1955

NOTE 1A

Your Excellency,

I have the honour to acknowledge the receipt of Your Excellency's Note of to-day's date proposing that the provisions set out in the memorandum attached to Your Excellency's Note should be made for the purpose of giving effect to the Special Agreement signed to-day between the Government of Iraq and the Government of the United Kingdom.

I have the honour, in accepting the provisions, to confirm that Your Excellency's Note together with this Note in reply shall constitute an agreement between our two Governments on the terms of those provisions which shall come into force on the same date, and remain in force for the same period, as the Special Agreement, and I have the honour to agree to Your Excellency's further proposal that detailed arrangements shall be made accordingly between the competent authorities of the two Governments.

I have the honour to be, with the highest consideration,
Your Excellency's obedient servant,

(Signed) Michael WRIGHT

His Excellency General Nuri al-Said, G.C.V.O., C.M.G., D.S.O.

OFFICE OF THE PRIME MINISTER
BAGHDAD

April 4, 1955

NOTE 2

Your Excellency,

I have honour to refer to the Special Agreement signed to-day between the Government of Iraq and the Government of the United Kingdom and to our Notes 1 and 1A exchanged this day, and to propose that the provisions set out in the memorandum¹ attached to this Note should be made for the purpose of giving effect to the Special Agreement and to those Notes.

I have the honour further to propose that, if those provisions are acceptable to the Government of the United Kingdom, this Note and attached memorandum, together with Your Excellency's reply, should constitute an agreement between our two Governments, which shall enter into force on the same date, and remain in force for the same period, as the Special Agreement.

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

(Signed) NOURY SAID

His Excellency Sir Michael Wright, K.C.M.G.
Her Britannic Majesty's Ambassador
Baghdad

¹ See p. 250 of this volume.

MEMORANDUM ATTACHED TO NOTE 2

(a) All immovable property now in British ownership shall continue in British ownership, or be handed over to the Government of Iraq, or be freely disposed of by the Government of the United Kingdom.

Certain installations that will serve the needs of both Governments shall be handed over to the Government of Iraq free of charge. All other immovable property handed over to the Government of Iraq as above shall be paid for at its *in situ* value.

(b) Where installations have been handed over free of charge the Government of the United Kingdom shall enjoy full rights of free user. Where the Government of Iraq have paid for immovable property they shall be entitled to make a reasonable charge, to be settled by agreement, for its subsequent use by the Government of the United Kingdom.

(c) Each Government shall be responsible for the operation and the maintenance of the immovable property in their ownership. The two Governments shall agree on the standards to be observed and, in appropriate cases, the apportionment of the cost, in respect of the operation and maintenance of the installations which serve the needs of both Governments.

(d) Movable property required for operation of any property handed over under paragraph (a) above shall be paid for by the Government of Iraq at full cost if new, and if used, at a fair valuation. The Government of the United Kingdom shall retain all other movable property and shall have the right to dispose of it in Iraq or elsewhere.

(e) The Government of Iraq shall bear the cost of their air warning system and of improving their military airfields to standards to be agreed.

(f) Each Government shall meet the cost of their own forces and any civilian personnel employed by it, except that the cost to the Government of Iraq of British personnel loaned or seconded to the Iraqi Forces shall be mutually agreed.

(g) Any other financial questions shall be settled by agreement between the two Governments.

BRITISH EMBASSY

BAGDAD

April 4, 1955

NOTE 2A

Your Excellency,

I have the honour to acknowledge the receipt of Your Excellency's Note of to-day's date referring to the Special Agreement signed to-day between the Government of Iraq and the Government of the United Kingdom and to our Notes 1 and 1A exchanged this day, in which Your Excellency proposes that the provisions set out in the memorandum attached to Your Excellency's Note should be made for the purpose of giving effect to the Special Agreement and to those Notes.

I have the honour, in accepting the provisions, to confirm that Your Excellency's Note together with this Note in reply shall constitute an agreement between our two Governments on the terms of those provisions which shall enter into force on the same date, and remain in force for the same period, as the Special Agreement.

I have the honour to be, with the highest consideration,
Your Excellency's obedient servant,

(Signed) Michael WRIGHT

His Excellency General Nuri al-Said, G.C.V.O., C.M.G., D.S.O.

BRITISH EMBASSY
BAGDAD

April 4, 1955

NOTE 3

Your Excellency,

From our recent conversations Your Excellency is aware that the Government of the United Kingdom are concerned to do anything in their power to assure the future of the members of the Royal Air Force Levies Iraq and the civilian employees at the bases who have served with them for so long. For this purpose the Government of the United Kingdom have decided to take the following measures :

- (a) in the case of the Levies to make suitable arrangements for pensions and gratuities and for their commutation ;
- (b) in the case of civilian employees to award them gratuities where justified by length of service ;
- (c) for both the Levies and the civilian employees to institute as soon as possible suitable facilities at the bases for vocational training in certain trades for those who are willing and capable of finding employment elsewhere in Iraq ;
- (d) in appropriate cases not adequately covered by (a), (b) or (c) above to consider making grants towards resettlement in Iraq.

I feel certain that Your Excellency will welcome these measures and that I can rely upon your help for the working out by the Government of the United Kingdom of the measures in (c) and (d) above.

I have the honour to be, with the highest consideration,
Your Excellency's obedient servant,

(Signed) Michael WRIGHT

His Excellency General Nuri al-Said, G.C.V.O., C.M.G., D.S.O.

OFFICE OF THE PRIME MINISTER
BAGHDAD

April 4, 1955

NOTE 3A

Your Excellency,

I thank you for your letter of to-day's date in which you inform me of the measures proposed to be taken by the Government of the United Kingdom in connexion with the Royal Air Force Levies, Iraq, and civilian employees at the bases.

In reply I wish to state that I welcome these proposals and will help in the manner you have suggested.

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

(Signed) NOURY SAID

His Excellency Sir Michael Wright, K.C.M.G.
Her Britannic Majesty's Ambassador
Baghdad

BRITISH EMBASSY
BAGDAD

April 4, 1955

NOTE 4

Your Excellency,

I think it proper that I should place on record that the word "forces" in paragraph 3 of the Memorandum attached to your note numbered 1 of to-day's date is used in the general sense which it bears in the Title of the Agreement regarding the status of Forces of the parties to the North Atlantic Treaty and in the Preamble, and is not restricted by the definition of "force" given in that Instrument. This is in accordance with our intention that all the provisions of that Agreement shall be applied, including those which govern the status of civilian components and dependents.

I have the honour to be, with the highest consideration,
Your Excellency's obedient servant,

(Signed) Michael WRIGHT

His Excellency General Nuri al-Said, G.C.V.O., C.M.G., D.S.O.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
BETWEEN THE GOVERNMENT OF GREAT BRITAIN
AND NORTHERN IRELAND AND THE GOVERNMENT
OF IRAQ REFERRING TO THE SPECIAL AGREEMENT
SIGNED AT BAGHDAD ON 4 APRIL 1955.² BAGHDAD,
20 DECEMBER 1955

I

Her Majesty's Ambassador at Bagdad to the Prime Minister of Iraq

BRITISH EMBASSY, BAGDAD

December 20, 1955

Your Excellency,

I have the honour to refer to negotiations which have taken place for the implementation of the Special Agreement signed on April 4, 1955² between the Government of Iraq and the Government of the United Kingdom of Great Britain and Northern Ireland. The Government of the United Kingdom desire to express their appreciation of the spirit of co-operation and good faith in which these negotiations have been conducted. As partners with the Government of Iraq in the Bagdad Pact³ and as fellow members of the Council which has now held its first meeting, they wish to take further measures to develop friendship and co-operation between our two countries for the fulfilment of the common objectives of the members of the Bagdad Pact.

2. In the negotiations mentioned above the Government of Iraq and the Government of the United Kingdom have reached agreement, as part of the financial arrangements in fulfilment of the provisions of paragraph (a) of the Memorandum⁴ attached to Note No. 2 of April 4th 1955, which referred to the Special Agreement, that the sum of £2,755,000 is payable by the Government of Iraq to the Government of the United Kingdom. This sum is made up as follows :

(a) the sum of £1,375,000 payable in respect of property transferred or received from British ownership to be handed over to the Government of Iraq in accordance with the provisions of the Memorandum attached to Note No. 2. This property, and the agreed value thereof, consists of the following :

Buildings at Habbaniya valued at £500,000.

Civil cantonments valued at £90,000.

¹ Came into force on 20 December 1955 by the exchange of the said notes.

² See p. 236 of this volume.

³ Pact of Mutual Co-operation, signed at Bagdad on 24 February 1955 : See p. 199 of this volume.

⁴ See p. 250 of this volume.

Buildings and fixed installations at Shaiba valued at £430,000.

Buildings and fixed installations at Basra valued at £355,000 and

(b) the sum of £1,380,000 payable for freehold land at Basra owned by the Government of the United Kingdom.

Detailed lists of the items included in sub-paragraphs (a) and (b) above will be agreed between our representatives.

3. In this connexion I have the honour to make the following proposals :

(a) The Government of the United Kingdom shall waive payment of the sum of £2,755,000 referred to above and shall accept, as full satisfaction of the obligation of the Government of Iraq to make that payment, the fulfilment by the Government of Iraq of the provisions in sub-paragraphs (b) and (c) of this paragraph.

(b) The Government of Iraq shall devote the sum of £2,755,000 to the following purposes in 1956 and 1957 :

- (i) a sum of at least £2,000,000 to be spent on purchases in the United Kingdom of arms, equipment and defence stores ;
- (ii) the remainder to be used towards the expenses of training Iraqi personnel in British establishments and the expense to the Government of Iraq of Iraqi personnel taking part in training between the forces of the United Kingdom and Iraq ;

(c) The Government of the United Kingdom shall accept the offer made by the Government of Iraq to :

- (i) make available at the Port of Basra free storage (including cold storage), and free accommodation and services for British Service personnel who may at any time be at the Port of Basra in accordance with existing agreements ;
- (ii) continue to offer the existing free facilities to British Naval units visiting the Shatt el Arab in accordance with the provisions of paragraph 9 (b) of the Memorandum¹ attached to Note No. 1 of the 4th April 1955, which referred to the Special Agreement ;
- (iii) offer free services, accommodation and aircraft handling to the Royal Air Force visits to Shaiba from time to time.

4. I have the honour further to propose that if the proposals set out in paragraph 3 above are acceptable to the Government of Iraq, this Note, together with your Excellency's reply, shall constitute an agreement between our two Governments which shall enter into force immediately.

I have, etc.

Michael WRIGHT
Her Britannic Majesty's Ambassador

¹ See p. 242 of this volume.

II

The Prime Minister of Iraq to Her Majesty's Ambassador at Bagdad

OFFICE OF THE PRIME MINISTER

Bagdad, December 20, 1955

Your Excellency,

I have the honour to acknowledge receipt of your Excellency's Note of to-day's date referring to the negotiations which have taken place for the implementation of the Special Agreement signed on the 4th of April 1955, between the Government of Iraq and the Government of the United Kingdom of Great Britain and Northern Ireland. I have the honour, in accepting the proposals in your Excellency's Note to confirm that the Note together with this Note in reply shall constitute an agreement between our two Governments which shall enter into force immediately.

I avail, etc.

NOURY SAID