

Israeli-Jordanian Treaty, Excerpts (26 October 1994)

"Treaty of Peace between State of Israel and the Hashemite Kingdom of Jordan." *Israel's Foreign Relations: Selected Documents, 1992-1994*.
Editor Meron Medzini. Jerusalem: Ministry of Foreign Affairs, 1995. 826-54. Print.

Preamble

The Government of the Hashemite Kingdom of Jordan and the Government of the State of Israel;

Bearing in mind the Washington Declaration, signed by them on 25 July 1994, and which they are both committed to honor;

Aiming at the achievement of a just, lasting, and comprehensive peace in the Middle East based on Security Council Resolutions 242 and 338 in all their aspects;

Bearing in mind the importance of maintaining and strengthening peace based on freedom, equality, justice, and respect for fundamental human rights, thereby overcoming psychological barriers and promoting human dignity;

Reaffirming their faith in the purposes and principles of the Charter of the United Nations and recognizing their right and obligation to live in peace with each other as well as with all states, within secure recognized boundaries;

Desiring to develop friendly relations and cooperation between them in accordance with the principles of international law governing international relations in times of peace;

Desiring as well to ensure lasting security for both their states and in particular to avoid threats and the use of force between them;

Bearing in mind that in their Washington Declaration of 25 July 1994, they declared the termination of the state of belligerency between them;

Deciding to establish peace between them in accordance with this Treaty of Peace.

Have agreed as follows:

Article 1: Establishment of Peace

Peace is hereby established between the Hashemite Kingdom of Jordan and the State of Israel (the "Parties") effective from the exchange of the instruments of ratification of this Treaty.

Article 2: General Principles

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:

1. They recognize and will respect each other's sovereignty, territorial integrity, and political independence.
2. They recognize and will respect each other's right to live in peace within secure and recognized boundaries.
3. They will develop good neighborly relations of cooperation between them to ensure lasting security, will refrain from the threat or use of force against each other, and will settle all disputes between them by peaceful means.
4. They respect and recognize the sovereignty, territorial integrity, and political independence of every state in the region.

5. They respect and recognize the pivotal role of human development and dignity in regional and bilateral relationships.
6. They further believe that, within their control, involuntary movements of persons in such a way as to adversely prejudice the security of either Party should not be permitted.

Article 3: International Boundary

1. The international boundary between Jordan and Israel is delimited with reference to the boundary definition under the Mandate as is shown in Annex I[a], on the mapping materials attached thereto and co-ordinates specified therein.
2. The boundary, as set out in Annex I[a], is the permanent, secure, and recognized international boundary between Jordan and Israel, without prejudice to the status of any territories that came under Israeli military government control in 1967.
3. The parties recognize the international boundary, including the territorial waters and airspace, as inviolable, and will respect and comply with them.
4. The demarcation of the boundary will take place as set forth in Appendix I to Annex I[a] and will be concluded not later than nine months after the signing of the Treaty.
5. It is agreed that where the boundary follows a river, in the event of natural changes in the course of the flow of the river as described in Annex I[a], the boundary shall follow the new course of the flow. In the event of any other changes, the boundary shall not be affected unless otherwise agreed.
6. Immediately upon the exchange of the instruments of ratification of this Treaty, each Party will deploy on each side of the international boundary as defined in Annex I[a].
7. The Parties shall, upon signature of the Treaty, enter into negotiations to conclude, within 9 months, an agreement on the delimitation [as received] of their maritime boundary in the Gulf of Aqaba.
8. Taking into account the special circumstances of the Baqura/Naharayim area, which is under Jordanian sovereignty, with Israeli private ownership rights, the Parties agreed to apply the provisions set out in Annex I[b].
9. With respect to the Zofar area the provisions set out in Annex I[c] will apply.

Article 4: Security

1.
 - a. Both Parties, acknowledging that mutual understanding and cooperation in security-related matters will form a significant part of their relations and will further enhance the security of the region, take upon themselves to base their security relations on mutual trust, advancement of joint interests and cooperation, and to aim towards a regional framework of partnership in peace.
 - b. Towards that goal, the Parties recognize the achievements of the European Community and European Union in the development of the Conference on Security and Cooperation in Europe (CSCE) and commit themselves to the creation, in the Middle East, of a CSCME (Conference on Security and Cooperation in the Middle East).

This commitment entails the adoption of regional models of security successfully implemented in the post World War era (along the lines of the Helsinki process), culminating in a regional zone of Security and Stability.
2. The obligations referred to in this Article are without prejudice to the inherent right of self-defense in accordance with the United Nations Charter.

3. The Parties undertake, in accordance with the provisions of this article, the following:
 - a. To refrain from the threat or use of force or weapons, conventional, non-conventional, or of any other kind, against each other or of other actions or activities that adversely affect the security of the other Party;
 - b. To refrain from organizing, instigating, inciting, assisting, or participating in acts or threats of belligerency, hostility, subversion, or violence against the other Party;
 - c. To take necessary and effective measures to ensure that acts or threats of belligerency, hostility, subversion, or violence against the other Party do not originate from, and are not committed within, the territory (herein after the term "territory" includes the airspace and territorial waters), or through or over their territory.
4. Consistent with the era of peace and with the efforts to build regional security and to avoid and prevent aggression and violence, the Parties further agree to refrain from the following:
 - a. Joining or in any way assisting, promoting, or cooperating with any coalition, organization, or alliance with a military or security character with a third party, the objectives or activities of which include launching aggression or other acts of military hostility against the other Party, in contravention of the provisions of the present Treaty;
 - b. Allowing the entry, stationing, and operating on their territory, or through it, of military forces, personnel, or material of a third party, in circumstances which may adversely prejudice the security of the other Party.
5. Both Parties will take necessary and effective measures, and will cooperate in combating terrorism of all kinds. The Parties undertake:
 - a. To take necessary and effective measures to prevent acts of terrorism, subversion, or violence from being carried out from their territory or through it and to take necessary measures to combat such activities and all their perpetrators;
 - b. Without prejudice to the basic rights of freedom of expression and association, to take necessary and effective measures to prevent the entry, presence, and operation in their territory of any group or organization, and their infrastructure, which threatens the security of the other Party by the use of or incitement to the use of violent means;
 - c. To cooperate in preventing and combating cross-boundary infiltrations.
6. Any question as to the implementation of this Article will be dealt with through a mechanism of consultation which will include a liaison system, verification, supervision, and where necessary, other mechanisms, and higher level consultation. The details of mechanism of consultation will be contained in an agreement to be concluded by the Parties within three months of the exchange of the instruments of ratification of this Treaty.
7. To work as a matter of priority and as soon as possible in the context of the multilateral working group on Arms Control and Regional Security, and jointly, towards the following:
 - a. The creation in the Middle East of a region free from hostile alliances and coalitions;
 - b. The creation of a Middle East free from weapons of mass destruction, both conventional and non-conventional, in the context of a comprehensive, lasting, and stable peace, characterized by the renunciation of the use of force, reconciliation, and goodwill.

Article 5: Diplomatic and Other Bilateral Relations

1. The Parties agree to establish full diplomatic and consular relations and to exchange resident ambassadors within one month of the exchange of the instruments of ratification of this Treaty.

2. The Parties agree that the normal relationship between them will further include economic and cultural relations.

Article 6: Water

With the view to achieving a comprehensive and lasting settlement of all the water problems between them:

1. The Parties agree mutually to recognize the rightful allocations of both of them in Jordan River, al-Yarmuk River waters, and Wadi al-'Arabah/Arava ground water in accordance with the agreed acceptable principles, quantities, and quality as set out in Annex II, which shall be fully respected and complied with.
2. The Parties, recognizing the necessity to find a practical, just, and agreed solution to their water problems and with the view that the subject of water can form the basis for the advancement of cooperation between them, jointly undertake to ensure that the management and development of their water resources do not, in any way, harm the water resources of the other party.
3. The Parties recognize that their water resources are not sufficient to meet their needs. More water should be supplied for their use through various methods including projects of regional and international cooperation.
4. In light of Paragraph 3, with the understanding that cooperation in water-related subjects would be to the benefit of both parties, and will help alleviate their water shortages, and that water issues along their entire boundary must be dealt with in their totality, including the possibility of trans-boundary water transfers, the parties agree to search for ways to alleviate water shortage and to cooperate in the following fields:
 - a. Development of existing and new water resources increasing the water availability, including on a regional basis, as appropriate, and minimizing wastage of water resources through the chain of their uses;
 - b. Prevention of contamination of water resources;
 - c. Mutual assistance in the alleviation of water shortages;
 - d. Transfer of information and joint research and development in water-related subjects, and review of the potentials for enhancement of water resources development and use.
5. The implementation of both countries' undertakings under this Article is detailed in Annex II.

Article 7: Economic Relations

1. Viewing economic development and prosperity as pillars of peace, security, and harmonious relations between states, peoples, and individual human beings, the Parties, taking note of understandings reached between them, affirm their mutual desire to promote economic cooperation between them, as well as within the framework of wider regional economic cooperation.
2. In order to accomplish this goal, the Parties agree to the following:
 - a. To remove all discriminatory barriers to normal economic relations, to terminate economic boycotts directed at each other, and to cooperate in terminating boycotts against each other by third parties;
 - b. Recognizing that the principle of free and unimpeded flow of goods and services should guide their relations, the Parties will enter into negotiations with a view to concluding agreements on economic cooperation, including trade and the establishment of a free-

- trade area, investment, banking, and industrial cooperation and labor, for the purpose of promoting beneficial economic relations, based on principles to be agreed upon, as well as on human development considerations on a regional basis. These negotiations will be concluded no later than six months from the exchange of the instruments of ratification of the Treaty;
- c. To cooperate bilaterally, as well as in multilateral forums, towards the promotion of their respective economies and of their neighborly economic relations with other regional parties.

Article 8: Refugees and Displaced Persons

1. Recognizing the massive human problems caused to both parties by the conflict in the Middle East, as well as the contribution made by them towards the alleviation of human suffering, the Parties will seek to further alleviate those problems arising on a bilateral level.
2. Recognizing that the above human problems caused by the conflict in the Middle East cannot be fully resolved on the bilateral level, the Parties will seek to resolve them in appropriate forums, in accordance with international law, including the following:
 - a. In the case of displaced persons, in a quadripartite committee together with Egypt and the Palestinians;
 - b. In the case of refugees,
 - i. In the framework of the work of the Multilateral Group on Refugees;
 - ii. In negotiations, in a framework to be agreed, bilateral or otherwise, in conjunction with and at the same time as the permanent status negotiations pertaining to the territories referred to in Article 3 of this Treaty.
3. Through the implementation of agreed United Nations programs and other agreed international economic programs concerning refugees and displaced persons, including assistance to their settlement.

Article 9: Places of Historical and Religious Significance

1. Each party will provide freedom of access to places of religious and historical significance.
2. In this regard, in accordance with the Washington Declaration, Israel respects the present special role for the Hashemite Kingdom of Jordan in Muslim Holy Shrines in Jerusalem. When negotiations on the permanent status will take place, Israel will give high priority to the Jordanian historic role in these shrines.
3. The Parties will act together to promote interfaith relations among the three monotheistic religions, with the aim of working towards religious understanding, moral commitment, freedom of religious worship, tolerance, and peace.

Article 10: Cultural and Scientific Exchanges

The Parties, wishing to remove biases developed through periods of conflict, recognize the desirability of cultural and scientific exchanges in all fields, and agree to establish normal cultural relations between them. Thus, they shall, as soon as possible and not later than nine months from the exchange of the instruments of ratification of this Treaty, conclude the negotiations on cultural and scientific agreements.

Article 11: Mutual Understanding and Good Neighborly Relations

1. The Parties will seek to foster mutual understanding and tolerance based on shared historic values, and accordingly undertake:
 - a. To abstain from hostile or discriminatory propaganda against each other, and to take all possible legal and administrative measures to prevent the dissemination of such propaganda by any organization or individual present in the territory of either party;
 - b. As soon as possible, and not later than three months from the exchange of the instruments of ratification of this Treaty, to repeal all adverse or discriminatory references and expressions of hostility in their respective legislation;
 - c. To refrain in all government publications from any such references or expressions;
 - d. To ensure mutual enjoyment by each other's citizens of due process of law within their respective legal systems and before their courts.
2. Paragraph 1[a] is without prejudice to the right to freedom of expression as contained in the International Covenant on Civil and Political Rights.
3. A joint committee shall be formed to examine incidents where one party claims there has been a violation of this Article.

Article 12: Combating Crime and Drugs

The Parties will cooperate in combating crime, with an emphasis on smuggling, and will take all necessary measures to combat and prevent such activities as the production of, as well as the trafficking in illicit drugs, and will bring to trial perpetrators of such acts. In this regard, they take note of the understandings reached between them in the above spheres, as per Annex III and undertake to conclude all relevant agreements no later than nine months from the date of the exchange of the instruments of ratification of this Treaty.

Article 13: Transportation and Roads

Taking note of the progress already made in the area of transportation, the Parties recognize the mutuality of interest in good neighborly relations in the area of transportation and agree to the following means to promote relations between them in this sphere:

1. Each Party will permit the free movement of nationals and vehicles of the other into and within its territory according to the general rules applicable to nationals and vehicles of other states. Neither party will impose discriminatory taxes or restrictions on the free movement of persons and vehicles from its territory to the territory of the other.
2. The Parties will open and maintain roads and border crossings between their countries and will consider further road and rail links between them.
3. The Parties will continue their negotiations concerning mutual transportation agreements in the above and other areas, such as joint projects, traffic safety, transport standards and norms, licensing of vehicles, land passages, shipment of goods and cargo, and meteorology, to be concluded not later than six months from the exchange of the instruments of ratification of this Treaty.
4. The Parties agree to continue their negotiations for a highway to be constructed and maintained between Egypt, Jordan, and Israel near Eilat.

Article 14: Freedom of Navigation and Access to Ports

1. Without prejudice to the provisions of paragraph 3, each Party recognizes the right of the vessels of the other Party to innocent passage through its territorial waters in accordance with the rules of international law.
2. Each Party will grant normal access to its ports for vessels and cargoes of the other, as well as vessels and cargoes destined for or coming from the other Party. Such access will be granted on the same conditions as generally applicable to vessels and cargoes of other nations.
3. 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 Party through the Strait of Tiran and the Gulf of Aqaba.

Article 15: Civil Aviation

1. The Parties recognize as applicable to each other the rights, privileges, and obligations provided for by the multilateral aviation agreements to which they are both party, particularly by the 1944 Convention on International Civil Aviation ("The Chicago Convention") and the 1944 International Air Services Transit Agreement.
2. Any declaration of national emergency by a Party under Article 89 of the Chicago Convention will not be applied to the other Party on a discriminatory basis.
3. The Parties take note of the negotiations on the international air corridor to be opened between them in accordance with the Washington Declaration. In addition, the Parties shall, upon ratification of this Treaty, enter into negotiations for the purpose of concluding a Civil Aviation Agreement. All the above negotiations are to be concluded not later than six months from the exchange of the instruments of ratification of this Treaty.

Article 16: Posts and Telecommunications

The Parties take note of the opening between them, in accordance with the Washington Declaration, of direct telephone and facsimile lines. Postal links, the negotiations of which having been concluded, will be activated upon the signature of this Treaty. The Parties further agree that normal wireless and cable communications and television relay services by cable, radio, and satellite, will be established between them, in accordance with all relevant international conventions and regulations. The negotiations on these subjects will be concluded not later than nine months from the exchange of the instruments of ratification of this Treaty.

Article 17: Tourism

The Parties affirm their mutual desire to promote cooperation between them in the field of tourism. In order to accomplish this goal, the Parties -- taking note of the understandings reached between them concerning Tourism -- agree to negotiate, as soon as possible, and to conclude not later than three months from the exchange of the instruments of ratification of this Treaty, an agreement to facilitate and encourage mutual tourism and tourism from third countries.

Article 18: Environment

The Parties will cooperate in matters relating to the environment, a sphere to which they attach great importance, including conservation of nature and prevention of pollution, as set forth

in Annex IV. They will negotiate an agreement on the above, to be concluded not later than six months from the exchange of the instruments of ratification of this Treaty.

Article 19: Energy

1. The Parties will cooperate in the development of energy resources, including the development of energy-related projects such as the utilization of solar energy.
2. The Parties, having concluded their negotiations on the interconnecting of their electric grids in the Eilat-Aqaba area, will implement the interconnecting upon the signature of this Treaty. The Parties view this step as a part of a wider bi-national and regional concept. They agree to continue their negotiations as soon as possible to widen the scope of their interconnected grids.
3. The Parties will conclude the relevant agreements in the field of energy within six months from the date of exchange of the instruments of ratification of this Treaty.

Article 20: Rift Valley Development

The Parties attach great importance to the integrated development of the Jordan Rift Valley area, including joint projects in the economic, environmental, energy-related, and tourism fields. Taking note of the Terms of Reference developed in the framework of the Trilateral Jordan-Israel-U.S. Economic Committee towards the Jordan Rift Valley Development Master Plan, they will vigorously continue their efforts toward the completion of planning and towards implementation.

Article 21: Health

The Parties will cooperate in the area of health and shall negotiate with a view to the conclusion of an agreement within nine months of the exchange of instruments of ratification of this Treaty.

Article 22: Agriculture

The Parties will cooperate in the areas of agriculture, including veterinary services, plant protection, biotechnology, and marketing, and shall negotiate with a view to the conclusion of an agreement within six months from the date of the exchange of instruments of ratification of this Treaty.

Article 23: Aqaba and Eilat

The Parties agree to enter into negotiations, as soon as possible, and no later than one month from the exchange of the instruments of ratification of this Treaty, on arrangements that would enable the joint development of the towns of Aqaba and Eilat with regard to such matters, inter alia, as joint tourism development, joint customs, free trade zone, cooperation in aviation, prevention of pollution, maritime matters, police, customs, and health cooperation. The Parties will conclude all relevant agreements within nine months from the exchange of instruments of ratification of the treaty.

Article 24: Claims

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

Article 25: Rights and Obligations

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 inconsistent with this Treaty. For the purposes of this paragraph, each Party presents to the other that in its opinion and interpretation there is no inconsistency between their existing treaty obligations and 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 depositories of such conventions.
4. Both parties will also take all the necessary steps to abolish all pejorative references to the other Party, in multilateral conventions to which they are parties, to the extent that such references exist.
5. The Parties undertake not to enter into any obligation in conflict with this Treaty.
6. 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 26: Legislation

Within three months of the exchange of instruments of ratification of this Treaty, the Parties undertake to enact any legislation necessary in order to implement the Treaty, and to terminate any international commitments, and to repeal any legislation that is inconsistent with the Treaty.

Article 27: Ratification

1. This treaty shall be ratified by both Parties in conformity with their respective national procedures. It shall enter into force on the exchange of instruments of ratification of this Treaty.
2. The Annexes, Appendices, Maps, and Attachments to this Treaty shall be considered integral parts thereof.

Article 28: Interim Measures

The Parties will apply in certain spheres, to be agreed upon, interim measures to be applied pending the conclusion of the relevant agreements in accordance with this Treaty, as stipulated in Annex V.

Article 29: Settlement of Disputes

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 30: Registration

This treaty shall be transmitted 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.