

No. 3650

**UNITED NATIONS
and
EGYPT**

**Exchange of letters constituting an agreement regarding
the clearance of the Suez Canal. New York, 8 January
1957**

Official text: English.

Registered ex officio on 8 January 1957.

**ORGANISATION DES NATIONS UNIES
et
ÉGYPTE**

**Échange de lettres constituant un accord sur le dégagement
du canal de Suez. New-York, 8 janvier 1957**

Texte officiel anglais.

Enregistré d'office le 8 janvier 1957.

No. 3650. EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF EGYPT REGARDING THE CLEARANCE OF THE SUEZ CANAL. NEW YORK, 8 JANUARY 1957

I

8 January 1957

Sir,

I have the honour to refer to the request of the Government of Egypt for assistance of the United Nations in arrangements for clearing the Suez Canal.

In accordance with the authority which has been granted to the Secretary-General by the General Assembly, and on the basis of preliminary exploration and negotiation, I am in a position to advise you that the United Nations would be prepared to assist the Government of Egypt by undertaking the operation necessary for the speedy clearance of the Canal. The general plans for this assistance would be elaborated in consultation with the Government of Egypt and, when approved by the Government, implemented under the instructions of the Secretary-General. The Secretary-General would be authorized by the Government of Egypt to carry out the task as a matter of priority as effectively and expeditiously as practicable with freedom for him to use the equipment available which he finds necessary for the operation.

It is envisaged that the United Nations would conduct the clearance operation through contractual arrangements with private firms which would have the primary responsibility for the work under the direction and control of the Secretary-General and his special representative. Such sub-contractual arrangements as may have to be entered into by the prime contractors in order to expedite the work would be subject to the approval of the Secretary-General.

The undertaking would be regarded as a United Nations enterprise and its personnel would be under obligation to discharge their functions and regulate their conduct solely in the interests of the United Nations. In keeping with the United Nations responsibilities, the vessels would fly the flag of the United Nations in place of their national flags. The property and persons engaged in the clearance operation (including the contractors, sub-contractors and their personnel) would, in view of their United Nations character, be covered by the Convention on the Privileges and Immunities of the United Nations² to which

¹ Came into force on 8 January 1957 by the exchange of the said letters.

² See note 1, p. 31 of this volume.

Egypt is a party, in so far as it may be applicable *mutatis mutandis*. In the application of the aforesaid Convention the United Nations shall pay due regard to any representations made by the Government of Egypt in so far as it is considered that effect can be given to such representations without detriment to the interests of the United Nations.

As the clearance of the Canal has to be completed with the utmost speed and effectiveness, the United Nations, in consultation with the Egyptian Government, will take all measures required in order to avoid unnecessary damage to persons and property. It is understood that the United Nations would not incur responsibility for possible damage to Egyptian ships lying in the Canal from such activities as it considers necessary to speed the clearance of the Canal. It would also be understood that the United Nations would retain the rights of a salvor in respect of vessels or property salvaged in the course of the clearance operations, other than vessels and property of the Government of Egypt.

The United Nations will, of course, keep the Government of Egypt currently and fully informed of the progress of the operations and the Government will, I am sure, render all such assistance as may be required by the United Nations for this task.

If the points set forth in this letter are acceptable to the Government of Egypt, this letter and the reply of the Government will be considered as constituting an agreement between Egypt and the United Nations, effective from the date of the reply.

Accept, Sir, the renewed assurances of my highest consideration.

(Signed) Dag HAMMARSKJOLD
Secretary-General

His Excellency Dr. Mahmoud Fawzi
Minister for Foreign Affairs of Egypt
Permanent Mission of Egypt to the United Nations
New York

II

8 January 1957

Sir,

I have the honour to refer to your letter of 8 January 1957 in which you have been so good as to inform me that the United Nations would be prepared to assist the Government of Egypt by undertaking the operation necessary for the speedy clearance of the Suez Canal, and I have the pleasure to advise you in

the name of the Government of Egypt of its full agreement on, and acceptance of, the terms of your letter. You may rest assured that the Government of Egypt will give its fullest co-operation and assistance to the operation.

The Government of Egypt agrees, furthermore, that your letter and this reply will be considered as constituting an agreement between Egypt and the United Nations.

I take this opportunity, Sir, to renew the assurances of my highest consideration.

(Signed) Mahmoud FAWZI
Minister for Foreign Affairs

His Excellency Mr. Dag Hammarskjöld
Secretary-General
New York