

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

Brett Ashley Leeds with Jeffrey M. Ritter, Sara McLaughlin Mitchell, and Andrew G. Long
Department of Political Science, Rice University, P.O. Box 1892-MS 24, Houston, TX 77251-1892
Version 8.0; August, 2000

SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: 5072

2. COW Alliance # (if applicable): N/A

3. Signature date(s) (may vary for members in multilateral alliances):
June 2, 2005

4. Members of alliance (use COW country codes):
Tunisia (616)
Malta (338)

5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)
No.

6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select “treaty” if the agreement requires ratification.)
Treaty

7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.
Public.

8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.
No.

9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?
No.

10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.
Yes. Article 13 – “The Treaty enters into force on the date of the exchange of the instruments of ratification by the High Contracting Parties and remains valid unless a High Contracting Party informs in writing the other High Contracting Party of its intention to denounce the Treaty. The denunciation of the Treaty will come into effect six months after the receipt of the official notification.”

11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.
Yes. Article 13 – “The Treaty enters into force on the date of the exchange of the instruments of ratification by the High Contracting Parties and remains valid unless a High Contracting Party informs in writing the other High Contracting Party of its intention to denounce the Treaty. The denunciation of the Treaty will come into effect six months after the receipt of the official notification.”

12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.
No.

13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):
Zero.

14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):
Still in effect as of 7/6/2020 as per Malta MFA:
<https://foreignandeu.gov.mt/en/Treaties%20Series/Pages/Treaties%20Documents/Tunisia---Friendship,-Good-neighbourhood-and-coopeartion-treaty-between-the-Government-of-Malta-and-the-Government-of-the-R.aspx>

15. Describe what caused the alliance to terminate.
N/A.

SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any member of the alliance.)

Nonaggression Pact

17. Type of alliance as coded in COW data (if applicable): N/A

18. Describe the obligations of the alliance partners.

Article 4 – “In their mutual relations, each of the High Contracting Parties commits itself not to have recourse to the threat or use of direct or indirect force against the territorial integrity or political independence of the other Party, or to any other form incompatible with the objectives of the United Nations. No consideration may be invoked to justify such a recourse.”

Article 5 – “In a spirit harmonious with the motivations that have led to the conclusion of this Friendship, Good Neighbourhood, and Cooperation Treaty, the High Contracting Parties undertake to settle the possible disputes that could emerge between them through peaceful means and by promoting the adoption of a just and equitable solution in a way that does not jeopardize international peace and security.”

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners? (List all that apply)

No.

20. Describe the nature of the limits to obligations listed in #19.

N/A

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.

No.

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

No.

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty.

No.

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.

Yes.

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.

No.

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions.

No.

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe.

No.

28. Additional coder comments regarding treaty obligations:

SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.

Yes.

Article 5 – “The High Contracting Parties undertake to settle the possible disputes that could emerge between them through peaceful means.”

30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.
No.

31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.)
No.

32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions.
No.

33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe.
No.

34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe.
No.

35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.
Yes. Chapter 1 Article 1 Section 2 provides for “A Semestrial meeting, alternately in Tunisia and Malta, of the Foreign Affairs Ministers of the two countries” to establish a framework of political consultations.

36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe.
No.

37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe.
No.

38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions.
No.

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference.
No.

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe.
No.

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe.
No.

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe.

Yes. Article 5 – “The High Contracting Parties agree to promote cooperation between their armed forces, by giving special attention to staff exchanges, the formulation and implementation of training programmes, the exchange of experiences in humanitarian assistance, peace-keeping operations and the holding of joint-exercises.”

43. Additional coder comments regarding references to alliance institutionalization:

SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference.

No.

45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference.

No.

46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference.

No.

47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference.

Yes.

The United Nations – Preamble reaffirms their adherence to the general principles of international law and to the objectives of the United Nations Charter. Article 4 commits parties not to have recourse to the threat or use of force in any form incompatible with the objectives of the UN in their disputes. Article 6 references the principles and objectives related to human rights contained in the UN Charter.

The European Union – Preamble references the importance of the links established between the European Union and Tunisia and the agreements concluded between the larger EU and Tunisia. Chapter 2 Article 3 commits parties to elaborate and implement joint action plans to benefit small and medium enterprises that will stimulate the synergies set up by Tunisia's Association Agreement with the EU.

48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the reference.

Yes.

The European Union (ATOP #4175) – The Preamble references the importance of the links established between the EU and Tunisia. Chapter 2 Article 3 commits parties to elaborate and implement joint action plans to benefit small and medium enterprises that will stimulate the synergies set up by Tunisia's Association Agreement with the EU.

49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.

No.

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No) If Yes, describe.

Yes.

Chapter 2 Articles 2, 3 and 4 outline economic cooperation including the creation and implementation of joint action plans to benefit small and medium enterprises.

Article 6 – Development cooperation through mutual collaboration with NGOs as well as information exchange in science, technology, and professional experiences.

Article 7 – Cultural and educational cooperation

Article 8 – Language cooperation and establishment of cultural centers

Article 9 – AV, TV, and radio cooperation

Article 10 – Judicial cooperation

Article 11 – Border and migrant cooperation

51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe.

No.

52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe.

No.

53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe.

No.

54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe.

No.

55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions.

No.

56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically commit the states to non-intervention? (Yes, No) If Yes, describe.

Yes. Article 3 – “The High Contracting Parties abstain from any direct or indirect, individual or collective intervention in the internal or external affairs pertaining to the jurisdiction of the other Party.”

SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty:

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.): Treaty

59. Treaty citation: <https://foreignandeu.gov.mt/en/Treaties%20Series/Pages/Treaties%20Documents/Tunisia---Friendship,-Good-neighbourhood-and-coopeartion-treaty-between-the-Government-of-Malta-and-the-Government-of-the-R.aspx>

60. Date of last revision of this coding sheet: 7/6/2020

61. Coder: Nicholas Coulombe and Ashley Leeds