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Treaty of Peace Between the State of Israel and the Hashemite Kingdom of Jordan October 26, 1994

PREAMBLE

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

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

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 recognising their right and obligation to live in peace with each other as well as with all states, within secure and recognised boundaries;

Desiring to develop friendly relations and co-operation between them in accordance with the principles of international law governing international relations in time 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 25th 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 State of Israel and the Hashemite Kingdom of Jordan (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 recognise and will respect each other's sovereignty, territorial integrity and political independence;
2. They recognise and will respect each other's right to live in peace within secure and recognised boundaries;
3. They will develop good neighbourly relations of co-operation 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 recognise the sovereignty, territorial integrity and political independence of every state in the region;
5. They respect and recognise 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 Israel and Jordan 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 recognised international boundary between Israel and Jordan, without prejudice to the status of any territories that came under Israeli military government control in 1967.
3. The parties recognise the international boundary, as well as each other's territory, 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 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 its side of the international boundary as defined in Annex I (a).
7. The Parties shall, upon the signature of the Treaty, enter into negotiations to conclude, within 9 months, an agreement on the delimitation of their maritime boundary in the Gulf of Aqaba.
8. Taking into account the special circumstances of the Naharayim/Baqura 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/Al-Ghamr area, the provisions set out in Annex I (c) will apply.

ARTICLE 4

SECURITY

1.
 - a. Both Parties, acknowledging that mutual understanding and co-operation 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 co-operation, and to aim towards a regional framework of partnership in peace.
 - b. Towards that goal the Parties recognise the achievements of the European Community and European Union in the development of the Conference on Security and Co-operation in Europe (CSCE) and commit themselves to the creation, in the Middle East, of a CSCME (Conference on Security and Co-operation 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-defence 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 organising, 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, through or over their territory (hereinafter the term "territory" includes the airspace and territorial waters).
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 co-operating with any coalition, organisation 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 materiel 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 co-operate 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 and effective 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 co-operation in their territory of any group or organisation, 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 co-operate 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 consultations which will include a liaison system, verification, supervision, and where necessary, other mechanisms, and higher level consultation. The details of the mechanism of consultations will be contained in an agreement to be concluded by the Parties within 3 months of the exchange of the instruments of ratification of this Treaty.
7. The Parties undertake 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, characterised 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 recognise the rightful allocations of both of them in Jordan River and Yarmouk River waters and Araba/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, recognising 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 co- operation 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 recognise 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 co-operation.
4. In light of paragraph 3 of this Article, with the understanding that co-operation 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 co- operate in the following fields:
 - a. development of existing and new water resources, increasing the water availability including co- operation on a regional basis as appropriate, and minimising 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 Parties' 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 co- operation between them, as well as within the framework of wider regional economic co- operation.
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 co-operate in terminating boycotts against either Party by third parties;
 - b. recognising 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 co- operation, including trade and the establishment of a free trade area, investment, banking, industrial co- operation and labour, 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 6 months from the exchange the instruments of ratification of this Treaty.

c. to co-operate bilaterally, as well as in multilateral forums, towards the promotion of their respective economies and of their neighbourly economic relations with other regional parties.

ARTICLE 8

REFUGEES AND DISPLACED PERSONS

1. Recognising 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. Recognising 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 Multilateral Working 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;
 - c. through the implementation of agreed United Nations programmes and other agreed international economic programmes 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 of 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, and tolerance and peace.

ARTICLE 10

CULTURAL AND SCIENTIFIC EXCHANGES

The Parties, wishing to remove biases developed through periods of conflict, recognise 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 9 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 NEIGHBOURLY 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 organisation or individual present in the territory of either Party;
 - b. as soon as possible, and not later than 3 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) of this Article 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 co-operate 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, in accordance with Annex III and undertake to conclude all relevant agreements not later than 9 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 recognise the mutuality of interest in good neighbourly 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 6 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, Israel and Jordan near Eilat.

ARTICLE 14

FREEDOM OF NAVIGATION AND ACCESS TO PORTS

1. Without prejudice to the provisions of paragraph 3, each Party recognises 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 recognise 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 6 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 on 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 9 months from the exchange of the instruments of ratification of this Treaty.

ARTICLE 17

TOURISM

The Parties affirm their mutual desire to promote co-operation 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 co-operate 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 6 months from the exchange of the instruments of ratification of this Treaty.

ARTICLE 19

ENERGY

1. The Parties will co-operate in the development of energy resources, including the development of energy-related projects such as the utilisation 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 binational 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 6 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 Israel-Jordan-US Economic Committee towards the Jordan Rift Valley Development Master Plan, they will vigorously continue their efforts towards the completion of planning and towards implementation.

ARTICLE 21

HEALTH

The Parties will co-operate in the area of health and shall negotiate with a view to the conclusion of an agreement within 9 months of the exchange of instruments of ratification of this Treaty.

ARTICLE 22

AGRICULTURE

The Parties will co-operate 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 6 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 not 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, co-operation in aviation, prevention of pollution, maritime matters, police, customs and health co-operation. The Parties will conclude all relevant agreements within 9 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 fulfil 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 represents 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 3 months of the exchange of ratifications 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.
2. The Annexes, Appendices, and other 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 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.

Done at the Arava/Araba Crossing Point this day Heshvan 21st, 5775, Jumada Al-Ula 21st, 1415 which corresponds to 26th October, 1994 in the Hebrew, English and Arabic languages, all texts being equally authentic. In case of divergence of interpretation the English text shall prevail.

For the State of Israel
Yitzhak Rabin, Prime Minister

For the Hashemite Kingdom of Jordan
Abdul Salam Majali, Prime Minister

Witnessed by:
William J. Clinton
President of the United States of America

List of Annexes, Appendices and Other Attachments

Annex I:

- a. International Boundary
- b. Naharayim/Baqura Area
- c. Zofar Area

Appendices (27 sheets):

- I. Emer Ha'arava (10 sheets), 1:20,000 orthophoto maps
- II. Dead Sea (2 sheets), 1:50,000 orthoimages
- III. Jordan and Yarmouk Rivers (12 sheets), 1:10,000 orthophoto maps
- IV. Naharayim Area (1 sheet), 1:10,000 orthophoto map

V. Zofar Area (1 sheet), 1:20,000 orthophoto map

VI. Gulf of Eilat (1 sheet), 1:50,000 orthoimage

Annex II: Water

Annex III: Crime and Drugs

Annex IV: Environment

Annex V: Interim Measures

Agreed Minutes

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