



DECLASSIFIED
Authority *NND 969044*

By *JW* Date *3-20-02*

BRIEFING MEMORANDUM

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173-12-4, Faisal, oil, ~~Embargo~~ Embargo

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12/14/73

To: The Secretary

Through: T - William H. Donaldson

From: L - Carlyle *W* Maw

Your Meeting with the Saudi and Algerian Oil Ministers December 5

In addition to the cogent political points set out in the briefing paper from NEA and AF for your meeting with Minister Yamani and Minister Abdesselem, you may wish to consider whether making any of the following legal points possibly would have utility:

1. The oil embargo is in violation of international law.
- The oil embargo violates a treaty obligation of Saudi Arabia to the United States, in that it does not comport with the unconditional most-favored-nation treatment to which the U.S. Government is entitled under the Provisional Agreement between Saudi Arabia and the United States of 1933 (Tab A). (It also violates treaty obligations of Iraq and Oman to the United States, and, arguably, Kuwait's GATT obligations.)

- The oil embargo is in breach of a Declaration of the U.N. General Assembly, unanimously adopted as expressive of principles of international law, the use stating that: "No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind." (Declaration on Principles of International Law concerning Friendly Relations and Cooperation among

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L: SMS Schwebel: rdy

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XR PET 17-1 US - Arab XR PET 12 Arab*

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