

ON
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SECRET

JE14211/G
/1302 (A)

FROM CAIRO TO FOREIGN OFFICE

Cypher/OTP.

FOREIGN OFFICE SECRET AND
WHITEHALL SECRET DISTRIBUTION

Sir H. Trevelyan
No: 1874
September 3, 1956.

D: 11.59 p.m. September 3, 1956.
R: 1.10 a.m. September 4, 1956.

IMMEDIATE

SECRET

Please pass following to External Canberra from Australian Legation.

Begins:

191 September 3.

For Fadden from Menzies.

My 193. Following is text.

We have been authorized by 18 nations, which are the major users of the Suez Canal, to approach the Egyptian Government on their behalf, to present to it certain proposals relating to the future operation of the Canal, and to explain to the Egyptian Government the nature and objectives of such proposals. The text of these proposals is attached hereto.

It will be readily understood that the nations for whom we speak regard their vital economic interests as being deeply affected by the future of the Canal. They have a clear belief that, if the Canal is to be maintained and developed as a waterway open to the use of vessels of all nations, it should be detached from politics, and the management of its operations should be placed on such a basis as to secure the maximum of international confidence and cooperation.

At the same time, we wish to make it clear that those whom we represent have not approached this problem in any spirit of hostility. There is a long history of friendly relations with Egypt. In two great wars, several of the nations we represent have had a direct and mutually helpful association with Egypt. We have all welcomed Egypt's attainment of complete self-government and we would desire that anything done or proposed now should be regarded as containing no derogation from Egypt's sovereignty and national dignity. These two points of view were indeed clearly illustrated by the whole temper and tone of the discussions at the London Conference.

It is....

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NON
REFE

SECRET

Cairo telegram No: 187A to Foreign Office

- 2 -

It is our deep conviction that the negotiation of a convention along the lines suggested in our proposals would be for the benefit of Egypt and of all nations and individuals using the Canal and would certainly help to restore the kind of peaceful international atmosphere which the world at present so desperately needs.

In case it should be thought that what we are proposing conflicts with the sovereign rights of Egypt with regard to the Canal, which flows through Egyptian territory, we should at the outset of our discussions make it clear that we do not believe that the Convention of 1888 and a Convention of the kind we are suggesting supplementary to that of 1888 affect Egypt's sovereign rights at all. It is, indeed, the existence of those sovereign rights and their continued recognition which afford the whole basis of our proposals. It is our desire and need that there should be a definite system for the operation, maintenance and development of the Canal which, while it recognizes Egyptian sovereignty, will serve dependably, for a long time to come, the manifest interests not only of Egypt but of all users of this most important waterway.

We trust that our discussions will proceed amicably on this basis. Though superficially it may be thought by some that there is on this matter an irreconcilable difference of principle, we do not believe this to be so. It would be a grave misfortune for the world if it were so. It is because we are confident that there is a basis of principle for the negotiations of an agreement which will properly protect the interests of all that we have come to Egypt, have sought conference with the Government of Egypt, and will in a reasoned way do our best to secure a peaceful settlement upon a basis of justice to both sides, and such a consolidation of future of the Canal as will take it out of the area of political conflict and so enable it to serve the peaceful purposes of many millions of people all over the world.

[Copies sent to C.R.O. Tel. Branch for transmission to External Canberra].

ADVANCE COPIES:

Sir I. Kirkpatrick

Private Secretary

Mr. Murray

Mr. Ross

Head of African Department

JJJJJ

CONFIDENTIAL

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BRITISH EMBASSY,

TEL AVIV.

(1262/56)

JE110211/1304

August 30, 1956.

Dear Department,

INDEXED

The Minister of Development, Mr. Bentov, who belongs to the Mapam Party, is reported to have given an interview to a United Press correspondent here on the subject of the Suez Canal. He took the line that the Arab-Israel issue was a sideshow for Egypt which Nasser would be wise to extract himself from and suggested that the signing of peace with Israel on the basis of the Bandung Resolutions would raise Egypt's status in the world and would be held as a genuine political achievement.

2. Mr. Bentov apparently went on to say that several world powers are prepared to sacrifice Israel to pay for a compromise with Egypt to safeguard their oil interests, and these powers should not think Israel ungrateful if she was prepared to sacrifice their oil interests to reach a peace settlement with Egypt. He was quite certain that the powers would not raise a finger to ensure the free passage of Israeli ships through the Suez Canal.

3. The following day both Davar and Haboker attacked the Minister for having given an interview on a foreign affairs subject which purported to express the views of the Government and asked sarcastically whether the interview had been granted with the knowledge of the Foreign Minister. In particular they took exception to a remark attributed to Mr. Bentov in which he is alleged to have said that the motive underlying Israel's behaviour hitherto had been to avoid endangering Egypt's position. The latter seems a curious remark even for Mr. Bentov, but the close association of the Mapam newspaper Al Hamishmar with the Communist newspaper Kol Ha'an over the Suez issue which we have reported on in our telegrams 46 Saving and 47 Saving rather suggests that the rest of Mr. Bentov's remarks can be taken as pretty close to the Soviet line.

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4. From the purely local point of view therefore it is not a bad thing that Mr. Dulles was widely reported to have said on August 28 that Israeli ships were entitled to use the Canal, that the Egyptian blockade was discussed and condemned at the London Conference and that the blockade is in defiance of the Security Council resolution of 1951 and in opposition to the principles of the Constantinople Convention.

5. We are copying this letter to Chancery at Cairo.
Yours ever,

CHANCERY.

Levant Department,
Foreign Office, S.W. 1.

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S E C R E T

Outward Telegram from Commonwealth Relations Office

TO: U.K. HIGH COMMISSIONER IN CANADA
 U.K. HIGH COMMISSIONER IN AUSTRALIA
 U.K. HIGH COMMISSIONER IN NEW ZEALAND
 U.K. HIGH COMMISSIONER IN SOUTH AFRICA
 U.K. HIGH COMMISSIONER IN INDIA
 U.K. HIGH COMMISSIONER IN PAKISTAN (ACTING)
 U.K. HIGH COMMISSIONER IN CEYLON (ACTING)

(Sent 16.15 hours 7th September, 1956)

CYPHER
PRIORITY

JE 4211/1509 (C)
Eluz

Y. No. 224 SECRET AND GUARD

My telegram Y. No. 218.

S U E Z

Mr. Menzies told U.K. Ambassador in Cairo on 6th September that Mission were agreed they had come up against brick wall, though this might not be fully apparent for two or three days. They were not going to have any meeting with Nasser on 6th nor probably on 7th. He hoped to send Nasser on 7th a written exposition of mission's proposals and to receive written reply from Nasser by Saturday. Fawzi has agreed that this would be suitable procedure.

2. At meeting on 5th September Nasser said he was prepared to make agreements with user States about rates and non-discrimination. He confirmed, in answer to Menzies question, that these agreements would be within framework of his plan (?) of complete ownership, management and operating control of Canal by Egyptian Government. At "Five-Nation" Committee meeting on 6th Menzies explained his view that mission had no mandate to discuss Nasser's proposals and that if they did so situation would be blurred and they would find themselves lost in sands of desert. Ethiopians supported him, but Henderson was inclined to feel that they should at least elucidate Nasser's proposals at a new meeting, and Swede and Iranian were inclined to support him. Menzies did not press issue further this morning (6th) and other four agreed they should next discuss document which he was drafting for presentation to Nasser. Menzies told U.K. Ambassador that, apart from other considerations, he had his own reputation to consider and was not going to get into a bog over this. He went so far as to say that if some of others insisted on talking to Nasser on these lines, he would reply that they could do it without him, which would fix matter.

Copy to:-

D.I

C.R.O.
Foreign Office

Mr. Anderson
Mr. A.D.M. Ross
Mr. J.H.A. Watson
Mr. H.B. Shepherd
Mr. J.A. Wilton

H.M. Ambassador for U.K. in Dublin
 U.K. High Commissioner in Salisbury
 U.K. Embassy Washington Mr. J.R.A. Bottomley
 U.K. Delegation to the
 U.N., New York Mr. T.W. Keeble
 Accra, Governor's Office Mr. F.E. Cumming-Bruce

SOUTH ASIA AND MIDDLE EAST DEPT.
SA. 190/17

CONFIDENTIAL

C O P Y

C O N F I D E N T I A L

THE FOLLOWING IS THE TEXT OF THE STATEMENT WHICH MR. L. B. PEARSON WILL DELIVER AT A PRESS CONFERENCE AT 10.00 HOURS EDT ON AUGUST 30.

"THE CANADIAN GOVERNMENT HAS FOLLOWED WITH INTEREST AND CONCERN THE DISCUSSIONS HELD RECENTLY IN LONDON OVER THE SUEZ CANAL AND HAS WELCOMED THE PROPOSAL OF THE EIGHTEEN GOVERNMENTS, FROM ASIA, AFRICA, EUROPE, AUSTRALASIA AND NORTH AMERICA, WHICH RESULTED FROM THE CONFERENCE.

PRESIDENT NASSER OF EGYPT HAS AGREED, AND HIS DECISION IN THIS REGARD IS ALSO WELCOMED, TO RECEIVE FIVE MEMBERS OF THE CONFERENCE, UNDER THE CHAIRMANSHIP OF THE PRIME MINISTER OF AUSTRALIA, WHO HAVE BEEN CHARGED BY THE EIGHTEEN TO EXPLAIN TO HIM AND TO THE EGYPTIAN GOVERNMENT THE PURPOSES AND OBJECTIVES OF THE MAJORITY PROPOSAL, AND TO ASCERTAIN WHETHER EGYPT WOULD AGREE TO NEGOTIATE A SUEZ CONVENTION BASED ON IT.

IT IS DEVOUTLY TO BE HOPED THAT PRESIDENT NASSER WILL ACCEPT THIS INVITATION TO NEGOTIATE A PEACEFUL AND PERMANENT SOLUTION OF THIS SERIOUS PROBLEM ALONG THE LINES OF THE LONDON MAJORITY PROPOSAL. A FAILURE TO DO SO WOULD INVOLVE A VERY HEAVY RESPONSIBILITY INDEED.

SO FAR AS THE CANADIAN GOVERNMENT IS CONCERNED, WE FEEL THAT THESE PROPOSALS ARE REASONABLE AND SATISFACTORY AND DESERVE OUR SUPPORT AS A BASIS FOR NEGOTIATION. THEY RESPECT NOT ONLY THE SOVEREIGNTY, THE INTERESTS AND SUSCEPTIBILITIES OF EGYPT, BUT THEY ALSO MAKE ADEQUATE PROVISION FOR SAFEGUARDING, THROUGH CO-OPERATIVE INTERNATIONAL ARRANGEMENTS WITH WHICH THE UN WOULD BE ASSOCIATED IN AN APPROPRIATE WAY, THE INTERNATIONAL CHARACTER, USE AND MAINTENANCE OF THE CANAL.

THE CANADIAN GOVERNMENT UNDERSTANDS THE VIEW OF THE USERS OF THE CANAL THAT THIS INTERNATIONAL WATERWAY

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MUST BE EFFICIENTLY AND IMPARTIALLY OPERATED, NOT ONLY IN THE INTEREST OF EGYPT BUT ALSO OF THE STATES WHO USE IT AND FOR WHOM ITS EFFICIENT OPERATION IS ECONOMICALLY ESSENTIAL. THE CANAL SHOULD THEREFORE BE KEPT FREE TO THE MAXIMUM EXTENT POSSIBLE FROM POLITICAL INTERFERENCE ON THE PART OF ANY SINGLE STATE. WE ALSO UNDERSTAND THE DESIRE OF EGYPT TO SAFEGUARD ITS SOVEREIGNTY AND ITS NATIONAL DIGNITY.

WE FEEL THAT THE EIGHTEEN POWER LONDON PROPOSALS PROVIDE FOR BOTH THESE ESSENTIAL CONSIDERATIONS AND, THEREFORE, FORM A SOLID BASIS FOR A PEACEFUL SETTLEMENT OF THE SUEZ CANAL QUESTION WHICH IS SO IMPORTANT TO THE WELL-BEING AND SECURITY OF ALL STATES."

CONFERENCE

C O P Y

SUMMARY OF ADDITIONAL POINTS MADE BY MR. PEARSON
AT HIS AUGUST 30 PRESS CONFERENCE IN REPLYING TO
QUESTIONS AFTER HE HAD ISSUED A STATEMENT.

THE IDEA OF ASSOCIATING THE UN WITH THE SUEZ PROBLEM HAS BEEN SUPPORTED BY CANADA FROM THE OUTSET OF THE DISPUTE, BUT IS NOT A PROPOSAL EXCLUSIVE TO CANADA; SEVERAL DELEGATIONS AT THE LONDON CONFERENCE EXPRESSED SIMILAR VIEWS. THE CLOSER WE CAN ASSOCIATE SUCH A PROBLEM WITH THE UN, THE BETTER. IT IS INTERESTING THAT THE COMMITTEE OF FIVE IS UNDER THE CHAIRMANSHIP OF PRIME MINISTER MENZIES OF AUSTRALIA, WHO SEEMS TO HAVE PLAYED A VERY CONSTRUCTIVE PART IN THE CONFERENCE, AND THAT IT REPRESENTS GOVERNMENTS FROM FIVE CONTINENTS. IT SHOULD BE NOTED THAT THE PROPOSALS OF THE EIGHTEEN GOVERNMENTS ARE NOT BEING PRESENTED TO EGYPT ON A "TAKE-IT-OR-LEAVE-IT" BASIS, BUT AS A POSSIBLE BASIS FOR NEGOTIATION; THERE IS NO QUESTION OF IMPOSING THESE PROPOSALS IN EXACTLY THEIR PRESENT FORM ON ANYBODY. IF EGYPT DID NOT ACCEPT THESE PROPOSALS AS BASIS FOR NEGOTIATION WE WOULD HAVE A NEW AND PERHAPS SERIOUS SITUATION, BUT WE CERTAINLY HAVE NOT REACHED THAT POINT YET. THE COMMITTEE OF FIVE PROBABLY WOULD REPORT BACK TO THE EIGHTEEN GOVERNMENTS THEY REPRESENT IF NASSER WERE TO PUT FORWARD COUNTER-PROPOSALS, ALTHOUGH COMMITTEE PROBABLY HAS SOME LATITUDE FOR NEGOTIATION. ASKED WHETHER HE HAD BEEN THINKING OF POSSIBLE CONSEQUENCES FOR THE NATO ALLIANCE AS PART OF THE "SERIOUS SITUATIONS" WHICH COULD DEVELOP IF NEGOTIATIONS WITH EGYPT PROVED IMPOSSIBLE, MR. PEARSON SAID HE HAD NOT REPEAT NOT HAD NATO PARTICULARLY IN MIND. CERTAINLY NATO WOULD BE AFFECTED, BECAUSE NATO COUNTRIES ARE AMONG USERS OF THE CANAL, BUT HE HAD BEEN THINKING OF THE "GENERAL INTERNATIONAL EFFECTS".

S E C R E T

Outward Telegram from Commonwealth Relations Office

TO: U.K. HIGH COMMISSIONER IN CANADA
 U.K. HIGH COMMISSIONER IN AUSTRALIA
 U.K. HIGH COMMISSIONER IN NEW ZEALAND
 U.K. HIGH COMMISSIONER IN SOUTH AFRICA
 U.K. HIGH COMMISSIONER IN INDIA
 U.K. HIGH COMMISSIONER IN PAKISTAN } (ACTING)
 U.K. HIGH COMMISSIONER IN CEYLON }

(Sent 19.20 hours 6th September 1956)

CYPHER
PRIORITY

Y. No. 220 SECRET

My telegram Y. No. 218. *NR*

S U E Z

2110
U.F. 14211/1318 B.

Following is Mr. Menzies' account of meeting with Nasser on 4th September. Begins.

At tonight's meeting Nasser made his response. For most part he addressed himself to selected clauses in 18-Power statement. In essence he rejected proposals as restoration of collective colonialism and form of domination or seizure which he would never satisfactorily explain to Egyptian people.

2. If there is grave situation it is created by those who threaten violence. Egypt has not violated any international obligations. 1888 Convention stands intact. Moreover, it is Egypt and not Suez Company which is defender of Canal and protector of rights under Convention.

3. As to provision of physical facilities for passage, Egypt does not need assistance of international finance. She has proved this in past forty days. What can a Board do without interference with Egyptian sovereignty? If development of Canal requires more territory Egypt's sovereignty is involved at once.

4. Concept of insulating Canal from politics is unreal. International proposal is expression of a political conference. Members of Board would inevitably be subject to political direction. On other hand, fact is that sovereign territory of Canal cannot be insulated from Egypt's political life. People living in Canal area must inevitably be a centre of politics.

5. In Egypt's gradual escape from colonialism, taking over of Canal is further expression of her independence. Egypt must have her sovereignty and be in position to exercise it.

6. In passing, Nasser said that question of finance and tolls could easily be arranged.

7. We told Nasser that we would not seek to make complete rejoinder until we had further considered his reply. Each member of committee did, however, take him up on various points. All members of committee responded promptly to his denunciation of colonialism and said firmly that their national policies were entirely out of sympathy with
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continuance of colonialism. Ethiopian Foreign Minister, in particular, emphasised that Egyptian Government was being asked to make agreement which would be explained to Egyptian people as an agreement. In response to Nasser's point that Canal had already been subject to politics because Egyptian sovereignty had prevailed during life of Company, I emphasised that it was only since disappearance of that international company that problem of exposure to politics of a single nation arose.

8. Other points of interest in Nasser's reply were his avoidance of any reference to compensation; his denunciation of Western Press campaign which was directed at himself, and his claim that it was impossible to have free negotiation under threat of force.

9. The next meeting with Nasser will be on Wednesday evening. Ends.

Copy to:-

D. I
C.R.O.
Foreign Office

Mr. Anderson
Mr. A.D.M. Ross
Mr. J.H.A. Watson
Mr. H.B. Shepherd
Mr. J.A. Wilton

H.M. Ambassador for U.K. in Dublin
U.K. High Commissioner in Salisbury
U.K. Embassy Washington Mr. J.R.A. Bottomley
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U.N. New York Mr. T.W. Keeble
Accra, Governor's
Office Mr. F.E. Cumming-Bruce

SOUTH ASIA AND MIDDLE EAST DEPT.
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INWARD SAVING TELEGRAM

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OUTWARD SAVING TELEGRAM

En Clair
By Bag

(F.O. & Whitehall Dist.)

FROM PARIS TO FOREIGN OFFICE

Sir G. Jebb
No. 328 Saving
September 4, 1956.
CONFIDENTIAL

INDEXED

JE 1421/1319



Addressed to Foreign Office telegram No. 328 Saving of
September 4
Repeated for information Saving to: Washington No. 323
Cairo No. 65.

Suez crisis.

Minister for Foreign Affairs delivered a speech over the weekend at a village in the Sarthe where he is a Municipal Councillor. Not more than a few hundred people heard him and, as usual on these occasions, no one can provide a full text. Press has reported the main lines of the speech without attaching particular importance to it.

2. After pointing out that France could have no further confidence in Colonel Nasser, M. Pineau added that Suez had always been a genuinely international enterprise. Suez was an international trade route and Colonel Nasser had the power to paralyse 30 per cent of the French economy. Armchair critics had complained that France had not immediately riposted to the Egyptian act of nationalisation. Did they think that one could organise a military expedition from one day to another? This would have been unduly risky in view of the state of Egyptian armaments; moreover France and England did not wish to feel themselves alone in this affair. Therefore they had first tried to find a pacific solution in order to secure the support of international opinion.

3. M. Pineau expressed the hope that the Soviet Union would not continue to encourage Nasser's intransigence. France must not act weakly once more, as at the time of the Rhineland crisis. They would be told that firmness might give rise to war. But M. Pineau felt some doubt about the solidarity of certain Arab countries with Nasser, whose ambitions they believed to be overweening.

CONFIDENTIAL

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Paris telegram No. 328 Saying to Foreign Office

- 2 -

4. I fear that M. Pineau's remarks about the need for time to prepare a military operation and about the alleged coolness of certain Arab countries towards Nasser were quite unhelpful. It is regrettable that he should be reverting to his pre-Conference mood.

CONFIDENTIAL

Minutes.

EXTRACT FROM FRANC-TIREUR OF SEPTEMBER 3

PINEAU: "Notre devoir est de stopper Nasser tout de suite"

COMPTE tenu de la volonté affirmée par dix-huit puissances signataires de l'accord de Londres, compte tenu de l'insatiation manifestée par les gouvernements de l'Inde, de l'Indonésie et de Ceylan, compte tenu, enfin, de l'attitude de certains pays arabes qui jugent déjà excessives les initiatives du Caire, je suis certain que Nasser s'inclinerait devant les recommandations de Lancaster House s'il ne savait qu'il peut, éventuellement, compter sur l'aide de F.U.R.S.S., laquelle, en le poussant à l'intransigeance, pourrait risquer de mettre en péril la paix du monde.

C'est ainsi que Christian Pineau dressait hier le bilan actuel de la crise de Suez, dans un discours prononcé à Saint-Georges-de-la-Couée, canton dont il est conseiller général.

Le ministre avait tout d'abord rappelé de quelle « extraordinaire patience » la France avait fait preuve à l'égard de l'Égypte depuis sept mois. Après avoir évoqué sa visite au Caire et les engagements qu'avait alors pris le dictateur égyptien, il avait affirmé :

« Il ne nous est plus possible aujourd'hui de garder notre constance au colonel Nasser.

« Suez, a-t-il alors fait remarquer était une société d'intérêts internationaux dans laquelle l'Égypte n'avait pas le pour cent d'intérêt réel. Il serait par conséquent illogique de la comparer à ce que sont en France les grandes entreprises nationalisées qui ne prennent que des biens exclusivement français.

« Nasser pourrait paralyser 30 % de notre économie »

« Mais, a poursuivi M. Pineau, le vrai problème est posé par le passage des marchandises indépendantes. Imagine-t-on ce qui résulterait d'une décision arbitraire de Nasser empêchant les navires français d'emprunter cette voie d'eau internationale ? Ce serait notre commerce extérieur avec le Moyen-Orient et l'Asie partiellement arrêté, notre approvisionnement en pétrole compromis, notre agriculture et notre industrie paralysées à 30 pour cent. Ne peut-on reprocher d'un homme qui a affirmé son intention de conquérir le monde arabe qu'il nous impose demain de tels problèmes ?

Le ministre des Affaires étrangères répond ensuite à ceux qui ont reproché au gouvernement de n'avoir pas riposté immédiatement. Il critique les stratèges en chambre :

« Comme si l'on pouvait organiser du jour au lendemain une expédition militaire sans préparation indispensable.

« L'opération, aurait comporté quelques risques, car il faut tenir compte des armements dont dispose l'armée égyptienne, et puis surtout la France et l'Angleterre ne voulaient pas se sentir seules dans cette affaire.

« C'est pourquoi elles se sont efforcées d'abord de trouver une solution pacifique afin d'avoir l'appui de l'opinion internationale ».

Évoquant l'aide soviétique à l'Égypte, Christian Pineau déclare :

« Je souhaite que l'Union soviétique ne persévère pas dans ses conseils à Nasser, conseils qui l'attent à refuser de traiter sur les seules bases possibles.

« Employer la force s'il le faut »

« En la circonstance, a poursuivi M. Pineau, nous n'avons pas le droit de pratiquer la politique des abandons et de nous incliner devant le coup de force du dictateur égyptien.

« S'il y avait eu, en 1936, au moment de la réoccupation de la Rhénanie un ministre des Affaires étrangères pour dire « non » aux exigences allemandes, ce ministre aurait peut-être été taxé de bellâtre. Il aurait cependant évité, entre 1933 et 1945, vingt millions de morts.

« La France est décidée à se montrer énergique. Nos jeunes gens mobilisés nous donnent l'exemple du courage. Nous posons à la face du monde notre énergie et notre volonté de paix.

« Il convient de prendre des mesures propres à garantir éventuellement la sécurité des Français et des Anglais en Égypte.

« Il faut aussi penser au rapatriement éventuel des pilotes qui souhaiteraient rejoindre leur pays et qu'une loi égyptienne menaçait d'une peine de prison en cas d'abandon de poste.

« On nous dira que la fermeté risque d'aboutir à un conflit. Mais je ne suis pas très sûr de la solidarité des pays arabes à l'égard de Nasser. Certains jugent déjà excessives ses initiatives.

« Nasser est un dictateur d'une sauvagerie certes bien moindre que celle d'Hitler, mais dont les velléités ne sont pas moins dangereuses.

« Notre devoir n'est-il pas de le stopper tout de suite ?

« Si nous disons non, conclut Christian Pineau, avec la volonté très nette d'employer la force, s'il le faut, cela vaudra encore mieux que la situation internationale à laquelle nous mèneraient nos attermolements, situation qui constituerait peut-être pour la paix une menace plus redoutable. »

Au début de son discours, Christian Pineau avait évoqué le problème algérien.

« Celui-ci, a-t-il dit, se présente sous une double perspective : algérienne et internationale. Je pense qu'une solution pourra être trouvée qui sauvegardera certaines aspirations légitimes des musulmans et un million 200.000 Français d'Algérie. »

NOTHING TO BE WRITTEN IN THIS MARGIN.

CONFIDENTIAL

J

SECRET

FROM CAIRO TO FOREIGN OFFICE

Cypher/OTP

FOREIGN OFFICE SECRET AND
WHITEHALL SECRET DISTRIBUTION

Sir H. Trevelyan
No. 1891
September 4, 1956.

D. 3.49 p.m. September 4, 1956.
R. 5.15 p.m. September 4, 1956.

IMMEDIATE
SECRET

JE14211/1324

Menzies' Mission..

Following personal for Secretary of State.

I saw Mr.Menzies this morning and shall be seeing him every day before lunch.

2. He asked me to inform the Prime Minister of his personal talk with Nasser after last night's meeting at which he made two points:

- (a) the London Conference had not declared against the use of force, they had not discussed the matter;
- (b) Nasser would be very much mistaken if he thought that British and French military preparations were only bluff. He (Menzies) knew the British and French statesmen well and could assure him that they were in dead earnest. Nasser said that the idea put about that he thought it was all bluff was not true. He knew it was not and that he had a grave responsibility. (See also Menzies' message to Fadden sent through our channels (my telegram No. 1885)). — JE14211/1323G

3. Loy Henderson told me that Menzies' presentation of the case was first rate. Menzies seems confident that he can get a clear answer by the end of this week. He continues to give the impression of firmness and to emphasize the strict limitations of the mission's terms of reference.

ADVANCE COPIES TO:

Private Secretary
Sir I. Kirkpatrick
Mr. Ross
Head of African Department

MINIMUM

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NOTHING TO BE WRITTEN IN THIS MARGIN

Minutes

African Department.

Here are my comments on Washington telegram No. 1804.

Mr. Dulles is, of course, only too right to say (cf. paragraph 2 of the telegram) that we are in a weak position juridically; and naturally if one could find some way of improving our legal position, particularly as regards the possible use of force, one would be only too glad to do so. However, I fear that the particular line suggested by Mr. Dulles is based on a misapprehension as to the effect of the Suez Canal Convention. Furthermore, even if it were a valid line in itself, I doubt whether it would have the practical results suggested.

Apparently (to judge from paragraph 4 of the telegram) what Mr. Dulles is seeking is an alternative to the use of force. I do not see how this scheme could provide any alternative, since even if we could argue on the basis of the Convention that the users of the Canal have a sort of residual right to run it, this right would itself require to be asserted by force, assuming that Nasser refused to recognise it. As it would merely be internationalisation in another guise, presumably he would refuse to recognise it if he rejects the London proposals. Indeed, if he objects to those, he can probably be expected to object even more strongly to Mr. Dulles' idea.

There is obviously no point in the users of the Canal banding themselves together, hiring pilots, and so on, unless they can actually take possession of the Suez Canal Company's installations on the Canal, and physically run it. This is clearly something that they would not be able to do in the absence of Egyptian consent without the use of force, so it comes to exactly the same thing. Judging from the later part of paragraph 4, it looks as if Mr. Dulles may think that it would be possible for the body of the users to run the Canal from outside Egypt. I do not follow this. Suppose they engage pilots whom they pay. Those pilots would nevertheless have to reside in the Canal ports. It is inconceivable that the Egyptians would permit this if, at the same time, as Mr. Dulles contemplates, all the dues were withheld.

However, I am afraid that while the Convention does give us a certain amount of help, it will not bear the particular interpretation Mr. Dulles places upon it. He speaks (paragraph 3) of "the rights conferred by the Convention on the users of the Canal". The only rights, however, which the Convention confers on users are, broadly

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Minutes

speaking, passage rights, and not rights of operation. The Convention guarantees free use and unimpeded passage through the Canal, and contains a number of provisions and safeguards directed to that end, but it really says nothing about operation. In effect, it assumes operation by the Suez Canal Company, at any rate up to 1968. This is implicit in the preamble and to some extent in Article XIV. On the other hand, this very Article XIV shows that there is nothing necessarily incompatible with the due observance of the Convention in Egypt running the Canal, since this Article provides that the Convention will continue to apply even when the Company's Concession comes to an end (i.e. when the Egyptian Government ~~take~~ over in 1968). Broadly, the Egyptians could well argue that while the Convention ~~would~~ contemplate continued operation by the Company up to 1968, the only alternative which it recognises to such operation is not operation by the general body of the users but operation by the Egyptian Government.

was to

Mr. Dulles cites Article VIII. This, as I understand, always been a dead letter, but even if a meeting of three of the Ambassadors of the Powers were called under this Article, all that they can do, according to its terms, is to inform the Egyptian Government of any danger threatening the security or the free passage of the Canal which they may have perceived "in order that that Government may take proper steps to ensure the protection and the free use of the Canal". In short, it is for the Egyptian Government to take the necessary consequential steps. Moreover, Nasser would simply say that there is no threat to the security or the free use of the Canal, and no obstruction of any kind is being placed on the passage of vessels.

NOTHING TO BE WRITTEN IN THIS MARGIN

The only real way in which the Convention helps us is that by reason of the preamble and Article XIV, it can be said that the Convention was based on the assumption that the Suez Canal Company would continue to operate at least until 1968. Consequently, Nasser's action in turning out the Company before that date can be said to be inconsistent with the Convention. However, that would not in itself justify us in using force. Only if passage were denied or obstructed would there be a case for that, and this, of course, does not necessarily result from the supersession of the Company.

We might try and ~~find~~ ^{found} an argument on / Article III

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NOTHING TO BE WRITTEN IN THIS MARGIN

Minutes

Article III, which says that the parties to the Convention (this includes Egypt) "undertake to respect the plant, establishments, buildings, and works of the maritime Canal". But I doubt if it would be possible to establish a breach of this Article merely because the Egyptian Government was in control of this plant, buildings, etc., so long as they maintain them and use them for the operation of the Canal.

Our best line, if we do have to use force and no definite incident has occurred which might be held to justify it, would be to argue that Nasser has, in taking over the Company at this stage, acted in a manner fundamentally incompatible with the Convention, and cannot complain if, in face of the deteriorating situation and probable breakdown in passage through the Canal, the Powers take physical steps to ensure that the Canal shall remain open.

G.G. Fitzmaurice

(G.G. Fitzmaurice)
 September 5, 1956.

- Copies to:-
 Mr. Nutting.
 Sir I. Kirkpatrick
 Mr. Pink
 Mr. Beeley
 Mr. Laskey.

DKS 10/9

A) Cairo 1921. 5/9.

B) Washington 1813 5/9.

Handwritten signature
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ON REF E

JENKIN
1325

SECRET

FROM WASHINGTON TO FOREIGN OFFICE

Cypher/OTP.

FOREIGN OFFICE SECRET AND
WHITEHALL SECRET DISTRIBUTION

Sir R. Makins
No. 180A

D. 2.50 a.m. September 5, 1956.
R. 5.20 a.m. September 5, 1956.

September 4, 1956

IMMEDIATE

SECRET

Addressed to Foreign Office telegram No. 180A
of September 4.

Repeated for information to Paris
Cairo

Suez.

Mr. Dulles summoned the Minister this evening and asked him to put to you the following views which he said he had formed during his week-end holiday and now discussed with his staff.

2. It seemed to him that we were at present in a weak position juridically. We were asking the Egyptians to accept a new treaty: this represented no infringement of their sovereignty. But if they refused, we were threatening the use of force. The implication was that we did not have adequate rights and needed to acquire them.

3. The fact was, however, that the Convention of 1888 gave us all the rights we required. Why should not the users club together and themselves hire the pilots, manage the technical features of the Canal, and organise the pattern of navigation? He believed that, though it would be inconvenient, it would be quite feasible, and would lead in due course to some accommodation with Egypt. He cited in particular Article 8 of the Convention which gave broad powers to the agents of the signatories; it could not perhaps be applied literally (for instance, the United Kingdom had made a reservation) but it was illustrative of the rights conferred by the Convention on the users of the Canal. The Convention gave powers to deal with obstructions, object to fortifications, and station warships. If Egypt interfered with these rights, then she would put herself in the wrong.

4. It was

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SECRET

Washington telegram No. 1804 to Foreign Office

- 2 -

4. It was a fatal and unnecessary weakness to assume that, if Egypt did not voluntarily accept our proposals, we must resort to force. On the other hand, we should be in a much stronger position with Nasser if we could show him that, supposing he rejected our proposals, we had an alternative other than war, namely that the signatories or the users would run the Canal themselves by virtue of their rights under the Convention. The Convention gave Nasser no right to make a profit out of the operation of the Canal, and he would thus see the money slipping out of his hands. He was much more likely to be deflated by the loss of these revenues than by the threat or use of force. Our position in the United Nations would also be much stronger if we made no demands for additional rights, but relied on the Convention as giving us all we wanted in the face of Egyptian interference.

5. Mr. Dulles was obviously not clear in his own mind whether the rights under the Convention should be operated by the signatories or by the users. In the former case there were obvious difficulties, in particular the position of the Soviet Union; and the United States not being a signatory would no doubt claim to cut in as a beneficiary. In the latter case, four or five countries would represent perhaps 75% of the users and, if this were practicable, would constitute a manageable body to operate the Canal. Possibly the signatories might organize the users to operate it. These various possibilities came out in conversation, and Mr. Dulles admitted that he had not yet had time to think the whole thing through.

6. Mr. Dulles would be grateful for your early observations on his ideas. He is telegraphing them to Mr. Loy Henderson but is not at present mentioning them to anyone else.

Foreign Office please pass Immediate to Cairo and Routine to Paris as my telegrams Nos. 111 and 127 respectively.

[Repeated to Cairo and Paris]

ADVANCE COPIES:

- Private Secretary
- Sir I. Kirkpatrick
- Mr. Ross
- Head of African Department

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SUEZ CANAL.

Mr. Wilson and Mr. Metzger of the American Embassy came to see Sir G. Fitzmaurice and myself this morning. Their purpose was to enquire into the meaning of paragraph 3(c) of the 18-Power Declaration which runs as follows:

(c) Effective sanctions for any violation of the Convention by any party to it, or any other nation, including provisions for treating any use or threat of force to interfere with the use or operation of the Canal as a threat to the peace and a violation of the purposes and principles of the United Nations Charter.

There was a good deal of discussion about the form the "effective sanctions" might take and in the course of this Mr. Metzger said that he had been considering whether the International Authority to control the Suez Canal might be turned into a "regional arrangement" under Chapter VIII of the Charter. This led on to a discussion as to what was meant by "enforcement action" in Article 53 when the Charter was drafted. Does it mean the use of force or does it mean enforcement measures by economic or political pressure without actually using force? The American Embassy believe it means the former and does not therefore preclude the use of, e.g. economic measures by an organisation such as the O.A.S. without reference to the United Nations. Mr. Metzger added that it was generally agreed that the O.A.S. had the right to use enforcement measures which did not entail the use of force without going to the Security Council, though it has not yet used this right.

Would you please look up the past papers urgently and see whether there was any agreement on what was meant by "enforcement action" when Article 53 was drafted. Mr. Metzger leaves for Cairo on Sunday and would appreciate any information we can let him have on this point by then. If we cannot get him the answer in time we can send it to him through the Cairo Embassy, copying it to the American Embassy here.

(I.T.M. Pink)
August 31, 1956.

U.N. Department.

[Copy to: Sir G. Fitzmaurice.]

I have asked the Library to get out the papers in question urgently - but they will date from 1944 and 1945 and this may take a little time.

I think however that there is very little doubt that "enforcement action" as contemplated under Article 53 does mean the use of force.

The best evidence of this is, I think, provided by the first Report of the Collective Measures Committee, which was set up under the "Uniting for peace" resolution. The Uniting for Peace resolution directed

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CONFERENCE

the Collective Measures Committee to study and report on methods to maintain and strengthen international peace and security in accordance with the Purposes and Principles of the Charter, " taking account of collective self-defence and regional arrangements (Articles 51 and 52 of the Charter)". The first report of the Committee (copy attached) states in paragraph 184 that: " collective self-defence and regional arrangements or agencies constitute an important aspect of the universal collective security system of the United Nations. Article 51 of the Charter, on the one hand, and Chapter VIII on the other, define the relationship between such arrangements or agencies and the United Nations." (Article 53 falls of course under Chapter VIII, and provides that the Security Council shall, where appropriate, utilize such regional arrangements or agencies - provided for in Article 52 under Chapter VIII - for enforcement action under its authority).

[Page 3]

Paragraph 185 of the first Report of the Collective Measures Committee goes on to explain that "collective self defence and regional arrangements or agencies may, within the limits of their constitutional status, provide effective forces and facilities in their respective areas in order to carry out the Purposes and Principles of the Charter in meeting aggression." And both paragraphs 184 and 185 are ~~encompassed~~ by the Committee under the general heading of Military Measures.

When the first report of the Collective Measures Committee was considered in the Assembly it was attacked by the Soviet Union. A ~~new~~ resolution was, however, passed by 51 votes to 5 (Soviet bloc) which took note of the Report and, amongst other recommendations, asked U.N. members " which belong to other international bodies, or which are parties to international arrangements concluded in accordance with the Charter, that, in addition to their individual participation in the collective security system of the United Nations, they seek to obtain, when appropriate, in or through such bodies and arrangements, within the constitutional limitations and the other provisions of those bodies and arrangements, all possible support for collective measures undertaken by the United Nations."

Evidence that the Americans are rightly interpreting the meaning of "enforcement action" in Article 53 is, also furnished by the Brookings Institution publication "The United Nations and the Maintenance of International Peace and Security". The following are extracts from it:

- (a) "Under the terms of Article 2(4), Members undertake to "refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations". This permits the use of force by a Member when authorized by an organ of the United Nations, and in those cases where the Charter expressly allows it by way of exception, as under Articles 51 and 53. It was clearly intended to make unlawful the independent use

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of armed force by any Member except in self-defense against aggression."

(b) "It was found necessary to insert in the Charter certain provisions reserving the right of independent action by Member states in the use of armed force. Under the terms of Article 51, for example, "the inherent right of individual or collective self-defense" in case of armed attack upon a Member remains unimpaired until the Council takes the measures necessary to maintain international peace and security. By the terms of Article 53, although enforcement action cannot be taken under a regional arrangement or by a regional agency except on the authorization of the Council, this prohibition does not apply in the case of measures taken against an "enemy state", (any state which during the Second World War was an enemy of any signatory of the Charter) whether pursuant to Article 107 of the Charter or under "regional arrangements directed against renewal of aggressive policy on the part of any such state".

(c) "If agreements were concluded under Article 43" (this is the article which provides that U.N. members should make Armed forces etc., available to the Security Council), "they would determine the minimum forces necessary to discharge United Nations obligations. Even on the assumption, a very large one indeed, that these two determinations are made, there would still remain the problem of determining what armed forces and armaments a Member needs for purposes of "individual and collective self-defense" under Article 51 and for the exceptional purposes specified in Article 53."

when he) It is perhaps also relevant that at the 302nd meeting of the Security Council on May 22 1948 the U.S. representative argued that the invasion of Palestine by the Arabs was in violation of the Charter, ^{and that} Articles 51 and 52 were no justification for this invasion because Article 53 provided that no enforcement action should be taken under regional arrangements or by regional agencies without the authorization of the Security Council. This would seem to show that the U.S. representative clearly envisaged that Article 53 could provide for armed invasion provided that the Security Council had authorized it in advance. There was considerable discussion of the Chapter VIII Articles of the Charter in the course of the discussions in the Security Council in 1954 in connexion with the question of Guatemala. But although it established, I think quite firmly, that the organisation of American States was a regional arrangements under Chapter VIII, it does not, I think help us with regard to the present problem.

Legal Advisor
R. S. Scrivener
(R.S. Scrivener)
August 31.
I agree with the conclusion in that

NON REF E

Economic measures at any rate could be taken without prior ref. to the Council - G. J. Sturges 3/9

Library have now sent me some 1944 and 1945 papers with the following comment:

"All these papers are to show that the implications of enforcement were not discussed in connection with regional arrangements, but only in connection with the earlier article 41 et seq. of the Charter or Chapter VIII section B of Dumbarton Oaks. - U 4837/12/70 1945.

The report of Commission III Committee 4 which discussed the "regional articles" did not mention the point at all and when it was introduced first at Dumbarton Oaks there was no discussion of the word either as far as I can see."

- 2. As the papers are fairly bulky I attach only U 4837 of 1945.
- 3. I submit a draft telegram to Cairo.

R. S. Scrivener
(R. S. Scrivener)
September 3, 1956.
R. S. Scrivener
3/9

A very helpful research job by Mr. Scrivener.

2/3/9

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JE-14211/329

FROM FOREIGN OFFICE TO CAIRO

Cypher/OTP and
By Bag

DEPARTMENTAL
DISTRIBUTION

No. 2677
September 3, 1956.

B. 6.25 p.m. September 3, 1956.

PRIORITY
CONFIDENTIAL

Addressed to Cairo telegram No. 2677 of September 3.
Repeated for information Saving to Washington No. 4022
New York (UKDel) No. 856
Paris No. 3103.

Suez Canal

Before he left for Cairo yesterday Mr. Metzger of United States Embassy discussed with Sir G. Fitzmaurice and Mr. Pink fern which "effective sanctions" in paragraph 3(o) of the 18-Power Declaration might take. He said he had been considering whether the international authority to control the Canal might be turned into a "regional arrangement" under Chapter VIII of the Charter. This led to discussion as to what was meant by "enforcement action" in Article 53 when the Charter was drafted. He thought it meant the use of force itself and did not therefore preclude use of, e.g., economic measures by a regional organisation without reference to the United Nations. We undertook to look into this.

2. Please now inform Mr. Metzger that we share his opinion that "enforcement action" means the actual use of force and that economic measures could therefore be taken without prior reference to the Security Council. Contemporary papers do not show what the drafters of Article 53 meant by "enforcement action" but United States interpretation is, we believe, supported inter alia by Chapter IV of first report of the Collective Measures Committee (copy follows by bag). Other published comments on the Charter tend to confirm this.

DISTRIBUTED TO:-
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African Department
Eastern Department

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JE14211/1332

BRITISH EMBASSY,

CAIRO.

September 1, 1956.

(1037/34/56)

CONFIDENTIAL

Dear Department,

JE14211/1332

Khartoum telegram No. 637 of August 27 to the Foreign Office reported the departure for Egypt of Sayid Abdil Rahman el Mahdi.

2. The Ambassador thought it better not to exchange personal visits with the Sayid, if only not to give the impression that Her Majesty's Government were in any way encouraging his efforts at mediation in the Suez Canal dispute. Some courtesy was, however, clearly called for and the Ambassador instructed the Oriental Counsellor to call on the Sudanese Ambassador and to request him to transmit the Ambassador's card to the Sayid and to explain that he did not wish to embarrass the Sayid by calling on him at a time when he was a guest of the Egyptian Government and when Anglo-Egyptian relations were strained. The Sayid, for his part, had also decided that he should pay some courtesy vis-a-vis the Ambassador. While arrangements were being made for the Oriental Counsellor to call on the Sudanese Ambassador, Mohammed Saleh Shingeiti, who was in the Sayid's party, enquired whether he could call on the Ambassador on the Sayid's behalf.

3. Shingeiti's visit duly took place on August 29. He said that the Sayid had had useful talks with Nasser, in the course of which the Canal question had been discussed. Shingeiti said that he hoped a peaceful solution could be found as otherwise there would inevitably be a reaction in the Sudan, which was not firmly enough established to stand such a shock. He said that the Sayid had been impressed by Nasser's moderation. Nasser had said that he was ready to give every possible guarantee for the proper functioning of the Canal and that a period of stability was essential to enable Egypt to make progress on the internal front. Shingeiti hoped that some compromise would be found.

4. The Ambassador pointed out that Nasser's policy of surprises during the past year had excluded the possibility of stability for Egypt during that period. Nasser had destroyed the West's confidence in him and mere assurances could not restore that. The Ambassador reminded him that the Sudan question had only been solved by a complete volte-face by the Egyptians, who had abandoned the policy of unity in favour of the principle of independence for the Sudan.

5. Shingeiti said that the Sayid would be spending a week in hospital in Alexandria before going to Italy and he suggested that the Oriental Counsellor might call on him there. Arrangements are being made for the Sayid's courtesy in sending Shingeiti to call on the Ambassador, to be returned in this way.

6. We are sending copies of this letter to the Chanceries at Khartoum, Washington and Paris.

Yours ever,

CHANCERY.

African Department,
Foreign Office,
LONDON, S.W.1.