

parties accept the Israeli location of boundary pillar 84, recorded in Appendix A. Accordingly, the Tribunal shall not address the location of boundary pillars 26 and 84.

2. Each party has indicated on the ground its position concerning the location of each boundary pillar listed above. For the final boundary pillar No. 91, which is at the point of Ras Taba on the western shore of the Gulf of Aqaba, Israel has indicated two alternative locations, at the granite knob and at Bir Taba, whereas Egypt has indicated its location, at the point where it maintains the remnants of the boundary pillar are to be found.

3. The markings of the parties on the ground have been recorded in Appendix A.

4. Attached at Appendix B is the map referred to in Article II of the Treaty of Peace, which provides:

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

A 1:100,000 map is included in order to permit the indication of the locations of the 14 disputed boundary pillars advanced by the parties and provides an index to Appendix A. The Tribunal is requested to refer to the general armistice agreement between Egypt and Israel dated 24 February 1949.

5. The Tribunal is not authorized to establish a location of a boundary pillar other than a location advanced by Egypt or by Israel and recorded in Appendix A. The Tribunal also is not authorized to address the location of boundary pillars other than those specified in paragraph 1.

APPENDIX B

AGREEMENT signed and exchanged at Rafeh on (13 Shaban, 1324, 18th Ailul 1322), 1st October, 1906, between the Commissioners of the Turkish Sultanate and the Commissioners of the Egyptian Khedivate, concerning the fixing of a separating administrative line between the Vilayet of Hejaz and Governorate of Jerusalem and the Sinai Peninsula.

EL MIRALAI Staff Officer Ahmed Muzaffer Bey, and El Bimbashi Staff Officer Mohammed Fahmi Bey as Commissioners of the Turkish Sultanate, and Emir El Lewa Ibrahim Fathi Pasha and El Miralai R. C. R. Owen Bey as Commissioners of the Egyptian Khedivate, having been entrusted with the delimitation of the administrative separating line between the Vilayet of Hejaz and Governorate of Jerusalem and the Sinai Peninsula, have in the name of the Turkish Sultanate and the Egyptian Khedivate agreed as follows:

Article 1. The administrative separating line, as shown on map attached to this Agreement, begins at the point of Ras Taba on the western shore of the Gulf of Akaba and follows along the eastern ridge overlooking Wadi Taba to the top of Jebel Fort, from thence the separating line extends by straight lines as follows:

From Jebel Fort to a point not exceeding 200 metres to the east of the top of Jebel Fathi Pasha, thence to that point which is formed by the intersection of a prolongation of this line with a perpendicular line drawn from a point 200 metres measured from the top of Jebel Fathi Pasha along the line drawn from the centre of the top of that hill to Mofrak Point (the Mofrak is the junction of the Gaza-Akaba and Nekhl-Akaba roads). From this point of intersection to the hill east of and overlooking Thamilet-el-Radadi—place where there is water—so that the Thamila (or water) remains west of the line, thence to top of Ras Radadi, marked on the above-mentioned map as (A 3), thence to top of Jebel Safra marked as (A 4), thence to top of eastern peak of Um Guf marked as (A 5), thence to that point marked as (A 7), north of Thamilet Sueilma, thence to that point marked as (A 8), on west-north-west of Jebel Semaui, thence to top of hill west-north-west of Bir Maghara (which is the well in the northern branch of the Wadi Ma Yein, leaving that well east of the separating line), from thence to (A 9), from thence to (A 9 *bis*) west of Jebel Megrach, from thence to Ras-el-Ain, marked as (A 10 *bis*), from thence to a point on Jebel Um Hawawit marked as (A 11), from thence to half distance between two pillars (which pillars are marked at (A 13)) under a tree 390 metres south-west of Bir Rafeh, it then runs in a straight line at a bearing of 280° of the magnetic north—viz., 80° to the west—to a point on a sand-hill measured 420 metres in a straight line from the above-mentioned pillars, thence in a straight line at a bearing of 334° of the magnetic north—viz., 26° to the west—to the Mediterranean Sea, passing over hill of ruins on the sea-shore.

Art. 2. The separating line mentioned in Article 1 has been indicated by a black broken line on duplicate maps (annexed to this Agreement), which shall be signed and exchanged simultaneously with the Agreement.

Art. 3. Boundary pillars will be erected, in the presence of the Joint Commission, at intervisible points along the separating line, from the point on the Mediterranean shore to the point on the shore of the Gulf of Akaba.

Art. 4. These boundary pillars will be under the protection of the Turkish Sultanate and Egyptian Khedivate.

Art. 5. Should it be necessary in future to renew these pillars, or to increase them, each party shall send a representative for this purpose. The positions of these new pillars shall be determined by the course of the separating line as laid down in the map.

Art. 6. All tribes living on both sides shall have the right of benefiting by the water as heretofore—viz., they shall retain their ancient and former rights in this respect.

Necessary guarantees will be given to Arab tribes respecting above.

Also Turkish soldiers, native individuals and gendarmes, shall benefit by the water which remained west of the separating line.

Art. 7. Armed Turkish soldiers and armed gendarmes, will not be permitted to cross to the west of the separating line.

Art. 8. Natives and Arabs of both sides shall continue to retain the same established and ancient rights of ownership of waters, fields, and lands on both sides as formerly.

Commissioners of the Turkish Sultanate,

(Signed) Miralai Staff Officer MUZAFFER
Bimbashi Staff Officer FAHMI

Commissioners of the Egyptian Khedivate,

(Signed) Emir Lewa IBRAHIM FATHI
Miralai R. C. R. OWEN