

No. 21822

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
MULTINATIONAL FORCE AND OBSERVERS**

Exchange of notes constituting an agreement concerning the participation of the United Kingdom in the Multinational Force and Observers (MFO) (with annexes and exchange of notes of 17 March and 21 April 1982 recording a mutual understanding on MFO participation)¹. Alexandria, Virginia, 17 March 1982, and London, 21 April 1982

Authentic text: English.

Registered by the United Kingdom of Great Britain and Northern Ireland on 11 April 1983.

¹ This Exchange of notes has been communicated by the Government of the United Kingdom for information only as it is not considered by the United Kingdom as a registrable instrument.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE DIRECTOR GENERAL OF THE MULTINATIONAL FORCE AND OBSERVERS CONCERNING THE ESTABLISHMENT OF A MULTINATIONAL FORCE AND OBSERVERS (MFO)

I

*The Director General of the Multinational Force and Observers
to the Secretary of State for Foreign and Commonwealth Affairs*

Alexandria, Virginia, March 17, 1982

Sir:

I have the honor to refer to the Treaty of Peace between Egypt and Israel signed March 26, 1979², and to the enclosed Protocol between Egypt and Israel which provides for the establishment of a Multinational Force and Observers (MFO).³

In accordance with the Protocol and with the agreement of the Parties, the Director General is to request those nations agreeable to the Parties to supply contingents to the MFO and to receive the agreement of troop contributing states that the contingents shall conduct themselves in accordance with the terms of the Protocol. Therefore, based on previous communications and discussions, I accept with appreciation the offer of the Government of the United Kingdom of Great Britain and Northern Ireland to provide to the MFO a headquarters company consisting of approximately 35 personnel as provided in Annex I to this letter. It is my understanding that it is the intention of the Government of the United Kingdom to maintain its participation in the MFO for a period of two years, which may be extended by mutual agreement.

As you are aware, the principles concerning the establishment, functions and responsibilities of the MFO are set out in the Protocol between Egypt and Israel. In accordance with paragraph 3 of the Annex to the Protocol, I would appreciate your confirmation that the British contingent shall conduct itself in accordance with the terms of the Protocol. Also, I would like to emphasize the importance of continuity of service of units in the MFO and to seek your agreement that the British unit will not be withdrawn without adequate prior notification to the Director General of the MFO.

I draw your attention as well to the Appendix to the Protocol, which stipulates the privileges and immunities of the MFO and the duties of members of the MFO. Of particular importance is paragraph 11 concerning criminal jurisdiction, and its subparagraph c, which directs the Director General to obtain the assurance of each troop contributing state that it shall be prepared to take the necessary measures to assure proper discipline of its personnel and to exercise jurisdiction with respect to any crime or offense which might be committed by its personnel.

¹ Came into force on 21 April 1982, the date of the note in reply, in accordance with the provisions of the said notes.

² United Nations, *Treaty Series*, vol. 1136, p. 100, and vol. 1138, p. 59.

³ *Ibid.*, vol. 1335, No. I-22403.

With regard to paragraph 42 of the Appendix to the Protocol, I assure you that I intend to act in accordance with the wishes of the troop contributing state concerning the disposition of the bodies of its members who die in the service of the MFO, and their personal property.

The financial arrangements between the MFO and the Government of the United Kingdom are set forth at Annex II to this letter.

My separate letter of today's date confirms my understanding with respect to various aspects of participation in the MFO.

The enclosed Aide Mémoire* sets forth guidelines on procedures used by the MFO and is provided for the use of the Government of the United Kingdom in preparing and deploying its contingent for service in the MFO.

I have the honor to propose that this letter, including its attached annexes, and your reply confirming the agreement of your government to the terms thereof shall constitute an agreement between us which shall enter into force on the date of your reply.

I have the honor to convey to you the assurance of my high consideration.

Sincerely,

LEAMON R. HUNT
Director General
Multinational Force and Observers

ANNEX I

UNITED KINGDOM CONTRIBUTION

Mission

The Government of the United Kingdom of Great Britain and Northern Ireland shall provide to the MFO a headquarters company (including the Camp Commandant). The headquarters company will be responsible for a variety of administrative and security functions normally associated with operation of a large headquarters and base camp.

The mission of the headquarters company, described above, may not be changed except with the consent of the Government of the United Kingdom and the MFO.

Organization

It is understood that to carry out the foregoing mission, the headquarters company shall be comprised of the following personnel, the total number of which shall not exceed 35:

A. A Company Headquarters, including Camp Commandant, Sergeant Major, Assistant to the Commandant, and clerical personnel.

B. An Administration Section, including a Sergeant in Charge, printing/reproduction activity personnel, clerk/typist pool personnel, and library/audiovisual center personnel.

C. A Quartermaster Section, including a quartermaster officer, administrative supplies sergeant, office equipment sergeant, and records clerk.

D. A Camp Security Section, including a security officer and sergeants of the guard. It is understood that guards will be provided by other contingents on a rotating basis.

* The Aide-Mémoire contains only administrative guidance and is not being published.

E. A Transportation Section, including driver/radio operators for the Force Commander, Chief of Staff and the 4 principal headquarters staff officers.

The foregoing organizational criteria may from time to time be modified by mutual consent.

Additional Provisions

A. As head of a national contingent, the senior United Kingdom officer shall have direct access to the MFO Force Commander. In other respects, the Camp Commandant shall be integrated into the MFO under normal staffing and reporting arrangements.

B. Members of the Headquarters Company shall be armed with normally assigned individual weapons.

C. The Government of the United Kingdom shall also provide staff-trained officers to the MFO Force Commander's staff for mutually agreed positions.

ANNEX II

FINANCIAL ARRANGEMENTS

1. The MFO shall provide for the transportation of the personnel of the United Kingdom contingent, their personal weapons and kit, without cost to the Government of the United Kingdom, from the designated point of departure to their station in the Sinai and return, in accordance with the mutually established rotation schedule.

2. The MFO shall provide food and lodging to the United Kingdom personnel in the Sinai as well as base support, without cost to the Government of the United Kingdom. The MFO shall similarly provide and maintain the equipment to be utilized by the United Kingdom contingent in the performance of its mission.

3. The Government of the United Kingdom shall remain responsible for the payment to the personnel of the United Kingdom contingent, without cost to the MFO, of the salaries, benefits, allowances and other payments which would normally be paid such personnel when stationed in the United Kingdom.

4. The Government of the United Kingdom shall provide the personnel of the United Kingdom contingent, without cost to the MFO, the individual weapons and other individual equipment required to perform their mission in the Sinai.

5. The MFO shall pay to the Government of the United Kingdom an amount equivalent to the cost to the Government of the United Kingdom of special pay and allowances paid to the personnel of the United Kingdom contingent pursuant to the United Kingdom Regulations for Army Allowance and Charges currently in force, less the costs which would normally have been incurred by the Government of the United Kingdom for food and lodging, base support and operation and maintenance for such personnel when stationed in the United Kingdom. Such net amount shall be determined on an annual basis, and shall be payable quarterly in equal installments. Upon the receipt of an invoice from the Government of the United Kingdom, the first such payment shall be made by July 1, 1982, and subsequent installments shall be paid quarterly thereafter.

II

*The Secretary of State for Foreign and Commonwealth Affairs
to the Director General of the Multinational Force and Observers*

FOREIGN AND COMMONWEALTH OFFICE
LONDON

21 April 1982

Sir,

I have the honour to refer to your letter of 17 March 1982 which reads as follows:

[See note I]

In reply I have the honour to inform you that the foregoing proposals are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland who therefore agree that your letter together with Annex I and Annex II and this reply shall constitute an Agreement between us which shall enter into force on today's date.

I have the honour to convey to you, Sir, the assurance of my high consideration.

(For the Secretary of State:)

J. C. MOBERLY

III

*The Director General of the Multinational Force and Observers
to the Secretary of State for Foreign and Commonwealth Affairs*

Alexandria, Virginia, March 17, 1981

Sir:

With reference to my letter of today's date accepting your government's offer to contribute to the MFO in accordance with the Protocol of the Treaty of Peace between Egypt and Israel signed on March 26, 1979, it may assist if I confirm my understanding with respect to various aspects of participation in the MFO.

(1) It is understood that, as provided in paragraph 12 of the Appendix to the Egypt-Israel Protocol of August 3, 1981, members of the MFO are not subject to the civil jurisdiction of the courts or other legal process of Egypt or Israel in any matters relating to their official duties. It is also understood that, as provided in paragraph 38 of that Appendix, claims against a member of the MFO made by the Government of Egypt or Israel or by residents thereof in respect to damages alleged to result from an act or omission of such member relating to his official duties shall be settled according to the claims provisions of the Appendix. An award made by the Claims Commission against a member of the MFO shall be notified to the Director General for payment by the MFO. Accordingly, neither the individual member nor the participating state of which he is a national shall incur any liability in such official duty cases.

(2) With reference to paragraph 6 of the Annex to the Protocol, it is understood that national contingents provided to the MFO shall be placed under the operational control of the Force Commander. The Force Commander will issue orders to the national contingent through the appropriate National Contingent Commander in accordance with the chain of command established by him pursuant to the Protocol.

(3) It is understood that in exercising his functions under paragraphs 12 (b), 13 and 42 of the Appendix, the Director General will seek relevant information from the appropriate National Contingent Commander through the Force Commander.

(4) It is understood that in the application of paragraph 20 of the Appendix, the Director General intends to follow the regulations of the United Nations in their peacekeeping organizations so far as the display of flags and ensigns is concerned.

(5) With reference to paragraph 21 of the Appendix, it is understood that service vehicles, boats and aircraft serving with the MFO shall be painted MFO colors, shall carry MFO identification marks and, in addition, shall carry only those marks or insignia as are necessary to satisfy international legal requirements applicable to state aircraft and boats.

(6) With reference to paragraph 24 of the Appendix, it is understood that the Director General does not intend to delegate any of his powers directly to members of national contingents who are under the command of the National Contingent Commander.

(7) It is understood that where supplementary arrangements are to be made, as provided in paragraph 43 of the Appendix, which substantially affect a national contingent, the Director General will first consult with the government of the affected participating state.

(8) It is understood that the Director General intends to establish a consultative mechanism whereby he will meet with representatives designated by troop-contributing states accredited to the country where his headquarters will be located for briefing and discussion of issues of general concern. In addition, the Director General and his staff will be available at any time to hold bilateral consultations with troop-contributing state representatives on substantive issues of mutual concern.

(9) It is understood that any disputes which may arise between a participating state and the MFO which cannot properly be resolved through normal administrative channels may be raised by either the MFO or the participating government for resolution at the diplomatic level between the Director General and the designated diplomatic representative of the participating government.

If the terms set out above are acceptable to the Government of the United Kingdom of Great Britain and Northern Ireland, I have the honor to suggest that this letter and your reply to that effect will place on record our understanding in this matter.

I have the honor to convey to you the assurance of my high consideration.

Sincerely,

LEAMON R. HUNT

IV

*The Secretary of State for Foreign and Commonwealth Affairs
to the Director General of the Multinational Force and Observers*

FOREIGN AND COMMONWEALTH OFFICE
LONDON

21 April 1982

Sir,

I have the honour to acknowledge the receipt of your letter of 17 March 1982 which reads as follows:

[*See note III*]

In reply I have the honour to confirm that the terms set out above equally represent the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland.

I have the honour to convey to you, Sir, the assurance of my high consideration.

(For the Secretary of State:)

J. C. MOBERLY
