

N° 1324.

GRANDE-BRETAGNE
ET FRANCE

Convention de bon voisinage conclue
pour le compte des territoires de
Palestine, d'une part, de la Syrie
et du Grand-Liban, d'autre part.
Signée à Jérusalem, le 2 février
1926.

GREAT BRITAIN
AND FRANCE

Agreement of good neighbourly
Relations concluded on behalf of
the Territories of Palestine, on the
one part, and on behalf of Syria
and Great Lebanon, on the other
part. Signed at Jerusalem, Febru-
ary 2, 1926.

No. 1324. — AGREEMENT¹ OF GOOD NEIGHBOURLY RELATIONS CONCLUDED BETWEEN THE BRITISH AND FRENCH GOVERNMENTS ON BEHALF OF THE TERRITORIES OF PALESTINE, ON THE ONE PART, AND ON BEHALF OF SYRIA AND GREAT LEBANON, ON THE OTHER PART. SIGNED AT JERUSALEM, FEBRUARY 2, 1926.

English official text communicated by His Britannic Majesty's Foreign Office and French official text communicated by the Minister for Foreign Affairs. The registration of this Convention took place October 11, 1926.

Whereas an agreement was concluded on the 3rd of February, 1922, between THE BRITISH and THE FRENCH GOVERNMENTS, on behalf of THE TERRITORIES OF PALESTINE, on the one hand, and of SYRIA and the GRAND LEBANON, on the other, to determine the frontier between these territories.

And whereas it is necessary to conclude an Agreement regulating certain administrative matters in connection with the frontier,

Lieutenant-Colonel G. S. SYMES, District Governor of the Northern District of Palestine,
M. A. S. MAVROGORDATO, Acting Inspector-General of Police and Prisons in Palestine,

Representing His Excellency the High Commissioner for Palestine, on the one hand;

And M. VERCHÈRE DE REFFYE, Minister Plenipotentiary and Chief Secretary to the French High Commission,
M. le capitaine DE LA BASSETIÈRE, for the State of the Grand Lebanon,
M. le capitaine TERRIER, for the State of Damascus,

Representing HIS EXCELLENCY THE HIGH COMMISSIONER OF THE FRENCH REPUBLIC in SYRIA and THE LEBANON, on the other hand, being the persons accredited by the two High Commissioners above mentioned, have agreed upon the following Articles :

Article I.

Tracks or roads which form the frontier between the territories of Syria and the Lebanon, on the one hand, and of Palestine, on the other, shall be used freely without passport or toll of any kind by the inhabitants and the police of both territories when passing to and from places to which access is given by such tracks or roads.

Similarly, the inhabitants and police of Syria and the Lebanon may use the paths from El-Hamme to Baniyas immediately to the East of Lake Tiberias, the Jordan and Lake Huleh.

¹ This Convention came into force February 2, 1926.

The inhabitants and police of Palestine shall have the like right in respect of the path from the village of Alma Es Schub to Ramia and the path from the "neck" (col) of Odeïssa to the village of Metullah and thence to Banias.

Article II.

The Governments of Syria and the Lebanon and of Palestine shall each have the right, in case of military necessity, to use the tracks and roads forming the frontier for any movement of troops, but notice of such use shall be given to the other Government concerned as soon as possible.

Article III.

All the inhabitants, whether settled or semi-nomadic, of both territories who, at the date of the signature of this Agreement enjoy grazing, watering or cultivation rights, or own land on the one or the other side of the frontier shall continue to exercise their rights as in the past. They shall be entitled, for this purpose, to cross the frontier freely and without a passport and to transport, from one side to the other of the frontier, their animals and the natural increase thereof, their tools, their vehicles, whatever the mode of traction, their implements, seeds and products of the soil or sub-soil of their lands, without paying any Customs duties or any dues for grazing or watering or any other tax on account of passing the frontier and entering the neighbouring territory.

The same rights shall be enjoyed by their employees or tenants and by the employees of the latter.

All rights derived from local laws or customs concerning the use of the waters, streams, canals and lakes for the purposes of irrigation or supply of water to the inhabitants shall remain as at present. The same rule shall apply to village rights over communal properties.

The provisions of the Agreement of February 3rd, 1922, reserving fishing and navigation rights in the lakes of Tiberias and Huleh and the Jordan shall be extended to all the water courses in the ceded area.

Article IV.

Paragraph 1. — The collection of the tithe and wergo on estates contained within the limits of one village, whose grounds are crossed by the frontier, shall be undertaken by the Government in whose territory the village lies.

The collection of the tithe and wergo on properties or isolated parcels of land, situated outside a village and crossed by the frontier shall be carried out by the Government in whose territory the farm, stables or threshing floor are situated.

The revenue so collected shall be divided between the two Governments according to the assessment of a Commission composed of one Palestinian official, one Syrian official and one local notable chosen by these officials.

The division shall be made in proportion to the average yield of the properties referred to in the two preceding sub-paragraphs.

The two Governments shall draw up twice a year accounts of the sums thus received, and the Government collecting the taxes shall be entitled to a commission of 6 % in this respect. The Governments will likewise exchange from time to time extracts of these accounts.

Paragraph 2. — When lands farmed as a single estate, either by their owners or tenants, are divided by the frontier, the animal tax shall be collected by the Government of the territory in which the principal farm buildings are situated.

If such persons refuse to allow the enumeration of their animals, or if their declarations appear to be fraudulent, the Governments of the two territories mutually agree :

- (1) To supply to the other all particulars necessary to determine the exact number of the animals ;
- (2) To recover the amount of the tax due under this head ;
- (3) To pay to the Government entitled the amount so collected.

Paragraph 3. — Questions of succession, sale or other transfers between living persons, or disputes concerning properties through which the frontier passes, shall be decided by the Government in whose territory, according to the new frontier line, the separate parcels of land are situated ; and in accordance with the laws and regulations in force under the Government or with the personal statute applicable to the case.

The cadastral registers of properties divided by the frontier shall be made out in duplicate, one copy being retained by the Palestine Government and the other by the Syrian or Lebanese Government, whichever is concerned.

The Civil Courts and Land Registries of the two territories are to determine, in case of successions, disputes, sales or other transfers between living persons, that the properties concerning which they are called upon to adjudicate, are situated within the boundaries of the territories over which they have jurisdiction.

Paragraph 4. — The two Governments undertake to assist each other mutually in collecting the taxes due from Syrian tax-payers in respect of properties situated in Palestine and *vice versa*.

Article V.

The Contracting Parties shall make special provision for close co-operation between the local authorities on each side of the frontier in all matters concerning public security. The procedure laid down in the Extradition Treaty between Palestine and Syria will be simplified as much as possible, and the right of pursuit of persons detected *in flagrante delicto* who take flight across the frontier, shall be regulated by mutual agreement between the police authorities.

Any such Agreement shall remain in force until it is denounced by one of the two Parties.

Article VI.

The marabout of Nabi Yusha and its lands remain Wakf property, and shall not in any event be expropriated by the Governments of Palestine or of Syria without the consent of the authority competent in respect of Wakf property in either territory.

If there is any other Wakf property in territory to be transferred, the same principle shall apply.

Article VII.

Pilgrims making the annual pilgrimage to this marabout at the end of Ramadan shall be exempt from formalities of a passport or *laissez-passer*.

On the occasion of this pilgrimage which lasts four days the Government of the Grand Lebanon shall, by agreement between the local authorities of the two Governments, be entitled to send to Nabi Yusha a Gendarmerie post to maintain order in co-operation with the Palestine Police.

Article VIII.

The Government of Syria and the Lebanon shall maintain the boundary cairns which bear uneven numbers ; and the Government of Palestine shall maintain the boundary cairns which bear even numbers.

Article IX.

Facilities shall be given to the inhabitants on each side of the frontier to pass from places in the sub-districts of Acre and Safad to the Kazas of Tyre, Merjayoun and Kuneitra and *vice versa*.

For this purpose, a system of permits or certificates of identity signed by the administrative authorities of the sub-districts or Kazas shall take the place of the present passport system. The form of these permits, and regulations for their use, shall be drawn up by mutual agreement between the passport authorities of the two Governments.

The natural products of the country or the products of any local industry of the sub-districts and Kazas below mentioned, when transported by the producers themselves or by persons in their service, shall, save where there is suspicion of fraud, be exempt from Customs formalities, and from payment of Customs dues on crossing the frontier, if they are imported or exported for family consumption into any place in the said sub-districts and Kazas, namely, Tyre, Merjayoun, Kuneitra, Acre and Safad.

The Kazas of Hasbaya, many of whose inhabitants possess produce in the ceded territories, is permitted to have the benefit of the provisions of this Article.

Article X.

The nationality of the inhabitants of territories which change their sovereignty shall be determined in accordance with the provisions of Article 30-36 of the Treaty of Lausanne¹.

Article XI.

Any disputes which may arise with regard to the application of the provisions of this Agreement and which cannot be settled directly by agreement between the authorities on the two sides of the frontier, shall be referred to a Commission which will decide on all matters at issue. The Commission shall be composed of one delegate from the State of the Grand Lebanon, one delegate from the State of Damascus, and two delegates from Palestine, and a President, who shall be named by mutual agreement between the French High Commissioner in Syria and the Lebanon and the High Commissioner of His Britannic Majesty for Palestine.

This Commission shall be convened as soon as possible after a request to that effect has been made by either of the two High Commissioners. Its decisions shall be in accordance with the votes of the majority, and the President shall have a casting vote.

Any dispute arising with regard to the interpretation of a clause of the present Agreement or to the execution of a decision of the Commission prescribed in this Article shall be settled by direct agreement between the British and French High Commissioners at Jerusalem and Beirut.

In default of such agreement, the matter at issue shall be referred to the International Court of Justice² at Geneva constituted by the League of Nations.

In virtue of which the undersigned have put their signatures to this Agreement.

Done at Jerusalem, the 2nd day of February, 1926.

*His Britannic Majesty's High Commissioner
for Palestine and Commander-in-Chief therein.*

(Signed) PLUMER, F. M.

*Le Haut Commissaire de la République
française en Syrie et au Liban.*

(Signed) Henry DE JOUVENEL.

¹ Vol. XXVIII, page 11, of this Series.

² Vol. VI, page 379; Vol. XI, page 404; Vol. XV, page 304; Vol. XXIV, page 152; Vol. XXVII, page 416; Vol. XXXIX, page 165, Vol. XLV, page 96, Vol. L, page 159, and Vol. LIV, page 387, of this Series.