

Record of the fourth session of tripartite talks on the Suez Crisis (London, 30 July 1956)

Caption: To establish a common position following the nationalisation of the Suez Canal Company by Gamal Abdel Nasser, delegations from the United States, the United Kingdom and France meet in London from 29 July to 2 August 1956 for tripartite talks. At the fourth session on 30 July 1956, the talks focus on what should be included in the final communiqué of the conference.

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NATIONALISATION OF THE SUEZ CANAL
TRIPARTITE TALKS BETWEEN THE FRENCH, UNITED KINGDOM,
AND UNITED STATES DELEGATIONS

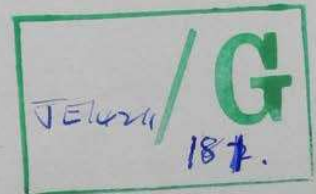
Record of the 4th meeting held in the Council Chamber, Foreign Office, on Monday, July 30th, 1956, at 6.00 p.m.

Delegations were headed by:

<u>France</u>	<u>United Kingdom</u>	<u>United States</u>
Monsieur Pineau	Mr. Selwyn Lloyd	Mr. Robert Murphy

Foreign Office, S.W.1.

August 1, 1956



RECORD OF A MEETING HELD IN THE COUNCIL CHAMBER,
FOREIGN OFFICE, AT 6 P.M. ON JULY 30, 1956

A draft communiqué was circulated to the conference. (Annex A) Mr. Murphy said that he was not in a position to accept the language of this communiqué and wondered if it was essential to produce it at this stage. Monsieur Pineau mentioned that he wished to discuss it with his Government on the following day. After discussion it was agreed to go through the communiqué paragraph by paragraph.

A redraft of the communiqué (Annex B) was agreed after discussion, in which the following points were made.

Mr. Murphy did not wish to stress that the Egyptian Government's action was solely a measure of retaliation for the United States withdrawal from the Aswan Dam. He considered that the Egyptian Government's action had been under consideration for some time and was not simple retaliation.

Monsieur Pineau said that his Government attached considerable importance to this point, and would wish to emphasise this aspect of the Egyptian action.

A compromise was reached by relating the retaliation to a statement made by the Egyptian Government.

Mr. Murphy said that the action of the Egyptian Government in compelling foreign employees of the Canal Company to continue work under threat of imprisonment could not be said to demonstrate that the Egyptian Government were incapable of running the Canal. The phrase in question was consequently eliminated from the communiqué. Nor could Mr. Murphy accept the statement that the Egyptians by avowing their intention to finance a national undertaking from Canal revenues were showing a disregard for the international purposes for which the Canal was constructed. This sentence was therefore also deleted.

It was also agreed that there should be no reference to dues in the communiqué.

As to paragraph 4 it was decided that there must be some reference to association with the United Nations, although the nature of this association need not be specified. This was particularly important from the point of view of United States opinion.

The general question of the United Nations aspect of the problem was then considered.

Sir Gerald Fitzmaurice said that the Working Party had considered the possibilities both of Egypt going to the United Nations, or the Maritime Powers themselves doing this. The Working Party had considered that Egypt was not likely in present circumstances to refer to the United Nations, except possibly to forestall a move towards the internationalisation of the Canal. The Foreign Secretary asked whether, if we were to stop leave, start troop movements in Cyprus, and send orders to thin out British women and children in Egypt, the Egyptian Government could refer to the Security Council. Sir Gerald Fitzmaurice said that the Egyptian Government might say that there was a threat to peace and security and there would be no way to prevent them referring to the Security Council under these circumstances.

/M. Pineau

Monsieur Pineau said that any measures taken could be justified by the situation in Egypt. The point was then made in discussion that the outcome of the debate in the Security Council would to some extent depend on whether the question were judged to be a "dispute" or a "situation". If it were judged to be a "dispute" the parties subject to it would have no vote. Sir Gerald Fitzmaurice thought it would be possible to persuade the Security Council that it was dealing with a "situation". The Foreign Secretary said that it would be easier to maintain that it was a "situation" before a note had been sent to the Egyptians, rather than subsequent to the despatch of such a note.

The Foreign Secretary said that a provisional timetable for future action had been agreed with the Prime Minister. This envisaged an international conference of maritime powers from the 7th to the 9th August. There would then be a two day interval, in which friendly powers, such as the members of the Bagdad Pact could be informed of the views expressed by the conference and their support enlisted. A note to Egypt would be sent about August 12. Although a second conference was not excluded, we were not enthusiastic for it, and we should not commit ourselves to such a conference. Mr. Murphy said that his instructions from Washington were that Article 8 of the 1888 Convention should form the basis of a conference and he had understood at the last meeting that there would be a second conference. Monsieur Pineau said that it was essential to prepare a draft plan of action. The Foreign Secretary pointed out the danger of going from conference to conference, while Nasser continued to collect dues wrongfully and consolidated his position. Mr. Murphy said that although the United States were not signatories to the 1888 Convention they nevertheless regarded this as their legal basis for using the Canal.

There was some discussion of the basis on which countries should be invited to participate in the forthcoming conference. Sir Gerald Fitzmaurice said that the application of the 1888 Convention was not limited to its signatories. Her Majesty's Government maintained that the Convention simply indicated the rights of maritime powers with regard to the Canal and had become a part of general international law. We ought to start on the principle that the first countries to invite to a conference were the principle maritime powers. Sir Harold Caccia said that a good basis was the International Chamber of Shipping, to which these powers belonged. Mr. Murphy did not like the idea of taking the International Chamber of Shipping as a basis for invitations. This would exclude the USSR and Egypt. Monsieur Pineau said that he did not exclude the possibility of asking the opinion of signatories of the 1888 Convention, after the conference had met. The Foreign Secretary saw advantage in the host country, the United Kingdom, taking the responsibility and issuing invitations to 15 countries, who would in fact be the members of the International Chamber of Shipping.

/Mr. Murphy

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Mr. Murphy asked what there would be to prevent it being said that we should have had recourse to the United Nations. He thought the United States would attend the proposed conference, but we would be subject to attack and criticism, particularly for omitting a major world power like the U.S.S.R. The Foreign Secretary said that, as a basis for the conference, we were taking the point of view of the users of the canal, that was the shippers of the world. We accepted the United States contention that the problem should not be tackled as a tripartite one but that the base should be broadened. We were doing this by inviting the users. Mr. Murphy said that he regretted the absence of Pakistan. The Foreign Secretary said that he had seen the Prime Minister of Iraq and the representatives of the Bagdad Powers that afternoon. He had pointed out the reasons for the conference and said that he hoped our friends would be associated with its conclusions. It would be better if they were to do this unilaterally, rather than as members of the Bagdad Pact. The Pakistan High Commissioner had emphasised the importance of associating India with the conclusions of the conference. Mr. Murphy asked how the absence of the U.S.S.R. could be explained, not that he wished them to participate. Sir Harold Caccia said that this could be explained on a user basis. The Foreign Secretary recollected an argument he had had with the United States at the time of the Korean crisis. At that time the United States Government wished to keep the Korean Conference limited so that it should be as reliable as possible. It was now the aim of Her Majesty's Government to make the conference of Maritime Powers as reliable as possible. He stressed that the powers principally concerned were those with major shipping interests. *It was Mr. Murphy* finally agreed that the United Kingdom should issue invitations to the conference, which would be held in London, *he would have no objection.*

Such a
Payment of Dues

Mr. Proctor said that the Minister of Transport had met ship owners that afternoon. No decision had been taken as to what advice they should be given, and the Minister had said that he would inform them of this later, after he had consulted his colleagues.

The present situation in the Canal was that ships were passing through normally. Ships concerned had already paid their dues to the Suez Canal Company, and the Egyptians were accepting this. Some time in the afternoon of July 31 the first British ship which had not paid its dues would reach the Canal. This situation was unlikely to arise for a French ship until August 2, but matters were likely to come to a head within the next few days.

The ship owners had come to the conclusion that it would not be desirable for British ships to boycott the Canal unless other leading countries were to do the same. The Foreign Secretary expressed concern that United States ship owners might already be accepting the new Egyptian Suez Canal authority and making payments to it. If this were the case it represented a most unfortunate schism between United Kingdom and United States policy.

Mr. Murphy said

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Mr. Murphy said that United States ship owners had been in the habit of making payments in Egypt. He was unable to say whether the ship owners would be able to reserve their position when making payments in the future. Sir Harold Caccia said that the German Ambassador had called that afternoon and had pointed out the legal difficulty which would arise if German shippers were to pay their dues to the new Canal authority instead of to the Suez Canal Company. The Foreign Secretary said that it was most important that the International Chamber of Shipping, which was meeting in London on August 1, should work out a common policy for ship owners. Monsieur Pineau summed up the position as follows. A ship would arrive at Suez and refuse to pay to the Egyptian authority. The agent would then probably be informed that, if he did not pay, his ship could not pass through the Canal. The next stage would be to pay, but without prejudice, and to make a protest. It then remained to be seen whether the Egyptian authorities would allow the ship to pass.

In reply to a question from the Foreign Secretary, Mr. Proctor pointed out that it would not be possible to have a queue of ships at the end of the Canal, because of lack of berthing space. The Foreign Secretary asked Monsieur Pineau and Mr. Murphy for their views on the question of a re-routing, which had been raised by the Prime Minister at lunch. Mr. Murphy said that he doubted if the United States Government would agree to do this. He thought the situation could be covered by a decision of Governments to say that payments were made under duress. Monsieur Pineau said that while it might be desirable to keep Canal traffic as low as possible at the present, there were a number of ships which, for economic reasons, it would be better not to divert. Mr. Murphy said that re-routing would be very expensive. The Foreign Secretary stressed the great importance he attached to a common declaration on the principle that any payments by ship owners were made without prejudice. Tripartite solidarity on this point was vital. Monsieur Pineau said that the Suez Canal Company had instructed its employees to ask for repatriation. If consulted on this question, the French Government would say that it was best, in the circumstances that French nationals should return home. In view of the difficulty of getting such a message to all members of the Company, the French Government were going to arrange for it to be broadcast. Sir Gerald Fitzmaurice pointed out that if the employees of the Company left Egypt it would no longer be possible to claim that the Egyptians needed these employees to run the Canal. They would then have to use their own personnel.

Mr. Murphy said that the Egyptians would then be able to claim that the free passage of the Canal was being obstructed, as a result of the withdrawal of the Canal Company's employees.

After discussion it was agreed that guidance issued to the press should be non-committal.

The conference then adjourned and the next meeting was fixed for 3.15 p.m. July 31.

Draft Communiqué

- (I) The Governments of France, the United Kingdom and the United States regard the Suez Canal as an international waterway of vital importance and an essential factor in the whole world economy and consider that it should continue to be operated in accordance with the principles laid down in the Convention of October 29, 1888.
- (II) The three Governments note with grave concern that the Egyptian Government as a measure of retaliation, have, by their action on July 26, 1956, arbitrarily and unilaterally purported to abolish a régime which afforded all the guarantees necessary to ensure the respect of these principles. The fact that the Egyptian Government have been obliged to have recourse to what amounts to a denial of fundamental human rights by compelling foreign employees of the Suez Canal Company to continue work under threat of imprisonment, demonstrates that the Egyptian Government are incapable of ensuring the proper functioning of the Canal. Moreover, the Egyptian Government's statement that the object of their action is to assist in financing an Egyptian national undertaking of colossal proportions shows a complete disregard for the international purposes for which the Canal was constructed and for the relevant provisions of the Convention of 1888.
- (III) In order that all countries concerned may have confidence that the principles enshrined in the Convention of 1888 will be respected, it is necessary to establish operating arrangements under international control, guaranteeing free navigation, reasonable dues and continuity of efficient administration.
- (IV) Such arrangements should preferably be established under the auspices of the United Nations.
- (V) It does without saying that the legitimate interests of Egypt, including a fair financial return from the operation of the Canal, should be fully respected.

ANNEX B

First Redraft of Communiqué

- (I) The Governments of France, the United Kingdom and the United States regard the Suez Canal as an international waterway of vital importance which is an essential factor in the whole world economy, and consider that it should continue to be operated in accordance with the principles laid down in the Convention of October 29, 1888.
- (II) The three Governments note with grave concern that the Egyptian Government in proclaiming that they were acting in a spirit of retaliation, have given a political character to their action of July 26, 1956, and have, by that action, arbitrarily and unilaterally, purported to abolish a system which afforded all the guarantees necessary to ensure the respect of the principles. They deplore the fact that the Egyptian government have had recourse to what amounts to a denial of fundamental human rights by compelling foreign employees of the Suez Canal Company to continue work under threat of imprisonment.
- (III) In order that all countries concerned may have confidence that the principles embodied in the Convention of 1888 will be respected, it is necessary to establish operating arrangements under international control, guaranteeing free navigation and open use of the Suez Canal and continuity of efficient administration.
- (IV) Such arrangements should preferably be associated with the United Nations.
- (V) The legitimate interests of Egypt would be fully respected.