

No. 20410

**UNITED STATES OF AMERICA
and
ISRAEL**

Memorandum of Agreement concerning assurances, consultations, and United States policy on Middle East peace. Signed at Jerusalem and at Washington on 27 February 1976

Partial termination (*Note by the Secretariat*)

Authentic text: English.

Registered by the United States of America on 30 September 1981.

**ÉTATS-UNIS D'AMÉRIQUE
et
ISRAËL**

Mémorandum d'accord concernant des garanties, des consultations et la politique des États-Unis en ce qui concerne la paix au Moyen-Orient. Signé à Jérusalem et à Washington le 27 février 1976

Abrogation partielle (*Note du Secrétariat*)

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 30 septembre 1981.

MEMORANDUM OF AGREEMENT¹ BETWEEN THE GOVERNMENTS OF ISRAEL AND THE UNITED STATES

September 1, 1975

The United States recognizes that the Egypt-Israel Agreement initialed on September 1, 1975² (hereinafter referred to as the Agreement), entailing the withdrawal from vital areas in Sinai, constitutes an act of great significance on Israel's part in the pursuit of final peace. That Agreement has full United States support.

UNITED STATES-ISRAELI ASSURANCES

1. The United States Government will make every effort to be fully responsive, within the limits of its resources and Congressional authorization and appropriation, on an on-going and long-term basis to Israel's military equipment and other defense requirements, to its energy requirements and to its economic needs. The needs specified in paragraphs 2, 3 and 4 below shall be deemed eligible for inclusion within the annual total to be requested in FY76 and later fiscal years.

2. Israel's long-term military supply needs from the United States shall be the subject of periodic consultations between representatives of the United States and Israeli defense establishments, with agreement reached on specific items to be included in a separate United States-Israeli memorandum. To this end, a joint study by military experts will be undertaken within 3 weeks. In conducting this study, which will include Israel's 1976 needs, the United States will view Israel's requests sympathetically, including its request for advanced and sophisticated weapons.

3. Israel will make its own independent arrangements for oil supply to meet its requirements through normal procedures. In the event Israel is unable to secure its needs in this way, the United States Government, upon notification of this fact by the Government of Israel, will act as follows for five years, at the end of which period either side can terminate this arrangement on one-year's notice:

- (a) If the oil Israel needs to meet all its normal requirements for domestic consumption is unavailable for purchase in circumstances where no quantitative restrictions exist on the ability of the United States to procure oil to meet its normal requirements, the United States Government will promptly make oil available for purchase by Israel to meet all of the aforementioned normal requirements of Israel. If Israel is unable to secure the necessary means to transport such oil to Israel, the United States Government will make every effort to help Israel secure the necessary means of transport.
- (b) If the oil Israel needs to meet all of its normal requirements for domestic consumption is unavailable for purchase in circumstances where quantitative restrictions through embargo or otherwise also prevent the United States from procuring oil to meet its normal requirements, the United States Govern-

¹ Came into force on 27 February 1976 by signature.

² United Nations, Security Council document S/11818/Add.1.

ment will promptly make oil available for purchase by Israel in accordance with the International Energy Agency conservation and allocation formula as applied by the United States Government, in order to meet Israel's essential requirements. If Israel is unable to secure the necessary means to transport such oil to Israel, the United States Government will make every effort to help Israel secure the necessary means of transport.

Israeli and United States experts will meet annually or more frequently at the request of either party, to review Israel's continuing oil requirement.

4. In order to help Israel meet its energy needs, and as part of the overall annual figure in paragraph 1 above, the United States agrees:

- (a) In determining the overall annual figure which will be requested from Congress, the United States Government will give special attention to Israel's oil import requirements and, for a period as determined by article 3 above, will take into account in calculating that figure Israel's additional expenditures for the import of oil to replace that which would have ordinarily come from Abu Rodeis and Ras Sudar (4.5 million tons in 1975).
- (b) To ask Congress to make available funds, the amount to be determined by mutual agreement, to the Government of Israel necessary for a project for the construction and stocking of the oil reserves to be stored in Israel, bringing storage reserve capacity and reserve stocks now standing at approximately six months, up to one-year's need at the time of the completion of the project. The project will be implemented within four years. The construction, operation and financing and other relevant questions of the project will be the subject of early and detailed talks between the two Governments.

5. The United States Government will not expect Israel to begin to implement the Agreement before Egypt fulfils its undertaking under the January 1974 Disengagement Agreement¹ to permit passage of all Israeli cargoes to and from Israeli ports through the Suez Canal.

6. The United States Government agrees with Israel that the next agreement with Egypt should be a final peace agreement.

7. In case of an Egyptian violation of any of the provisions of the Agreement, the United States Government is prepared to consult with Israel as to the significance of the violation and possible remedial action by the United States Government.

8. The United States Government will vote against any Security Council resolution which in its judgment affects or alters adversely the Agreement.

9. The United States Government will not join in and will seek to prevent efforts by others to bring about consideration of proposals which it and Israel agree are detrimental to the interests of Israel.

10. In view of the long-standing United States commitment to the survival and security of Israel, the United States Government will view with particular gravity threats to Israel's security or sovereignty by a world power. In support of this objective, the United States Government will in the event of such threat consult promptly with the Government of Israel with respect to what support,

¹ United Nations, Security Council document S/1198.

diplomatic or otherwise, or assistance it can lend to Israel in accordance with its constitutional practices.

11. The United States Government and the Government of Israel will, at the earliest possible time, and if possible, within two months after the signature of this document, conclude the contingency plan for a military supply operation to Israel in an emergency situation.

12. It is the United States Government's position that Egyptian commitments under the Egypt-Israel Agreement, its implementation, validity and duration are not conditional upon any act or developments between the other Arab states and Israel. The United States Government regards the Agreement as standing on its own.

13. The United States Government shares the Israeli position that under existing political circumstances negotiations with Jordan will be directed toward an overall peace settlement.

14. In accordance with the principle of freedom of navigation on the high seas and free and unimpeded passage through and over straits connecting international waters, the United States Government regards the Straits of Bab-el-Mandeb and the Strait of Gibraltar as international waterways. It will support Israel's right to free and unimpeded passage through such straits. Similarly, the United States Government recognizes Israel's right to freedom of flights over the Red Sea and such straits and will support diplomatically the exercise of that right.

15. In the event that the United Nations Emergency Force or any other United Nations organ is withdrawn without the prior agreement of both Parties to the Egypt-Israel Agreement and the United States before this Agreement is superseded by another agreement, it is the United States view that the Agreement shall remain binding in all its parts.

16. The United States and Israel agree that signature of the Protocol of the Egypt-Israel Agreement and its full entry into effect shall not take place before approval by the United States Congress of the United States role in connection with the surveillance and observation functions described in the Agreement and its Annex. The United States has informed the Government of Israel that it has obtained the Government of Egypt agreement to the above.

[Signed]

YIGAL ALLON
Deputy Prime Minister
and Minister of Foreign Affairs
For the Government of Israel

[Signed]

HENRY A. KISSINGER
Secretary of State

For the Government
of the United States

PARTIAL TERMINATION (*Note by the Secretariat*)

The Government of the United States of America registered on 30 September 1981 the Memorandum of Agreement between the United States of America and Israel concerning assurances relating to Middle East peace signed at Washington on 26 March 1979.¹

The said Agreement, which came into force on 26 March 1979, provides, in its article 8, for the termination of articles 5, 6, 7, 8, 11, 12, 15 and 16 of the Memorandum of Agreement of 27 February 1976.

(30 September 1981)

¹ See p. 77 of this volume.