



Peace Process: American Diplomacy and the Arab-Israeli conflict since 1967 (Third Edition)

William B. Quandt

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Appendix G

Egyptian-Israeli Peace Treaty, March 26, 1979

TREATY OF PEACE BETWEEN THE ARAB REPUBLIC OF EGYPT AND THE STATE OF ISRAEL

The Government of the Arab Republic of Egypt and the Government of the State of Israel:

Preamble

Convinced of the urgent necessity of the establishment of a just, comprehensive and lasting peace in the Middle East in accordance with Security Council Resolutions 242 and 338;

Reaffirming their adherence to the "Framework for Peace in the Middle East Agreed at Camp David," dated September 17, 1978;

Noting that the aforementioned Framework as appropriate is intended to constitute a basis for peace not only between Egypt and Israel but also between Israel and each of its other Arab neighbors which is prepared to negotiate peace with it on this basis;

Desiring to bring to an end the state of war between them and to establish a peace in which every state in the area can live in security;

Convinced that the conclusion of a Treaty of Peace between Egypt and Israel is an important step in the search for comprehensive peace in the area and for the attainment of the settlement of the Arab-Israeli conflict in all its aspects;

Inviting the other Arab parties to this dispute to join the peace process with Israel guided by and based on the principles of the aforementioned Framework;

Desiring as well to develop friendly relations and cooperation between themselves in accordance with the United Nations Charter and the principles of international law governing international relations in times of peace;

Agree to the following provisions in the free exercise of their sovereignty, in order to implement the "Framework for the Conclusion of a Peace Treaty Between Egypt and Israel":

Article I

1. The state of war between the Parties will be terminated and peace will be established between them upon the exchange of instruments of ratification of this Treaty.
2. Israel will withdraw all its armed forces and civilians from the Sinai behind the international boundary between Egypt and mandated Palestine, as provided in the annexed protocol (Annex I), and Egypt will resume the exercise of its full sovereignty over the Sinai.
3. Upon completion of the interim withdrawal provided for in Annex I, the Parties will establish normal and friendly relations, in accordance with Article III(3).

Article II

The permanent boundary between Egypt and Israel is the recognized international boundary between Egypt and the former mandated territory of Palestine, as shown on the map at Annex II, without prejudice to the issue of the status of the Gaza Strip. The Parties recognize this boundary as inviolable. Each will respect the territorial integrity of the other, including their territorial waters and airspace.

Article III

1. The Parties will apply between them the provisions of the Charter of the United Nations and the principles of international law governing relations among states in times of peace. In particular:
 - a. They recognize and will respect each other's sovereignty, territorial integrity and political independence;
 - b. They recognize and will respect each other's right to live in peace within their secure and recognized boundaries;
 - c. They will refrain from the threat or use of force, directly or indirectly, against each other and will settle all disputes between them by peaceful means.
2. Each Party undertakes to ensure that acts or threats of belligerency, hostility, or violence do not originate from and are not committed from within its territory, or by any forces subject to its control or by any other forces stationed on its territory, against the population, citizens or property of the other Party. Each Party also undertakes to refrain from organizing, instigating, inciting, assisting or participating in acts or threats of belligerency, hostility, subversion or violence against the other Party, anywhere, and undertakes to ensure that perpetrators of such acts are brought to justice.
3. The Parties agree that the normal relationship established between them will include full recognition, diplomatic, economic and cultural relations, termination of economic boycotts and discriminatory barriers to the free movement of people and goods, and will guarantee the mutual enjoyment of citizens of the due process of law. The process by which they undertake to achieve such a relationship parallel to the implementation of other provisions of this Treaty is set out in the annexed protocol (Annex III).

Article IV

1. In order to provide maximum security for both Parties on the basis of reciprocity, agreed security arrangements will be established including limited force zones in Egyptian and Israeli territory, and United Nations forces and observers, described in detail as to nature and timing in Annex I, and other security arrangements the Parties may agree upon.

2. The Parties agree to the stationing of United Nations personnel in areas described in Annex I. The Parties agree not to request withdrawal of the United Nations personnel and that these personnel will not be removed unless such removal is approved by the Security Council of the United Nations, with the affirmative vote of the five Permanent Members, unless the Parties otherwise agree.

3. A Joint Commission will be established to facilitate the implementation of the Treaty, as provided for in Annex I.

4. The security arrangements provided for in paragraphs 1 and 2 of this Article may at the request of either party be reviewed and amended by mutual agreement of the Parties.

Article V

1. Ships of Israel, and cargoes destined for or coming from Israel, shall enjoy the right of free passage through the Suez Canal and its approaches through the Gulf of Suez and the Mediterranean Sea on the basis of the Constantinople Convention of 1888, applying to all nations. Israeli nationals, vessels and cargoes, as well as persons, vessels and cargoes destined for or coming from Israel, shall be accorded non-discriminatory treatment in all matters connected with usage of the canal.

2. The Parties consider the Strait of Tiran and the Gulf of Aqaba to be international waterways open to all nations for unimpeded and non-suspendable freedom of navigation and overflight. The Parties will respect each other's right to navigation and overflight for access to either country through the Strait of Tiran and the Gulf of Aqaba.

Article VI

1. This Treaty does not affect and shall not be interpreted as affecting in any way the rights and obligations of the Parties under the Charter of the United Nations.

2. The Parties undertake to fulfill in good faith their obligations under this Treaty, without regard to action or inaction of any other party and independently of any instrument external to this Treaty.

3. They further undertake to take all the necessary measures for the application in their relations of the provisions of the multilateral conventions to which they are parties, including the submission of appropriate notification to the Secretary General of the United Nations and other depositaries of such conventions.

4. The Parties undertake not to enter into any obligations in conflict with this Treaty.

5. Subject to Article 103 of the United Nations Charter, in the event of a conflict between the obligations of the Parties under the present Treaty and any of their other obligations, the obligations under this Treaty will be binding and implemented.

Article VII

1. Disputes arising out of the application or interpretation of this Treaty shall be resolved by negotiations.

2. Any such disputes which cannot be settled by negotiations shall be resolved by conciliation or submitted to arbitration.

Article VIII

The Parties agree to establish a claims commission for the mutual settlement of all financial claims.

Article IX

1. This Treaty shall enter into force upon exchange of instruments of ratification.
2. This Treaty supersedes the Agreement between Egypt and Israel of September, 1975.
3. All protocols, annexes, and maps attached to this Treaty shall be regarded as an integral part hereof.
4. The Treaty shall be communicated to the Secretary General of the United Nations for registration in accordance with the provisions of Article 102 of the Charter of the United Nations.

Done at Washington, D.C. this 26th day of March, 1979, in triplicate in the English, Arabic, and Hebrew languages, each text being equally authentic. In case of any divergence of interpretation, the English text shall prevail.

For the Government of the Arab Republic of Egypt:
A. Sadat

For the Government of Israel:
M. Begin

Witnessed by:
Jimmy Carter,
President of the United States of America

AGREED MINUTES TO ARTICLES I, IV, V, AND VI AND ANNEXES I AND III OF TREATY OF PEACE

Article I

Egypt's resumption of the exercise of full sovereignty over the Sinai provided for in paragraph 2 of Article I shall occur with regard to each area upon Israel's withdrawal from that area.

Article IV

It is agreed between the parties that the review provided for in Article IV(4) will be undertaken when requested by either party, commencing within three months of such a request, but that any amendment can be made only with the mutual agreement of both parties.

Article V

The second sentence of paragraph 2 of Article V shall not be construed as limiting the first sentence of that paragraph. The foregoing is not to be construed as contravening the second sentence of paragraph 2 of Article V, which reads as follows:

"The Parties will respect each other's right to navigation and overflight for access to either country through the Strait of Tiran and the Gulf of Aqaba."

Article VI(2)

The provisions of Article VI shall not be construed in contradiction to the provisions of the framework for peace in the Middle East agreed at Camp David. The foregoing is not to be construed as contravening the provisions of Article VI(2) of the Treaty, which reads as follows:

"The Parties undertake to fulfill in good faith their obligations under this Treaty, without regard to action or inaction of any other Party and independently of any instrument external to this Treaty."

Article VI(5)

It is agreed by the Parties that there is no assertion that this Treaty prevails over other Treaties or agreements or that other Treaties or agreements prevail over this Treaty. The foregoing is not to be construed as contravening the provisions of Article VI(5) of the Treaty, which reads as follows:

"Subject to Article 103 of the United Nations Charter, in the event of a conflict between the obligations of the Parties under the present Treaty and any of their other obligations, the obligations under this Treaty will be binding and implemented."

Annex I

Article VI, Paragraph 8, of Annex I provides as follows:

"The Parties shall agree on the nations from which the United Nations force and observers will be drawn. They will be drawn from nations other than those which are permanent members of the United Nations Security Council."

The Parties have agreed as follows:

"With respect to the provisions of paragraph 8, Article VI, of Annex I, if no agreement is reached between the Parties, they will accept or support a U.S. proposal concerning the composition of the United Nations force and observers."

Annex III

The Treaty of Peace and Annex III thereto provide for establishing normal economic relations between the Parties. In accordance therewith, it is agreed that such relations will include normal commercial sales of oil by Egypt to Israel, and that Israel shall be fully entitled to make bids for Egyptian-origin oil not needed for Egyptian domestic oil consumption, and Egypt and its oil concessionaires will entertain bids made by Israel, on the same basis and terms as apply to other bidders for such oil.

For the Government of Israel:

M. Begin

For the Government of the Arab Republic of Egypt:

A. Sadat

Witnessed by:
Jimmy Carter
President of the United States of America

**LETTER FROM ISRAELI PRIME MINISTER MENACHEM BEGIN AND EGYPTIAN
PRESIDENT ANWAR EL-SADAT TO PRESIDENT JIMMY CARTER, MARCH 26, 1979**

Dear Mr. President:

This letter confirms that Egypt and Israel have agreed as follows:

The Governments of Egypt and Israel recall that they concluded at Camp David and signed at the White House on September 17, 1978, the annexed documents entitled "A Framework for Peace in the Middle East Agreed at Camp David" and "Framework for the conclusion of a Peace Treaty between Egypt and Israel."

For the purpose of achieving a comprehensive peace settlement in accordance with the above-mentioned Frameworks, Egypt and Israel will proceed with the implementation of those provisions relating to the West Bank and the Gaza Strip. They have agreed to start negotiations within a month after the exchange of the instruments of ratification of the Peace Treaty. In accordance with the "Framework for Peace in the Middle East," the Hashemite Kingdom of Jordan is invited to join the negotiations. The Delegations of Egypt and Jordan may include Palestinians from the West Bank and Gaza Strip or other Palestinians as mutually agreed. The purpose of the negotiation shall be to agree, prior to the elections, on the modalities for establishing the elected self-governing authority (administrative council), define its powers and responsibilities, and agree upon other related issues. In the event Jordan decides not to take part in the negotiations, the negotiations will be held by Egypt and Israel.

The two Governments agree to negotiate continuously and in good faith to conclude these negotiations at the earliest possible date. They also agree that the objective of the negotiations is the establishment of the self-governing authority in the West Bank and Gaza in order to provide full autonomy to the inhabitants.

Egypt and Israel set for themselves the goal of completing the negotiations within one year so that elections will be held as expeditiously as possible after agreement has been reached between the parties. The self-governing authority referred to in the "Framework for Peace in the Middle East" will be established and inaugurated within one month after it has been elected, at which time the transitional period of five years will begin. The Israeli military government and its civilian administration will be withdrawn, to be replaced by the self-governing authority, as specified in the "Framework for Peace in the Middle East." A withdrawal of Israeli armed forces will then take place and there will be a redeployment of the remaining Israeli forces into specified security locations.

This letter also confirms our understanding that the United States Government will participate fully in all stages of negotiations.

Sincerely yours,

For the Government of Israel:
M. Begin
Menachem Begin

For the Government of the Arab Republic of Egypt:
A. Sadat
Mohamed Anwar El-Sadat

Note: President Carter, upon receipt of the Joint Letter to him from President Sadat and Prime Minister Begin, has added to the American and Israeli copies the notation:

"I have been informed that the expression 'West Bank' is understood by the Government of Israel to mean 'Judea and Samaria'."

This notation is in accordance with similar procedures established at Camp David.*

*Explanatory note with the original documents.

LETTER FROM PRESIDENT ANWAR EL-SADAT TO PRESIDENT JIMMY CARTER, MARCH 26, 1979

Dear Mr. President:

In response to your request, I can confirm that, within one month after the completion of Israel's withdrawal to the interim line as provided for in the Treaty of Peace between Egypt and Israel, Egypt will send a resident ambassador to Israel and will receive a resident Israeli ambassador in Egypt.

Sincerely,
A. Sadat
Mohamed Anwar El-Sadat

LETTER FROM PRESIDENT JIMMY CARTER TO ISRAELI PRIME MINISTER MENACHEM BEGIN, MARCH 26, 1979

Dear Mr. Prime Minister:

I have received a letter from President Sadat that, within one month after Israel completes its withdrawal to the interim line in Sinai, as provided for in the Treaty of Peace between Egypt and Israel, Egypt will send a resident ambassador to Israel and will receive in Egypt a resident Israeli ambassador.

I would be grateful if you will confirm that this procedure will be agreeable to the Government of Israel.

Sincerely,

Jimmy Carter
Jimmy Carter

**LETTER FROM ISRAELI PRIME MINISTER MENACHEM BEGIN TO PRESIDENT JIMMY
CARTER, MARCH 26, 1979**

Dear Mr. President:

I am pleased to be able to confirm that the Government of Israel is agreeable to the procedure set out in your letter of March 26, 1979 in which you state:

"I have received a letter from President Sadat that, within one month after Israel completes its withdrawal to the interim line in Sinai, as provided for in the Treaty of Peace between Egypt and Israel, Egypt will send a resident ambassador to Israel and will receive in Egypt a resident Israeli ambassador."

Sincerely,
M. Begin
Menachem Begin

LETTERS FROM PRESIDENT JIMMY CARTER TO EGYPTIAN PRESIDENT ANWAR EL-SADAT AND ISRAELI PRIME MINISTER MENACHEM BEGIN, MARCH 26, 1979

Separate but identical copies of the following letter were sent to President Sadat and Prime Minister Begin.

Dear Mr. President [Prime Minister]:

I wish to confirm to you that subject to United States Constitutional processes:

In the event of an actual or threatened violation of the Treaty of Peace between Egypt and Israel, the United States will, on request of one or both of the Parties, consult with the Parties with respect thereto and will take such other action as it may deem appropriate and helpful to achieve compliance with the Treaty.

The United States will conduct aerial monitoring as requested by the Parties pursuant to Annex I of the Treaty.

The United States believes the Treaty provision for permanent stationing of United Nations personnel in the designated limited force zone can and should be implemented by the United Nations Security Council. The United States will exert its utmost efforts to obtain the requisite action by the Security Council. If the Security Council fails to establish and maintain the arrangements called for in the Treaty, the President will be prepared to take those steps necessary to ensure the establishment and maintenance of an acceptable alternative multinational force.

Sincerely,
Jimmy Carter
Jimmy Carter

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