

No. 13796

**UNITED STATES OF AMERICA
and
EGYPT**

**Exchange of notes constituting an arrangement relating to
salvage or removal of navigational hazards from the
Suez Canal (with annex). Cairo, 11 June 1974**

Authentic text: English.

Registered by the United States of America on 17 March 1975.

**ÉTATS-UNIS D'AMÉRIQUE
et
ÉGYPTE**

**Échange de notes constituant un arrangement relatif à la
récupération ou à l'enlèvement des épaves faisant
obstacle à la navigation dans le canal de Suez (avec
annexe). Le Caire, 11 juin 1974**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 17 mars 1975.

EXCHANGE OF NOTES CONSTITUTING AN ARRANGEMENT¹
BETWEEN THE UNITED STATES OF AMERICA AND EGYPT
RELATING TO SALVAGE OR REMOVAL OF NAVIGATIONAL
HAZARDS FROM THE SUEZ CANAL

I

The American Ambassador to the Egyptian Minister of Foreign Affairs

EMBASSY OF THE UNITED STATES OF AMERICA

Cairo, June 11, 1974

Excellency:

I have the honor to refer to the recent discussions between our Governments regarding the proposed assistance by the United States in the salvage and/or removal from the Suez Canal of sunken vessels and certain other hazards to navigation, and to propose that such assistance be governed by the following provisions:

1. The Government of the United States will, subject to the availability of funds, and otherwise in accordance with the laws of the United States, effect the removal from the Suez Canal of those vessels and other objects designated in Annex A hereto, and of such other objects and hazards to navigation in the Canal as may hereafter be mutually agreed which the Government of the Arab Republic of Egypt cannot remove without assistance. Except with respect to any vessel as to which it is jointly determined that salvage is possible, all vessels and other objects removed from the Canal shall be moved to agreed dumping areas designated by the Government of the Arab Republic of Egypt within its territory.
2. The Government of the Arab Republic of Egypt shall provide all necessary assistance as far as possible to enable the Government of the United States to carry out the operation efficiently. In particular, the Government of the Arab Republic of Egypt shall provide a navigable access to the site of each object to be removed and to sites to which such objects are to be removed; provide all available information as to the location, character and condition of such objects, and as to the depths, bottom, obstructions, and other characteristics of the areas of the Canal in which the operations are to be conducted; provide for the payment of such local costs as may be agreed; and provide for the security as far as possible of the personnel and equipment engaged in the operation.
3. The United States Navy shall, under the general policy guidance and responsibility of the Embassy, carry out the operations referred to in Paragraph 1 above, and may, after due consultations, make use of such contractors, other than Egyptian nationals, as it deems necessary and advisable in carrying out the work. The Suez Canal Authority, and such other authorities or agencies as the Government of the Arab Republic of Egypt may designate, shall be responsible for carrying out the obligations of the Government of the Arab Republic of Egypt under Paragraph 2 above.
4. The arrangement presently in force with respect to the assistance of the Government of the United States in the clearance of mines and unexploded ordnance from the Suez Canal² shall also be applicable, *mutatis mutandis*, to the operations contemplated by

¹ Came into force on 11 June 1974 by the exchange of the said notes.

² See p. 41 of this volume.

the present arrangement. In particular, but without limiting the generality of the foregoing, the provisions of that arrangement concerning liability for claims shall apply in full to the operations referred to in Paragraph I above. Members of the Armed Forces of the United States and persons serving with or employed by the said Armed Forces, including contractors and contractor personnel, other than Egyptian nationals, while in the Arab Republic of Egypt in connection with the operations referred to in Paragraph I above, shall be covered in all respects by the provisions applicable to the "Members of the Force" under that arrangement.

If the foregoing is acceptable to the Government of the Arab Republic of Egypt, I would appreciate your written concurrence therein.

Accept, Excellency, the assurance of my highest consideration.

HERMANN FR. EILTS

Enclosure:
Annex A

His Excellency Ismail Fahmy
Minister of Foreign Affairs
Cairo

ANNEX A

The following are the vessels and other objects which the Government of the United States has agreed to remove from the Suez Canal:

<i>Name</i>	<i>Location</i>
M/S "Ismailia"	Km. 6.5
S/S "Mecca"	Km. 7.4
Bucket Dredger No. 23	Km. 72.0
Tug "Monguid"	Km. 81.5
Dipper Dredger "Kaser"	Km. 81.5
Concrete Caisson	Km. 87.0
Cutter Dredger "15 September"	Km. 98.2
Tanker M/T "Magd"	Km. 156.9
Tug "Bari"	Km. 158.0
Bucket Dredger No. 22	Km. 158.05

II

The Egyptian Minister of Foreign Affairs to the American Ambassador

MINISTRY OF FOREIGN AFFAIRS
THE MINISTER

Cairo, June 11, 1974

Mr. Ambassador,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows:

[See letter I]

In reply I have the honour to inform you that the foregoing assistance is acceptable to the Government of the Arab Republic of Egypt who therefore concur that Your letter and the present reply shall constitute an arrangement between the two Governments which shall enter into force on today's date.

I avail myself of this opportunity to renew to you, Mr. Ambassador the assurance of my highest consideration.

[Signed]

ISMAIL FAHMY
Minister of Foreign Affairs