

De RIBBING MISSION - DRAFT REPORT to the SECY-GENERAL - 1960

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REPORT TO THE SECRETARY-GENERAL OF THE MISSION
OF AMBASSADOR DE RIBBING ON THE BURAIMI QUESTION

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REPORT TO THE SECRETARY-GENERAL OF THE MISSION
OF AMBASSADOR DE RIBBING ON THE BURAIMI QUESTION

I. INTRODUCTION

1. The mission entrusted to Ambassador de Ribbing by the Secretary-General, after consultation with the Governments of Saudi Arabia and the United Kingdom, was essentially an exploratory one. It was to find whether a basis existed between the Government of Saudi Arabia and the Government of the United Kingdom and the local rulers -- the Ruler of Abu Dhabi and the Sultan of Muscat and Oman -- for further initiatives by the Secretary-General with a view to assisting in the solution of the dispute between the two Governments concerning the Buraimi Oasis. It was contemplated that such further initiatives might include the stationing of a representative of the Secretary-General in the area, and that, specifically, a detailed study should be undertaken of the question of the refugees who had left Buraimi as a result of the fighting in October 1955 (see section IV of the present report).

2. Accordingly, Mr. de Ribbing, accompanied by two members of the Secretariat visited the area involved in September-October 1960, on a preliminary fact-finding tour. His Mission held consultations with British and Saudi Arabian Government officials, with the local rulers and with local officials, and interviewed sixteen refugee sheikhs in Saudi Arabia (see section V of the present report).

3. In its findings, the Mission has summarized the facts of the dispute as given to it by both sides, and in particular, the facts concerning the refugee situation (section VI B). It concludes that sufficient common ground exists between the parties to warrant further steps being taken to assist in the solution of the dispute (section VII),

II. THE BURAIMI OASIS - DESCRIPTION AND HISTORICAL BACKGROUND

4. Saudi Arabian and British officers emphasized to the Mission the importance of the geographical and historical factors involved in their dispute concerning the Buraimi Oasis, and presented voluminous documentation on the geography and history of the area. The following is a brief description.

Geographical situation

5. Buraimi is an oasis in Eastern Arabia, in the middle of the base of the Oman Peninsula that separates the Persian Gulf and the Gulf of Oman (see map, annex I). The principal town or village bears the same name and lies in latitude $24^{\circ} 14'$ N, longitude $53^{\circ} 43'$ E. The Oasis covers an area of roughly 6 km. by 9 km. It is a centre of communica-

tions, and, as such, of strategic importance. There are roads leading to the towns of Abu Dhabi, Dubai and Sharja on the western coast of the Oman Peninsula. Buraimi is also linked by road with the interior of Oman and with the port of Sohar on the Batinah Coast on the eastern side of the Peninsula.

Economy and population

6. In addition to Buraimi, there are in the Oasis the following towns or villages: Hamasa, Al-Ain, Sa'ara, Hili, Qattara, Jimi, Mu'Taradh and Al Muwaigii. Buraimi, Hamasa and Al-Ain were the largest before the conflict started in 1955.

7. The Oasis depends on water brought by underground man-made aqueducts (faladjes) from the mountains of the neighbourhood. The network of aqueducts, which actually run under the Oasis, has resulted in the interdependence of the villages, some of which are in a position to control the vital water supplies of others.

8. The Oasis of Buraimi is one of the most important economic units of Eastern Arabia. Dates, alfalfa, vegetables and fruit are exported, mainly through the port of Dubai on the Trucial Oman coast. There are local markets where camels and donkeys are traded and food staples and other necessities sold.

9. The population of the Oasis is approximately 10,000 but this number is considerably increased every summer when people, principally from the coastal island town of Abu Dhabi, move to Buraimi for the harvesting of dates and other fruits. The Buraimi villages are inhabited mainly by the tribe of Na'im, one of its major groups, the Al Bu Shamis, being the most numerous. In addition the tribe of the Bani Yas is represented

among the inhabitants of the Oasis. There are also inhabitants belonging to the tribe of Dhawir, a settled group not found in any number outside the Oasis. Other elements in the Oasis are from the Bani Kitab, Bani Ka'b, Al Bu Hamir, Al Bu Falasa and Al Bu Falah tribes.

Treaty relations with the United Kingdom

10. The United Kingdom's involvement in Buraimi arises from its treaty relations with the Sultan of Muscat and Oman and with the Ruler of Abu Dhabi.

11. Great Britain already had regular contacts with Abu Dhabi and the other coastal towns during the nineteenth century. Formal relations between Abu Dhabi and the British began in 1820, when a number of Chiefs of the coastal regions came to Ras-Al-Khaimah to sign a general "truce" or treaty: "There shall be a cessation of plunder and piracy by land and sea on the part of the Arabs who are parties to this contract for ever".

12. The United Kingdom Government controls the external relations of Abu Dhabi under protectorate treaties concluded in 1892 with the Sheikdoms of the Trucial Coast -- the former Pirate Coast -- which gave Great Britain exclusive right to manage Abu Dhabi's foreign relations.

13. With the State of Muscat and Oman Great Britain has had close relations for some 200 years. A treaty was entered into on 14 April 1873, and a further treaty on 20 March 1891, under which the Sultan agreed" ... not to cede or otherwise give for occupation, except to

Britain, the dominions of Muscat or Oman, or any of their dependencies ...". A treaty of friendship with Great Britain was concluded on 20 December 1951.

Frontiers and sovereignty

14. Various lines have been proposed by the United Kingdom and by Saudi Arabia for the frontier between Abu Dhabi and Saudi Arabia. Saudi Arabia adheres to a line claimed by her in 1949 and the British Government to a line claimed on behalf of Abu Dhabi at the Dammam Conference in 1952.

15. The territory between the 1949 Saudi Arabian and the 1952 British lines represents the "disputed area". It comprises 73,500 square kilometres and is said to have a population of approximately 15,000. It includes the Buraimi Oasis, the Liwa settlement, and a large part of the adjacent coastal area, including Khour-El-Udaid, a bay in the western part of the Trucial Coast, near the Sheikhdum of Qatar on the peninsula named Qatar.

16. The allegiance of the tribes inhabiting the Buraimi Oasis has varied from time to time. The largest tribes are the Na'im, the Bani Yas and the Dhawir. Saudi Arabia claims that these tribes historically and traditionally owe allegiance to the Saudi King. The Sultan of Muscat asserts that the Na'im settlements are under his authority. The Ruler of Abu Dhabi claims authority over the Bani Yas and the Dhawir tribes.

17. After the events of 26 October 1955 (see below, paragraphs 24-26) the Oasis was partitioned between Abu Dhabi and Muscat. Two agreements settling the boundaries between Muscat and Abu Dhabi were concluded and

approved by the two Rulers in May 1959 and March 1960, respectively (see annexes II and III. An unofficial map - annex IV - shows the approximate line of these boundaries in the Oasis area).

III. HISTORY OF THE CONFLICT

18. Between 1934 and the outbreak of the Second World War, discussions took place between Saudi Arabia and the United Kingdom, acting on behalf of the Ruler of Abu Dhabi, regarding the eastern boundaries of Saudi Arabia, but at that time Buraimi was not a point at issue.

19. During 1952, a Saudi Arabian official, Amir Turki Ibn Abd Allah Utaishan, arrived in the Oasis with a party of some forty men and established himself in Hamasa to assert Saudi sovereignty. A conflict arose, but on 26 October 1952 a "Stand-Still Agreement" was accepted by the Saudi Arabian and United Kingdom Governments.

20. On 30 July 1954, Saudi Arabia and the United Kingdom entered into an Arbitration Agreement under which they agreed to refer to arbitration the dispute arising from the 1952 incident and also the question of conflicting claims over the so-called "disputed area" (as defined in article II of the Agreement) of 73,500 square kilometres to the south-

west of Buraimi (see above, paragraph 15). Under this Agreement, a Buraimi Arbitration Tribunal of five members was established, with one member nominated by Saudi Arabia and one by the United Kingdom and the three remaining members by the two members so nominated.

21. Saudi Arabia and the United Kingdom submitted to the Tribunal elaborate memorials setting forth in great detail the geography, history, and demography of the region and their respective claims.

22. Saudi Arabia contended that the whole Oasis and also the so-called "disputed area" were an integral part of the Kingdom of Saudi Arabia.

The United Kingdom maintained that exclusive sovereignty in the Oasis was vested in the Ruler of Abu Dhabi and the Sultan of Muscat and Oman and also that the rest of the disputed area belonged to Abu Dhabi.

The British also stated that the traditional loyalty of the Na'im (predominant in Buraimi town, Hamasa and Sa'ara) was to Muscat, and the Bani Yas and that the loyalty of/the Dhawir (predominant in most of the other settlements) was to Abu Dhabi.

23. The United Kingdom at the beginning of the arbitration proceedings charged Saudi Arabia with bribery and subversion of the tribes in the area. While these charges were under consideration by the Tribunal, the British member of the Tribunal resigned on 16 September 1955. The Tribunal had no opportunity, therefore, to pass an opinion on the merits of the case itself.

24. Subsequently, on 26 October 1955, the troops of the Trucial Oman Levies, under the command of British officers, occupied the Oasis.

25. The fifteen members of the Saudi Arabian Police Force stationed in Buraimi were taken prisoner and flown to Sharja by the Royal Air Force. From Sharja they were taken on a British launch to Bahrein, and from Bahrein by plane to Dhahran. A number of the sheikhs residing in the Oasis went into exile with their families and are now living in Dammam, the capital of the Eastern Province of Saudi Arabia.

26. The Oasis was partitioned between Abu Dhabi and Muscat by a Convention of 1959, amended in 1960 (see above, paragraph 17). The Ruler of Abu Dhabi obtained jurisdiction over six of the nine villages and the Sultan of Muscat and Oman was given authority over three - Buraimi, Hamasa and Sa'ara. The Sultan of Muscat and Oman appointed a Wali (Governor) for his territory in the Oasis and the Ruler of Abu Dhabi designated his brother, Sheikh Zaid, as his representative.

27. Diplomatic relations between Saudi Arabia and the United Kingdom were broken off as a result of the Suez crisis during 1956.

28. Subsequently both parties have explored the question of the resumption of diplomatic relations. However, a stalemate has been reached because Saudi Arabia has insisted that the resumption of relations depends on the settlement of the Buraimi dispute, while the United Kingdom has contended that diplomatic relations must first be re-established before any question of the settlement of the Buraimi dispute can be considered.

29. An additional complication arose when, during 1959, the Ruler of Abu Dhabi established a police post in Khour-El-Udaid, in the most westerly part of his Sheikhdom.

IV. ROLE OF THE SECRETARY-GENERAL AND PROCEDURES SUGGESTED BY HIM

30. When the Secretary-General visited Riyadh, the capital of Saudi Arabia, in January 1959, he was approached by H.R.H. Prince Faysal, Prime Minister and Foreign Minister of that country, regarding the solution of the Buraimi problem and related questions. The Secretary-General recommended that, before the matter was placed before the Security Council -- with all the implications of such a step -- a new effort should be made through direct and less publicized negotiations to find a solution. Prince Faysal said that his Government would agree to this, provided that the Secretary-General would, in his personal capacity, act as a third party, with a view to reaching "some general unbinding terms which could constitute an area of agreement." The United Kingdom Government was consulted and agreed to the use of the Secretary-General's good offices.

31. The Secretary-General thereupon started negotiation with the two parties with a view to finding a procedure acceptable to them both. The negotiations were conducted through correspondence with the British and Saudi Arabian Foreign Ministers and by direct conversations in New York with the United Kingdom Permanent Representative to the United Nations, Sir Pierson Dixon, or his Deputy, Mr. Harold Beeley, on the one hand, and with Azzam Pasha as the Agent for and Adviser to the Saudi Arabian Government on the Buraimi question, on the other hand. On several occasions these conversations were conducted with both

parties present.

32. The British standpoint (see above, paragraph 28) was that the Secretary-General's intervention should consist of taking the initiative for the resumption of diplomatic relations between the two countries -- relations broken off by Saudi Arabia as a consequence of the Suez crisis. The Saudi Arabian Government, however, insisted upon two pre-conditions for the re-establishment of these relations: primo, that the refugees from Buraimi would be able to return to their home and properties; and secundo, that Khour-El-Udaid, which the Saudi Arabian Government stated had been occupied by British-controlled forces in 1959 "in a very provoking manner", should be evacuated in order to restore the status quo ante, such evacuation to be without prejudice to the sovereignty of the locality. After long conversations, the Secretary-General came to the conclusion that these pre-conditions would be acceptable, in principle, to the British Government.

33. In June 1960, the Secretary-General secured the approval of both Governments to the following procedure. The recognition of the right of return of the refugees would be combined with the appointment of a "neutral personage" by the Secretary-General at the request of the parties. This personage would visit the area as the representative of the Secretary-General.

34. As a first stage, he would get in touch with the Governments of Saudi Arabia and the United Kingdom as well as with the Ruler of Abu Dhabi and the Sultan of Muscat and Oman, in order to establish necessary contacts and study the possibilities of useful action by himself in

furtherance of the purposes of the conversations of the Secretary-General. This first stage would, in other words, be purely exploratory and intended only to establish whether the Secretary-General could usefully proceed with the assignment of a representative to the area. It would not commit anyone as regard what should follow next and could be carried out without any prior formal agreements about the conditions under which the representative would establish his contacts or about his terms of reference.

35. If the Secretary-General considered that there was a basis for continued service, he would, on the basis of his representative's first findings and in agreement with the parties, propose a second stage, during which the "neutral personage" would again go to the area and make a full study of the refugee situation and report to the Secretary-General on his conclusions. This assessment of the situation should also be made in consultation with the Governments of the United Kingdom and Saudi Arabia and with the two Rulers. The Secretary-General suggested that, subject to the acceptance of the representative's assessment by all concerned, he would, on the basis of it, make appropriate recommendations regarding further activities, having regard to the traditional patterns of movement between the territories. If the representative's conclusions were favourable, the Secretary-General envisaged the possibility of the representative being entrusted with the assessment of the refugee situation, his work during the second stage also being understood as not committing anyone to the final arrangements envisaged as a third stage.

36. During this last stage, the aforementioned recommendations, if and when approved, would be intended to serve as guidance for the representative in his assignment, which might provide the assistance in the further efforts originally envisaged.

37. The approach to the matter, step by step and pragmatically, was considered to provide the parties with the best possible setting for the discussions, and at the same time take care of the worrying refugee situation, to the extent that this could be done without prejudging solutions on which agreement might later be reached as a result of the continued discussions. The procedure would naturally, according to the interpretation of the Secretary-General, be dependent on the assurance of both parties that they would avoid anything that might unfavourably influence the efforts of the representative and, more especially with regard to Saudi Arabia, that personalities which might be controversial would be dissuaded from efforts to return, and also that Saudi Arabia would not wish to move into the disputed area. Both parties would also express their determination to solve all outstanding problems between them in the spirit of their traditional friendship and with recognition of the shared interests in peace and stability in the area.

V. THE MISSION OF AMBASSADOR DE RIBBING; ITS ITINERARY AND CONSULTATIONS

38. After receiving the approval of the two Governments to his suggested procedure, the Secretary-General, with British and Saudi Arabian "agrément", appointed Mr. Herbert de Ribbing, Swedish Ambassador to Spain, as his representative, so that the first stage of the procedure agreed upon could be implemented. Two members of the Secretariat were selected to accompany Mr. de Ribbing; one to act as political officer and secretary, the second to be responsible for interpretation to and from Arabic and administrative duties.

39. Following a short period of briefing by the Secretary-General in New York, Mr. de Ribbing proceeded, on 8 September 1960, to London, where he established contact with British Government officials.

40. On 16 September 1960, the Mission arrived in Saudi Arabia, where it visited Taif, Riyadh, Dhahran, Dammam and Jidda. The Mission also visited Bahrein, Aden, Salala and the Buraimi Oasis. The fact-finding process included discussions with Saudi Arabian Government officials and British local authorities, and meetings with the Sultan of Muscat and Oman and the Ruler of Abu Dhabi. Finally the Mission interviewed sixteen refugee sheikhs in Dammam, Saudi Arabia. After a further visit to London for discussion with British Government officials, the Mission reported back to New York on 22 October 1960.

41. The Mission received valuable assistance from the Saudi Arabian Government, which provided it with the necessary transportation

facilities. For the Mission's visits to Aden and the Sultanate of Muscat and Oman and the Sheikdom of Abu Dhabi, the British Government readily made available Royal Air Force planes. The Mission had every opportunity to interview government officials, refugee sheikhs and local rulers. It also had free access to the Oasis, with the exception of the three villages now under the jurisdiction of the Sultan of Muscat and Oman; the Sultan withheld permission for the Mission to visit Buraimi, Hamasa and Sa'ara.

42. In London, conversations were held with Mr. Edward Heath, Lord Privy Seal (on two occasions) and Sir Roger Stevens, Deputy Under-Secretary of State in the Foreign Office (on five occasions). In Saudi Arabia, the Buraimi question was taken up with His Majesty King Saud (in two audiences) and H.R.H. Prince Faysal, Prime Minister and Foreign Minister (on three occasions).

43. Formal discussions on the subject were also held with the Sultan of Muscat and Oman (at Salala on one occasion) and with the Ruler of Abu Dhabi (at Buraimi on one occasion), as well as with the local British authorities, including Sir George Middleton, British Political Resident of the Persian Gulf (on one occasion) and his Deputy, Mr. Morgan Man (on one occasion), Mr. E. Henderson, Political Agent in Abu Dhabi (on several occasions) and Mr. J. Phillips, Consul General at Muscat (on one occasion).

44. Talks were held in Aden with Mr. K. W. Simmonds, Acting Governor of Aden (on two occasions) and General R.N.H.C. Bray, Acting Commander-in-Chief of British Forces on the Arabian Peninsula (on one occasion).

45. Discussions were also held with Mr. Harold Beeley, Acting Permanent Delegate of the United Kingdom to the United Nations, New York (on several occasions) and continually with Azzam Pasha, Agent of and Adviser to the Saudi Arabian Government in the Buraimi question, partly in New York and also in Egypt and Saudi Arabia.

46. The itinerary of the Mission is set forth in detail in annex V.

VI THE FINDINGS OF THE MISSION

A. The events after the break-up of the British-Saudi Arabian arbitration procedure

47. The Mission had the opportunity to interview and discuss its impressions with senior officials of the Saudi Arabian Government, including Amir Turki, who, with his party, came to Buraimi during 1952 (see above, paragraph 19), and the refugee sheikhs.. Similarly, it held conversations with British officials in Bahrein, Aden and the Buraimi Oasis.

(1) The Saudi Arabian version

48. The British member of the Arbitration Tribunal, Sir Reader Bullard, resigned without justification on 16 September 1955. Subsequently, the United Kingdom Government and the British press and radio embarked upon a vigorous public campaign attacking the Government of Saudi Arabia.

49. On 26 October 1955, Major V. C. Smith, Second-in-Command of the Trucial Oman Levies (a military force commanded by British officers) disarmed the small Saudi Arabian police force stationed in the Oasis under the terms of the "Stand-still Agreement" of 26 October 1952. In the course of the operation, the Chief of the Saudi Arabian police force was wounded.

50. Fighting spread to the villages of Buraimi and Hamasa. A number of pro-Saudi sheikhs refused to surrender to the Trucial Oman Levies.

51. During the fighting, loss of life and serious damage to houses and personal property resulted from bombing and shelling. One of

the senior Saudi officials submitted to the Mission an estimate of 78 people killed and 31 wounded. However, on questioning, it was found that these figures also included individuals who were involved in previous skirmishes in Buraimi during the period January 1952 and June 1953. The estimated total figure of damage incurred amounted to some 5,800,000 rials, which also included an estimate referring to fighting during the previous period. Some 3,500 refugees, according to Saudi officials had to flee from their villages and homes as a result of the fighting.

52. The small Saudi Arabian police party which was taken prisoner was "paraded" in the area. It was transported by plane, boat and plane to Sharja, Bahrein and Dhahran.

53. During 1959, another act of aggression against Saudi Arabia was committed when Khour-el-Udaid was attacked by British supporter forces of the Ruler of Abu Dhabi.

54. The Saudi Arabian Government considers these actions as acts of military aggression against a friendly Power. It feels humiliated as a consequence of this military action and resulting loss of prestige and "face".

55. Sixteen refugee sheikhs now living in Dammam, Saudi Arabia, who were interviewed by the Mission, also made statements concerning the fighting in October 1955 (see below, paragraphs 63-65).

(2) The British version

56. The British member of the Arbitration Tribunal resigned because the terms of the Arbitration Agreement were violated. According to a statement in the House of Commons by the Secretary of State for

Foreign Affairs on 6 November 1955, the conduct of the Saudi Arabian Government in the Buraimi region amounted to a repudiation of the Arbitration Agreement. The Saudis ignored the Agreement by interfering constantly in the internal affairs of the tribes through large-scale bribery and subversive acts before, during and after the arbitration proceedings. There was no alternative, therefore, but to remove the Saudi Arabian police force from the area.

57. This was done on 26 October 1955 by the Trucial Oman Levies. The entire operation was completed in one day. Unhappily, the Chief of the Saudi police force was wounded during the upheaval. The police force was disarmed and sent back to Saudi Arabia. Armed resistance by the pro-Saudi sheikhs ended during the evening of 26 October.

58. There were no substantial air operations. According to reports, some twenty casualties were involved, some of them wounded. The total number of refugees involved was at the most some 200 people.

59. Since then, six of the nine villages of the Oasis were placed under the jurisdiction of Abu Dhabi and the remaining three incorporated in the territory of Muscat and Oman.

60. There had been no major disturbances in the area since 1955, with the exception of occasional mine-laying, which might have originated from the followers of the Imam of Oman. However, Saudi agents had been caught from time to time as late as early 1959.

61. In general, the British considered the Saudi claims on the Buraimi Oasis fantastic. They believed that they had to protect the rights of the Ruler of Abu Dhabi and the Sultan of Muscat, with whom they had special treaty relationships.

B. The refugee aspects of the Buraimi question

(1) The Saudi Arabian version

62. As a direct consequence of military operations by the British during October 1955, a number of sheikhs had to leave the Buraimi Oasis and, with their families, dependants, followers and servants, found refuge in Saudi Arabia.

63. The Mission as already mentioned interviewed sixteen of the leading refugee sheikhs who were living at Damman, Saudi Arabia, and obtained from them statements concerning the military action and subsequent events, their present status in Saudi Arabia, and their wishes and desires for the future.

64. All the sheikhs commented on the fighting which, they said, took place mainly in Buraimi and Hamasa. They mentioned specifically bombing and machine-gunning. They declared that they were treated badly, that they were taken to prison, that their wives, children and servants were "packed" on boats and then transported to a Saudi Arabian port. The sheikhs declared that they themselves were told either to pay allegiance to the Sultan of Muscat and Oman, or to leave the area. All of them refused to pay allegiance and they were subsequently permitted to go to Saudi Arabia. Most of the sheikhs stated that houses were looted and that money and valuables were confiscated. They alleged that many people, including women and children, were killed and wounded as a consequence of the military operations.

65. The sheikhs said that, as a consequence of tribal and religious affiliations going back for a long time, their principal allegiance was to the King of Saudi Arabia. They stated that, during periods when Saudi Arabian authority and prestige was low, the strong tribes themselves took over such matters as taxation and the maintenance of justice, but that neither the Ruler of Abu Dhabi nor the Sultan of Muscat and Oman had exercised any influence whatsoever on their tribes, which were partly settled in Buraimi and partly outside the Oasis. They made it quite clear that they would not wish to go back to their villages as long as these villages were under British control or under the rule of the Sultan of Muscat and Oman. However, stressing their loyalty to the King of Saudi Arabia, they said they would return if the King instructed them to do so. They all desired, whenever conditions were such that they would suffer no harm, to return to their homes and possessions.

66. The Mission interviewed at length the senior Saudi Arabian Government official in Dammam who is in charge of looking after the welfare of the refugees. This official maintained that, as of September 1960, there were about 3,500 persons in Saudi Arabia who had left the Buraimi Oasis as a direct consequence of the military operations. Of these, some 2,500 persons (320 heads of families) were living in the Saudi Arabian town of Dammam. These heads of families obtained living allowances from the Saudi Arabian Government. Every refugee was given a house or dwelling according to his status, his children were admitted

to school and medical care was given free. Some of the refugees who wanted to work could do so, and were permitted to keep their wages. In addition, this official stated, some 1,000 people were living in other towns of Saudi Arabia. Most of these had found work and were not financially assisted by the Government.

67. This official, upon request by the Mission, submitted a list of refugees living in Dammam and receiving monthly allowances. Details of their names, their tribal allegiances and the villages they came from were also submitted to the Mission.

(2) The British version

68. British officials informed the Mission that, according to their records, some 200 people, in addition to the fifteen Saudi policemen who were returned to Saudi Arabia, had left the Buraimi Oasis as a result of the fighting. They confirmed that almost all of these people came from the villages belonging to the Sultanate, i.e., Hamasa, Buraimi and Sa'ara. They comprised: (1) 169, including three pro-Saudi sheikhs with their families and dependants; and (2) 34 servants, retainers, etc.

69. The British officials stated also that three pro-Saudi sheikhs wanted to go to Saudi Arabia after the fighting. When told that they would forfeit their property in such a case, and would be liable to arrest and trial whenever they re-appeared in the area, these sheikhs decided to go to Saudi Arabia.

70. The British officials denied that there was any bombing during the military operations and they stated that because of the speed

with which operations were carried out damage to property and houses was negligible.

C. General attitude of Saudi Arabian Government circles

71. The spokesmen for the Saudi Arabian Government expressed to the Mission repeatedly the Government's absolute need for the removal of the stigma of humiliation caused by the British operations in the Buraimi Oasis on 26 October 1955.

72. The attitude of the Saudi Arabian Government has also been influenced by what it considers the unjustified walk-out of the British member of the Arbitration Tribunal while the Tribunal was in session in Geneva in September 1955. According to the Government's spokesmen, the Tribunal was in the process of refuting a British accusation of Saudi Arabian bribery when the British member thought it advisable to walk out.

73. Finally, Saudi Arabian Government officials have expressed deep concern over the prevailing British attitude in the dispute. The United Kingdom Government, they complained, has never replied to a number of Saudi Arabian specific proposals for a solution of the dispute and/or has never formulated any counter proposals.

74. On the other hand, the representatives of the Saudi Arabian Government expressed in positive terms to the Mission a strong and genuine desire to renew the traditional and long-established ties of friendship with Great Britain. Again and again, it was pointed out that Saudi Arabia had many well-defined interests in common with the United Kingdom.

75. This desire, it was stated, was demonstrated clearly by the great restraint shown in the face of British acts of aggressions. In spite

of efforts and proposals by advisers and influential persons and groups, the Government has not interfered by military force or by tribal action. It has consistently refrained from any act of retaliation so as to avoid a deterioration of the situation and the undermining of the possibilities for a détente which could ultimately lead to a renewal of diplomatic relations and the resumption of traditional patterns of collaboration and friendship.

76. At the same time, it was emphasized to the Mission that re-establishment of diplomatic relations could not take place at the price of honour and dignity, nor could it be undertaken without the prior settlement of problems which had clearly been caused by the British acts of aggression. This settlement must, in the opinion of Saudi Arabian Government officials, comprise as a minimum: (1) the acceptance of the right of those refugees who have been forced to leave the area as a consequence of these acts to return to their homes and properties, and (2) the cancellation of the occupation of Khour-el-Udaid.

77. Saudi Arabian officials expressed the fear that if diplomatic relations were resumed at once, without these two questions being settled, it might take years to arrive at a solution. They referred to previous experiences in outstanding Saudi Arabian-British issues, such as questions involving sovereignty over particular areas and frontier disputes.

78. Once diplomatic relations were re-established, Saudi Arabia, it was stated, would even be willing to welcome the improvement in relations by concluding treaties of friendship with the United Kingdom and/or the Sultanate of Muscat and Oman and the Sheikdom of Abu Dhabi.

79. Saudi Arabian Government spokesmen emphasized on many occasions that Saudi Arabia had no territorial ambitions and no policy of "irredenta" with regard to the Trucial Sheikhdoms. More specifically, they stated that Saudi Arabia had no interest in obtaining one acre of territory from the Sheikhdome of Abu Dhabi or from the Sultanate of Muscat and Oman; the acquisition of such territory would only mean for Saudi Arabia a new and costly burden.

80. Saudi Arabia, they said, had in 1949 set forth its position on a frontier line with Abu Dhabi and Muscat but the question of sovereignty involved could probably be easily arranged by direct negotiations between the Saudi Arabian Government and the Sheikh of Abu Dhabi and the Sultan of Muscat and Oman, respectively. They cited, as an example, the quick settlement of a border dispute between Saudi Arabia and the Sheikhdome of Qatar during and after the Dammam Conference of 1952; Saudi Arabia had at that time demonstrated generosity in true Arabic tradition towards the other party. It had given proof of a similar generous attitude when it had fought and won a war against Yemen. Further, it had ceded land or territorial waters to the Sheikhdoms of Kuwait and Bahrein. Under favourable conditions, the Saudi Arabian Government could, therefore, it was stated, extend a similar treatment to Abu Dhabi and Muscat.

81. The Saudi Arabian Government's representatives, however, continually stressed the importance of the special conditions prevailing in the Arab world as a consequence of tribal allegiances. This meant that King Saud could count on the allegiance of tribes living outside of Saudi

Arabia's borders and, as a matter of fact, in regions that extended to Muscat and even to Iraq. The King of Saudi Arabia was therefore in a position to enforce tribal justice outside Saudi Arabian boundaries as currently delineated.

82. Saudi Arabia had no special interest in any oil which might be found in the disputed area and would not on its own behalf claim royalties on any income from oil found in that area. This income should, if considered, be earmarked for the benefit of the populations of the region. It would therefore favour any scheme whereby such income would be used through a welfare or development fund for the people of that particular area of the Arabian Peninsula.

83. Finally, the Saudi Arabian Government was stated in more general terms to be in favour of any reasonable solution of outstanding problems so that the bonds of friendship with Great Britain could be restored in an honourable way.

D. Special solutions suggested from the Saudi Arabian side

84. During the conversations between the Secretary-General and Azzam Pasha, and subsequently, during the discussions between the Mission and Azzam Pasha and other Saudi Arabian officials, proposals were put forward to implement and guarantee the right of the refugees to return to their homes and properties.

85. The presence of a United Nations representative in the area, preferably in Buraimi itself, was considered essential, in order to ensure

the return of the refugees without any danger of their being molested or harmed. The Saudi Arabian Government considered that the British occupation of Buraimi must cease. Instead, it was suggested, a small military or police force, under the auspices and direction of the United Nations, should move in and take over responsibility for maintaining law and order, and, specifically, for the re-instatement and re-integration of the refugees.

86. It was also suggested that pending the solution of all outstanding questions, such as those concerning sovereignty, frontiers and oil concessions, involving Saudi Arabia and the United Kingdom, the Sultan of Muscat and the Ruler of Abu Dhabi, the status quo should be maintained. This could be arranged through the establishment of a neutral zone, a condominium or a United Nations trusteeship system which would cover the whole so-called disputed area or, at least, the Buraimi Oasis.

87. Of these alternatives, the Saudi Arabian officials appeared to favour the establishment of a neutral zone. It was pointed out that there existed precedents in this matter, namely, a neutral zone, or territory, existing between Kuwait and Saudi Arabia and between Iraq and Saudi Arabia. (The texts of the Kuwait-Saudi Arabian Convention of 2 December 1922 are annexed (annexes VI and VII), as is also the text of an Agreement of friendship concluded between the United Kingdom on behalf of Kuwait with Saudi Arabia on 20 April 1942 (annex VIII).)

88. It was stated that a neutral zone would not necessarily solve the question of the right to grant oil concessions within the disputed area.

Neither would it settle the question of sovereignty of the area. However, it would create a framework within which the territory could be administered and order and justice could be upheld. In addition, it was pointed out repeatedly, account had to be taken of the special conditions prevailing in this part of the world, namely, that the administration of justice and the responsibility for keeping order were exercised by the sheikhs of the tribes. By tradition, it is the sheikhs who administer law among the members of the tribes, and Buraimi itself and the rest of the disputed area could not be isolated from this practice.

89. The referral of the question to the International Court of Justice was also mentioned as a possible solution. Another possibility, recently suggested, was the institution of a new ad hoc Tribunal of Arbitration to consist of the Trucial Sheikhs, with the exception of the Ruler of Abu Dhabi, who is a party to the dispute.

90. During the discussions of these suggestions, the complaint was frequently made that the United Kingdom Government had made no response to any of the proposals.

91. The Mission had ample opportunity to examine the proposals with H.R.H. Prince Faysal, Prime Minister and Minister for Foreign Affairs of Saudi Arabia, who expressed himself as favouring a continuing United Nations presence in the area.

E. The attitude and reactions of the British Government circles; the positions of the Sultan of Muscat and Oman and the Ruler of Abu Dhabi

92. The attitude of the British Government circles, as expressed to the Mission, was principally inspired by their conviction that the Saudi

Arabian claims with regard to Buraimi were without any foundation. It was also pointed out that these claims had only been put forward in recent years and that during earlier discussions pertaining to the frontiers between Saudi Arabia and the Sheikhdom of Abu Dhabi and the Sultanate of Muscat and Oman, respectively, no claims regarding Buraimi had been put forward by the Saudis. That meant that the occasional Saudi occupations of or rather "incursions" in to Buraimi in the nineteenth century up to 1869 (1800-1818, 1833-1839, 1845-1848, 1849-1850 and 1853-1869) could not, by the British, be considered as constituting an acceptable basis for the claim to Buraimi or, for that matter, to the disputed area (see the British Memorial submitted to the Arbitration Tribunal concerning Buraimi and the common frontier between Abu Dhabi and Saudi Arabia, part X, pages 118-151 and part XI, page 152). The appearance of the Turki party in Buraimi in 1952 was, therefore, considered as an act of aggression which finally obliged the British to enforce the two Rulers' sovereignty by military operations in 1955.

93. During the conversations held by the Mission with responsible British Government authorities in London, it became clear that there existed a willingness to discuss arrangements for the return of the refugees on humanitarian grounds. However, the discrepancy of the figures as to the number of refugees advanced by the two parties (from the Saudi side some 3,500 and from the British about 200) had to be taken into account. Water-tight guarantees should therefore be created so that, by a process of screening, only genuine refugees from Buraimi were permitted to return to their homes and properties. The Rulers should have the final word in individual cases, a condition which the British representatives

had already made during the preliminary discussions with the Secretary-General in New York. Only in such circumstances would the British Government be willing or consider it feasible to submit to the Rulers for approval plans for the return of refugees.

94. With regard to the question of an evacuation of Khour-el-Udaid, the British Government claimed that this bay clearly belonged to Abu Dhabi, although it was within the so-called disputed area covered by the former arbitration procedure. This question however should be considered as a problem existing between the Sheikdoms of Abu Dhabi and Qatar. Any detailed arrangement in respect to Khour-el-Udaid had, it was stated, to be worked out in consultation with the Rulers of these Sheikdoms.

95. With reference to the specific Saudi Arabian proposals for special arrangements under United Nations auspices to safeguard the return of the refugees, the Mission understood from the views put forward by British Government representatives that they would favour an impartial body under United Nations guidance and responsibility to screen the refugees and to safeguard the return of genuine refugees to their homes and properties. However, they showed some reluctance regarding the continuing presence of the United Nations in the area as a measure for creating guarantees -- for example, in combination with the creation of a provisional neutral zone. They appeared to feel that, in the improved atmosphere resulting from the Secretary-General's good offices, the Saudi Arabian Government would be prepared to accept guarantees from the Rulers that returning refugees' rights would be safeguarded and that they would be treated in every respect like normal inhabitants of Buraimi. Thus the intervention of the United Nations would not, they maintained, be needed, once the

refugees had returned.

96. The Mission concluded from its conversations in London that, according to the British standpoint, it would be worth while for the Secretary-General to continue his efforts to find a solution to the pending problems.

97. The meetings of the Mission with the Sultan of Muscat and Oman and the Ruler of Abu Dhabi disclosed the following positions.

98. The Sultan took the stand that, as far as he was concerned, the whole question of Buraimi did not exist, and this for two reasons. In the first place, there was no common frontier between Saudi Arabia and the Sultanate, not even in Buraimi where the Sultanate bordered on the Sheikhdum of Abu Dhabi. In the second place, the Sultan did not know of any refugees. He did know, however, that some of his subjects in the Oasis had changed their allegiance and gone to Saudi Arabia, to which country they now belonged. Were any of them, however, now to wish to return, they could do so but they must understand that their change of allegiance could not be disregarded. But refugees who must be considered as traitors would not be permitted to return.

99. More generally, the Sultan maintained that he well understood the interest of the re-establishment of British-Saudi Arabian diplomatic relations but that this ought to be arrived at by an arrangement that did not sacrifice the Sultanate's interests.

100. The Ruler of Abu Dhabi stated during his meeting with the Mission that he, for his part, only knew of a very small number of refugees from his section of the Oasis, some six people. Sheikh Shakhbut declared that, in principle, he would not be opposed to their return unharmed.

VII SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

101. The Mission has concentrated on its main terms of reference which were agreed upon by the Governments of Saudi Arabia and the United Kingdom: namely, to explore the possibility of certain arrangements aiming at creating the proper setting for negotiations on the Buraimi question. The Mission has examined in some detail the present status of the refugees and has reviewed the possibilities for solving the refugee question.

102. The Mission has looked into the situation of Khour-el-Udaid. The evacuation of Abu Dhabi forces, which occupied this post during 1959, has been made a pre-condition by the Saudi Arabian Government for the development of more normal relations with the British Government.

103. At the same time, however, the Mission has studied whether the general climate in the area would or would not permit a certain détente between the two Governments. It has concluded that both Governments have shown an interest in improving the present atmosphere so that genuine efforts can be expected in order to re-establish normal relations between them.

104. The Mission has found ample evidence that the divergencies of policies have resulted in a break-down of the relations between the two Governments. The present stalemate, which has existed for at least five years, will make it difficult to achieve a peaceful solution of all questions immediately. The Mission considers, therefore, that the step-by-step approach, for which the Secretary-General has had support from both Governments, offers the best hope of finding solutions to the outstanding questions.

105. The Mission has also found proof that any deterioration of the present state of affairs would have serious consequences. Any action by one side of pressure or subversion against the other could very well act as a catalyst for a general flare-up in the area. It can be expected, therefore, that both Governments, realizing these consequences, will cooperate fully in taking the positive measures needed for a resumption of the pattern of normal relations.

106. The first stage of the Secretary-General's effort should be of a purely exploratory nature. It was necessary to establish whether he could usefully proceed with the assignment of a representative to the area. The Mission feels that it has established the necessary contacts; it has held discussions with the Sultan of Muscat and Oman, the Ruler of Abu Dhabi and government officials of Saudi Arabia and Great Britain, as has been previously reported.

107. It has also explored in a general way the possibilities of opening up a second stage, which would aim at a full study of the refugee situation. As a consequence of its discussions, the Mission considers that there exist possibilities for a solution of this particular problem.

108. In general, it can be stated that the Saudi Arabian Government circles showed themselves anxious for the Secretary-General to continue his work. More specifically, as outlined above, a series of suggestions for solution of the refugee question were submitted from the Saudi Arabian side.

109. The British Government spokesmen showed a genuine willingness to discuss solutions of the outstanding problems. They were also interested in finding satisfactory arrangements for a solution of the refugee problem, but wished to have guarantees that such a solution would safeguard all the legitimate interests concerned. From time to time they made the reservation that nothing affecting the interests of Muscat and Oman and of Abu Dhabi could be decided without the approval of the Rulers of these States.

110. The Sultan of Muscat and Oman and the Ruler of Abu Dhabi indicated to the Mission that such discussions on the refugee problem would not be ruled out, that they would seriously study proposals, but that they wished to study them from the point of view of safeguarding their own interests.

111. Based upon its discussions with government officials of both parties, the Mission is of the opinion that there is a possibility of reaching agreement on the withdrawal of the police forces which have established themselves in Khour-el-Udaid.

112. Therefore, the Mission has come to the conclusion that there is enough common ground on which further discussions can proceed with a view to creating peaceful and harmonious conditions in the Peninsula. It recommends, specifically, that the Secretary-General should continue his efforts to help both parties, and that he should therefore proceed to the second stage, which will comprise an early detailed study of the refugee problem.

ANNEX I
Map - Buraimi Oasis

ANNEX II

MUSCAT - ABU DHABI FRONTIER AGREEMENT, 1959

IN THE NAME OF GOD THE GENEROUS AND MERCIFUL

The Sultan Said bin Taimur, Sultan of Muscat and Oman, and Sheikh Shakhbut bin Sultan al Falahi, Ruler of Abu Dhabi and its dependencies have agreed over the frontiers of the Sultanate tribes (and they are the Bani Kaab, the Naim and the Al bu Shamis) and the state of Abu Dhabi as follows, and according to the letters which have been exchanged between Shaikh Zaid bin Sultan of Falahi and the Shaikhe of the above-mentioned Sultanate tribes, and the maps which Mr. Julian Walker has drawn:

The line starts from the Wadi which separates the gravel plain and the sand east of Al Aqaldat and goes south by the watercourse to Hazza Adh Dhabi and then west to Sharf Jabara and south to between the two Yaifars - the western Yaifar belonging to the Dhawahir and the eastern Yaifar to the Bani Kaab - thence to the west of the head of the Wadi Sinaibil and south to Dumyat Yaraibi (Jaraibi) and south to Athamiya which belongs to the Bani Kaab. Then south between Qurun as Salabikh and Sharf Ghamail and south to Qurn Awyah. After that the line goes east of Qurn Awyah half a mile to the dividing point between Ghashaba and Sih Tuwaiyya and thence south to a point half a mile to the east of Qurun Mutairah Basita.

After that the line goes from Qurun Basita which belongs to Abu Dhabi south eastwards to the northern end of Qurun Hazam and to the junction of the road with the Falaj Umm Shatarain, the road being that which leaves Sa'ara going north which meets Falaj Umm Shatarain. After that the frontier goes southwest to Thuqba Maazami which is between Saara and Hili and to the south of Qurun Jiham, and thence west to Aidan bin Khamfur and west to the Samr tree which is just east of Aud Binaiyya and south to the eastern Aud Mqatara. Thence the line goes south to the Ghafa tree which is to the east of Ghafat Shahin and east to the north of Nad al Gharban and then east to Samrat as Sinah and eastwards by the southern side of Buraimi Falaj to the south of Umm (the sources) of Falaj Buraimi. Thence the line goes eastwards to the north of Nab'at and east to Tawi Ahmad and on east to the north of Awaina and to the mountain that separates Awaina and Wadi Ain.

From the top of the mountain that separates Awaina and Wadiain the border runs southeast to Khatm Ash Shikla and after that to Khatm Sawa'ad and to the top of Jabal Zarub. From the top of Jabal Zarub it goes by way of the centre of Raddat Sababa to Tawi Awaiyr and southeast to the eastern edge of Jabal Mindassa and the eastern edge of Jabal Mithaimama and thence to Thiqbat Sa'a. From Thiqbat Sa'a the border goes due south to Wadi Moraikhat north of Ali Dharuf.

After that the frontier goes eastwards following Wadi Moraikhat and Batha al Ashkhar to Qurun Mnbatah, and Aqula and to the top of Jabal Hafit.

From Jabal Hafit the line runs west, north of Shaab al Ghaf to Subkhat Thuwaima which is south of Maqa al Hauz, and to Sijjiya which belongs to the Al bu Shamis. Then it runs north of Bu Samra to Jizaat Da'ali, Ghaf Samuja and Hiyaira which lie north of Bu Rus to Sillet Mahanna. After that it goes to the east of Raqaat Jariba and to the east of Raqaat al Arad and to the west of Raqaat as Salli to the head of Naqa Sulaima. Thence it runs to a point north of Shantut and to the west of Lubairat to the end of the Wadi Safah.

Sgd/ - Said bin Taimur
4 Dhul Qa'dah 1374

Sgd/ - Shakhbut bin
Sultan
13 Dhul Qa'da
1378

21/5/1959

ANNEX III
Frontier Agreement 60

ANNEX III

Muscat - Abu Dhabi Frontier Agreement, 1960

In the Name of God the Compassionate and Merciful

The Sultan, Said bin Taimur of Muscat and Oman and Shaikh Shakhbut bin Sultan al Falahi have agreed on the line which Mr. Julian Walker has drawn on the map to show the frontiers, and it is as follows:

From the Eastern end of Urq Ar Rahail and between Raqaiyat and Mdairum to Ghaddha Bul Abbas from the East, it continues south slightly west of Khor Umm Al Aush and from there straight to Al Chuwaifat (Sih Awaiyya) and through the centre of Khailimat Gharaidha Al Sharqiya to the narrow part of Western Sih Salil East of the Sabkha, and then to the east of Naqa Naif. It goes south to Nabgha Al Hussainiyat and continues south to between Raddat al Hadh and Di'aithir and from there to west of Khor Manahil to Naqa Zahar continuing towards Umm Az Zamul.

Written in Dhofar
on 29 Shawwal 1379

Sgd. Said bin Taimur.

Observation. There will be complete freedom between the tribes of the two parties as regards grazing and wells as was so formerly and according to the former known practices.

Initialed Said bin Taimur.

ANNEX IV
Map - Boundaries

ANNEX V
Itinerary

A N N E X V

ITINERARY - MISSION AMBASSADOR H. DE RIBBING

8 - 10 SEPTEMBER - LONDON

Meetings with:

Mr. Robert Walmsley, Acting Head of the
Arabian Department, Foreign Office
Sir Roger Stevens, Deputy Under-Secretary
of State
Mr. Edward Heath, Lord Privy Seal, Acting
Foreign Minister

12 - 17 SEPTEMBER - CAIRO

Meetings with:

United Nations officials
Officials of Embassy of Saudi Arabia
Members of the U.K. Missions
Azzam Pasha

17 SEPTEMBER - CAIRO - JIDDA -
TAIF

Meeting with H.R.H. Prince Faysal, Prime
Minister and Minister of Foreign Affairs

18 SEPTEMBER - TAIF - RIYADH

Audience with H.M. the King of Saudi Arabia

19 SEPTEMBER - RIYADH - DHAHRAN -
BAHREIN - DAMMAM

Meetings with:

Sir George Middleton, Political Resident
Mr. Morgan Man, Deputy to the Political
Resident
Acting Governor Prince Abdul Aziz Ali
Saud Ibn Galawi

20 - 21 SEPTEMBER - DAMMAM

Meetings with:

Refugee Sheikhs
Imam of Oman
"Ruler of the Green Mountain"

22 SEPTEMBER - DHAHRAN -
BAHREIN - ADEN

Meeting with the Acting Governor of Aden,
Mr. K.W. Simmonds

23 SEPTEMBER - ADEN

Meetings with:

Major-General R.N.H.C. Bray, Acting
Commander-in-Chief
Mr. K.W. Simmonds, Acting Governor

24 SEPTEMBER - ADEN - SALALA

Meeting with Sultan of Muscat and Oman

25 - 28 SEPTEMBER - BUREIMI OASIS

Meetings with:

Sheikh Shakhbut
Sheikh Zaid
Mr. E. Henderson, British Political Agent
Interviews with people from the area
Field trips to villages in the Oasis

29 SEPTEMBER - BAHREIN -
DHAHRAN - DAMMAM

Meetings with:

Mr. M. Man, Acting British Political Resident
Mr. J. Philips, U.K. Consul General at Muscat

30 SEPTEMBER - 4 OCTOBER -
DAMMAM - DHAHRAN

Meetings with:

Amir Turki Ibn Abdalla Ibn Utaishan
Mr. W. Schwinn, U.S. Consul General
Azzam Pasha
Refugee Sheikhs
Research Staff, ARAMCO

Visit to Library, Headquarters ARAMCO
in Dhahran

5 - 10 OCTOBER - RIYADH

Audience with H.M. King Ibn Saud

Meetings with H.R.H. Prince Faysal

Preparation of report

10 - 11 OCTOBER - JIDDA

Meeting with the Under-Secretary of
Foreign Affairs

12 - 16 OCTOBER - CAIRO

Preparation of report

17 - 21 OCTOBER - LONDON

Meetings with:

Mr. R.A. Beaumont, Head of the Arabian
Department of the Foreign Office

Mr. R. Walmsley, Deputy Head of the
Arabian Department

Sir Roger Stevens, Deputy Under-Secretary
of State in the Foreign Office

Mr. Edward Heath, Lord Privy Seal

ANNEX VI

Kuwait-Rajd Convention

ANNEX VI

THE KUWAIT-NAJD BOUNDARY CONVENTION, DATED
DECEMBER 2, 1922

IN THE NAME OF GOD THE MERCIFUL, THE COMPASSIONATE.

The frontier between Najd and Kuwait begins in the West from junction of the Wadi al Aujah (W. al Audja) with the Batin (El Batin), leaving Raq'i (Rikai) to Najd, from this point it continues in a straight line until it joins latitude 29° and the red semi-circle referred to in Article 5 of the Anglo-Turkish Agreement of 29th July, 1913. The line then follows the side of the red semi-circle until it reaches a point terminating (sic) on the coast south of Ras al-Qali'ah (Ras el Kaliyah) and this is the indisputable southern frontier of Kuwait territory. The portion of territory bounded on the North by this line and which is bounded on the West by a low mountainous ridge called Shaq (Esh Shakk) and on the East by the sea and on the South by a line passing from West to East from Shaq (Esh Shakk) to 'Ain al'Abd (Ain el Abd) and thence to the coast north of Ras al Mish'ab (Ras Mishaab), in this territory the Governments of Najd and Kuwait will share equal rights until through the good offices of the Government of Great Britain a further agreement is made between Najd and Kuwait concerning it.

The map on which this boundary has been made is Asia 1-1,000,000, made by the Royal Geographical Society under the direction of the Geographical Section General Staff and printed at the War Office in the year 1918.

Written in the port of 'Uqair and signed by the representatives

of both Governments on the second day of December 1922 corresponding to 13th of Rabi'al Thani, 1341.

ABDULLAH SA'ID DAMLUJI
Representative of His Highness the Sultan of Najd

J. C. MORE, Major,
Political Agent, Kuwait.

I have agreed to the contents of this agreement,

'ABDUL 'AZIZ BIN 'ABDUL RAHMAN AS-SA'UD,
Sultan of Najd and its Dependencies.

I have agreed to the contents of this agreement,

AHMAD AL-JABIR AS-SUBAH,
Hakim of Kuwait.

(Translator's note. - The spelling of place names in brackets is that used in the map referred to in the treaty.)

ANNEX VII
Mohammediyah Convention

ANNEX VII

MOHAMMERAH CONVENTION

BOUNDARY PROTOCOL (No. 1) Between Iraq and Nejd. -
Uqair, December 2, 1922⁽¹⁾

(Translation)

In the Name of God the Merciful, the Compassionate.

This protocol defining the boundaries between the two Governments of Iraq and Nejd is appended to the agreement made at Mohammerah on the 7th day of Ramadan the Blessed, in the year 1340, which corresponds to the 5th day of May in the year 1922.

Article 1. - (a) The frontier from the east begins at the junction of the Wadi el Audja with El Batin, and from this point the Nejd frontier passes in a straight line to the well called "El Ukabba", leaving Al-Dulaimiya and El Ukabba north of the line. From El Ukabba it continues North West to Bir Unsab.

(b) starting from the point mentioned above, i.e. from the point of the junction of the Wadi el Audja with El Batin, the Iraq boundary continues in a straight line North West to El Amghar, leaving this place to the south of the line and from thence proceeds South West in a straight line until it joins the Nejd frontier at Bir Unsab.

(c) The area delimited by the points enumerated above, which includes all these points, will remain neutral and common to the two Governments of Iraq and Nejd, who will enjoy equal rights in it for all purposes.

(d) From Bir Unsab the boundary between the two States proceeds

North West to Birkat El Djumeima and from thence northwards to Bir el Akaba and Kasr Athmin, from there westwards in a straight line passing through the centre of Djal el Batn to Bir Lifa, and then to Bir al Maniya and thence to Djadaidat el Arar, from there to Mukur and from Mukur to the Jabal Anaza, situated in the neighbourhood of the intersection of latitude 32° north with longitude 39° east, where the Iraq-Nejd boundary terminates.

2. Whereas many of the wells fall within the Iraq boundaries and the Nejd side is deprived of them, the Iraq Government pledges itself not to interfere with those Nejd tribes living in the vicinity of the border should it be necessary for them to resort to the neighbouring Iraq wells for water, provided that these wells are nearer to them than those within the Nejd boundaries.

3. The two Governments mutually agree not to use the watering places and wells situated in the vicinity of the border for any military purpose, such as building forts on them, and not to concentrate troops in their vicinity.

4. The delegates of the two Governments have agreed to the above terms of this protocol and have affixed thereto their signatures in Uqair on the 12th day of Rabi II, 1341, corresponding to the 2nd December, 1922.

SUBIH,
Representative of His Majesty the King of Iraq

ABDULLAH SA'ID DAMBUJI,
Representative of His Highness the Sultan of Nejd.

(1) Original Arabic text in Collection of Treaties compiled by Hejaz Ministry of Foreign Affairs, 1931, No. 2, page 4.

MIEX VIII
Agreement for Friendship

ANNEX VIII

AGREEMENT FOR FRIENDSHIP AND NEIGHBOURLY RELATIONS
BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM
(ACTING ON BEHALF OF THE SHEIKH OF KUWAIT)

AND

THE GOVERNMENT OF SAUDI ARABIA,

DATED APRIL 20, 1942

Agreement for Friendship and Neighbourly Relations
between the Sheikhdom of Koweit and the Kingdom of Saudi Arabia

The Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter called the Government of the United Kingdom), acting on behalf of His Highness the Sheikh of Koweit, of the one part, and the Government of Saudi Arabia, of the other part, being desirous of confirming the friendship and neighbourly relations which happily have subsisted from of old between His Majesty the King of Saudi Arabia and His Highness the Sheikh of Koweit, and between their respective families and countries, have appointed as their representatives for this purpose:

The Government of the United Kingdom:

Francis Hugh William Stonehewer-Bird, C.M.G., O.B.E.,
His Majesty's Envoy Extraordinary and Minister Plenipotentiary
in the Kingdom of Saudi Arabia

The Government of Saudi Arabia:

His Excellency Sheikh Yusuf Yasin,
Head of the Political Section and Private Secretary
to His Majesty the King of Saudi Arabia

who, having examined their credentials and found them to be in good and due form, have agreed as follows:-

Article 1.

Permanent peace and firm and inviolable friendship shall prevail between the Kingdom of Saudi Arabia and the Sheikhdom of Koweit as it has prevailed from of old.

Article 2.

The Government of Saudi Arabia and the Government of Koweit shall make every effort to preserve good relations between them and endeavour by every means in their power to prevent the use of either of their respective territories as a base for any unlawful act (including raiding), or preparation therefor, against the peace and tranquillity of the other; and also to endeavour to settle in a spirit of peace and friendship any difference which may arise between them.

Article 3.

1. The Government of Saudi Arabia and the Government of Koweit shall appoint frontier officers in the zones adjacent to the frontiers for the organisation of co-operation and for carrying out the measures necessary to ensure the application of the provisions of this Agreement in everything relating to peace and tranquillity in the territory of the other party and in whatever is necessary to ensure commercial co-operation between the two countries and to facilitate good relations between them; and the two Governments shall notify each other of the names of the persons appointed for this purpose.

2. These frontier officers, or any persons acting on their behalf, shall have the right to communicate with each other for the purpose of frontier co-operation as provided in Articles 4,5,6,7,8 and 9 of this Agreement and the schedule annexed thereto, and with a view to the settlement of questions arising from time to time on the frontier or between the tribes.

Article 4.

The frontier officers specified in Article 3 shall exchange information immediately regarding any incident occurring on either side of the frontier which may affect the maintenance of security on the other side.

Article 5.

1. Whenever one of the frontier officers specified in Article 3 learns of preparations being made in his territory by an armed person or by armed persons with the object of committing acts of robbery or plunder or raiding or any other unlawful act of such nature as to disturb the peace of the frontier between the two countries, he shall inform the other thereof.

2. If it should appear that this information will not arrive in time to admit of warning being given to those liable to be injured by the aggression, the information must be given in addition to the nearest official and, in case of its being impossible to reach him, to the persons or tribes threatened.

Article 6.

1. If one of the frontier officers should learn of the commission in his territory of any act of robbery or plunder or smuggling or raiding or any other unlawful act of such a nature as to disturb the peace of the frontier between the two countries, he may notify the other thereof, and in circumstances of urgent necessity he shall inform the nearest official of the other Government. The person so notified shall thereupon take the necessary steps with a view to the immediate apprehension of the offenders in the event of their entering the territory in which he is employed and for the immediate restoration in their entirety of all the stolen, plundered or smuggled objects which may be found in the possession of the offenders.

2. If the offenders are nationals of the country which they have entered, the necessary measures shall be taken to put them on trial in their own country. If they are nationals of the other country or of a third Arab State, they shall, subject to the provisions of the Extradition Agreement signed on the 20th April, 1942, be surrendered to the Government of the territory where the offence occurred.

Article 7.

The frontier officers specified in Article 3 shall arrange from time to time, in case of need, to meet at some place for the settlement of difficulties arising between the tribes on the frontier, in accordance with the spirit of this Agreement.

Article 8.

1. All decisions taken in mutual agreement by the frontier officers specified in Article 3 in regard to questions arising on the

frontier between the tribes shall be recorded in writing and signed by both officers at the time of agreement and shall forthwith become operative and executory.

2. Those matters, however, upon which the frontier officers are unable to reach an agreement shall be referred to the two Governments for settlement by agreement.

Article 9.

1. Nationals of either Saudi Arabia or Koweit, who habitually frequent both sides of the frontier for the purpose of grazing shall have freedom of "musabala" and shall be free to move from place to place in the two territories, unless one of the two Governments finds it necessary to restrict the freedom of its own nationals to move into the territory of the other, or to restrict the freedom of the nationals of the other Government to move across into its territory, in the interests of public order or for reasons of economic necessity.

2. The frontier officer of the Government which considers it to be in its interest to impose such a restriction shall inform the frontier officer of the other Government of that decision before it is put into effect, in order that the latter may have an opportunity to adopt means to overcome any difficulties which may result from the execution of the decision, on the understanding that it is incumbent upon the frontier officers in such cases, that both should use their best endeavours to remove any difficulty which may be pointed out by either of them as likely to result from the application of this prohibition, if it can be removed; and if it cannot, then the prohibition shall come into force.

3. If the interests of either of the two Governments require that it should enter into contact with its subjects residing in the other territory, in order to collect "Zakat" or for some other purpose, it may make application to the other to that end, and the other shall either permit the entry of the competent officials for the desired purpose or shall compel the tribes or persons in question to return to their own country.

Article 10.

No official of either Governments, nor any national of either of them, shall be allowed to cross the frontier between the two territories without previous permission from the other Government, except in the following cases:-

(1) Nationals may move between the two territories for purpose of grazing, as provided in Article 9.

(2) Officials may enter for the purpose of proceeding to the towns of Koweit or Riyadh for any purpose, provided that they are authorised to do so by their respective Governments.

(3) The frontier officers mentioned in Article 3 and their representatives and messengers may cross for the purpose of co-operation specified in Articles 4, 5, 6, 7, 8, and 9 of this Agreement.

(4) The nationals of either Government may enter the territory of the other to follow up losses as provided in paragraph 7 of the Schedule attached to this Agreement.

(5) Any national of either of the two Governments may enter the territory of the other for "musabala," or for any other purpose not specified in this Article, without obtaining permission from the other beforehand. But a Saudi Arabian national shall carry a document issued by the competent authority in his own country establishing his identity and authorising him to make the proposed journey, and the Koweit authorities shall inform the Saudi Arabian Agent in Koweit of the names and tribes of persons arriving and of the articles they carry away from Koweit. This however does not apply to pilgrims for whom there is a special arrangement in accordance with the regulations of the Kingdom of Saudi Arabia.

Article 11.

Without prejudice to the provisions of Article 9, the Governments of Saudi Arabia and Koweit shall prevent foreigners who come to or reside in their respective territories from crossing the frontier into the territory of the other Government for the purpose of travel, exploration, hunting or any other purpose, without previous permission from the competent authority of the Government concerned. The Government whose territory is entered by such foreigners shall not be responsible for their safety if the entry has been effected without previous permission.

Article 12.

This Agreement has been drawn up in duplicate in Arabic and English and both texts have equal force. Instruments of ratification shall be exchanged by the two Contracting Parties as soon as possible. It shall come into force as from the date of the exchange of instruments of ratification and shall be valid for a period of five years from that date.

If neither of the two Contracting Parties gives notice to the other Party six months before the expiry of the period of five years that it wishes to terminate or to amend the Agreement, it shall remain in force and shall not be held to have terminated until six months have elapsed from the day on which one of the two Parties shall have given notice to the other Party of its desire to terminate it or to amend it.

In faith whereof the undersigned Plenipotentiaries have signed the present Agreement.

Done at Jedda, the twentieth day of April, 1942, corresponding to the fourth day of the month Rabi' al Thani in the year 1361 of the Hijra.

For the Government of the United Kingdom
Signed: F. H. W. STONEHEWER-BIRD
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For the Government of Saudi Arabia
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(YUSUF YASIN)