

N° 4059.

**GRANDE-BRETAGNE
ET IRLANDE DU NORD
ET ÉGYPTE**

Echange de notes comportant un accord en vue de faciliter les relations commerciales entre l'Égypte et la Palestine. Ramleh et Le Caire, le 18 août 1936.

**GREAT BRITAIN
AND NORTHERN IRELAND
AND EGYPT**

Exchange of Notes constituting an Agreement to facilitate Commercial Relations between Egypt and Palestine. Ramleh and Cairo, August 18th, 1936.

No. 4059. — EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE EGYPTIAN GOVERNMENT CONSTITUTING AN AGREEMENT TO FACILITATE COMMERCIAL RELATIONS BETWEEN EGYPT AND PALESTINE. RAMLEH AND CAIRO, AUGUST 18TH, 1936.

N^o 4059. — ÉCHANGE DE NOTES ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS LE ROYAUME-UNI ET LE GOUVERNEMENT ÉGYPTIEN COMPORTANT UN ACCORD EN VUE DE FACILITER LES RELATIONS COMMERCIALES ENTRE L'ÉGYPTE ET LA PALESTINE. RAMLEH ET LE CAIRE, LE 18 AOUT 1936.

English and French official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Exchange of Notes took place February 11th, 1937.

Textes officiels anglais et français communiqués par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement de cet échange de notes a eu lieu le 11 février 1937.

¹ TRADUCTION. — TRANSLATION.

I.

THE RESIDENCY.

No. 176.
(334/33/36.)

RAMLEH, August 18th, 1936.

SIR,

In accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are willing, in order to facilitate further commercial relations between Egypt and Palestine, to conclude with the Egyptian Government an Agreement in the following terms :

(i) With a view to the development and improvement of trade relations to the

I.

LA RÉSIDENCE.

N^o 176.
(334/33/36.)

RAMLEH, le 18 août 1936.

MONSIEUR LE MINISTRE,

D'ordre du principal secrétaire d'Etat de Sa Majesté aux Affaires étrangères, j'ai l'honneur de porter à la connaissance de Votre Excellence que le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord est disposé, pour faciliter le développement des relations commerciales entre l'Égypte et la Palestine, à conclure avec le Gouvernement égyptien un accord ainsi conçu :

i) Afin de développer et d'améliorer les relations commerciales dans l'intérêt mutuel

¹ Translated by the Secretariat of the League of Nations, for information.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

mutual advantage of both countries, there shall be periodic meetings between representatives of the Egyptian Government and the Government of Palestine for the discussion of trade matters including railway rates and the adjustment of the Customs tariffs of one country on goods, the produce or manufacture of the other country.

(ii) If at any of the periodic meetings referred to in (i) above an agreement is reached as to the rates of Customs duties to be levied in one country on goods, the produce or manufacture of the other, the duties on such goods shall not, otherwise than in exceptional circumstances, be increased beyond the rates so agreed upon, until an opportunity of joint discussion of the matter between representatives of the two Governments has been given. If the duties are so increased without such discussion, on account of exceptional circumstances, the matter shall be discussed at the next periodic meeting held in accordance with paragraph (i) above.

(iii) (a) As from February 14th, 1936, the Egyptian Customs duty on imported soap manufactured in Palestine and made exclusively from unadulterated olive oil shall not exceed 500 milliemes per hundred kilograms gross, provided that the outer containers thereof bear a Government seal or mark indicating that the soap has been manufactured in factories which are under the supervision of the Health Laboratory of the Palestine Government. Marks on the soap itself or on the inner wrapper will not fulfil the requirement. This reduction shall only be put into force if it is found possible to determine by laboratory analysis whether the soap is made exclusively from olive oil. The Palestine Government will take all reasonable measures to ensure that only pure olive oil is used in the factories where the soap bearing the Government mark indicated above is manufactured.

(b) The railway tariff on household soap, the manufacture of Palestine, transported by the Egyptian State Railways

des deux pays, des réunions périodiques seront organisées entre des représentants du Gouvernement égyptien et du Gouvernement de la Palestine pour y discuter certaines questions commerciales visant notamment les tarifs de chemins de fer et l'ajustement des tarifs douaniers de l'un des deux pays qui s'appliquent aux marchandises produites ou fabriquées dans l'autre pays.

ii) Si, à l'une des réunions périodiques mentionnées ci-dessus sous i), il intervient un accord au sujet du taux des droits de douane qui seront perçus dans l'un des deux pays sur les marchandises produites ou fabriquées dans l'autre, les droits frappant lesdites marchandises ne seront pas, sauf en cas de circonstances exceptionnelles, portés au delà du taux ainsi fixé d'un commun accord avant que les représentants des deux gouvernements aient eu l'occasion de délibérer ensemble sur la question. Si les droits sont ainsi majorés par suite de circonstances exceptionnelles sans que cette discussion ait eu lieu, la question sera examinée à la réunion périodique suivante tenue conformément à l'alinéa i) ci-dessus.

iii) a) A partir du 14 février 1936, les droits de douane égyptiens sur le savon importé, fabriqué en Palestine uniquement avec de l'huile d'olive pure, ne seront pas supérieurs à 500 millièmes par 100 kilogrammes brut, à condition que les contenants extérieurs de cette marchandise portent un sceau ou une marque du gouvernement indiquant que le savon a été fabriqué dans des usines placées sous la surveillance du laboratoire d'hygiène du Gouvernement palestinien. Les marques apposées sur le savon même ou sur l'emballage intérieur ne seront pas suffisantes à cet effet. Cette réduction ne sera appliquée que s'il est reconnu possible de déterminer par une analyse effectuée en laboratoire si le savon est fabriqué uniquement avec de l'huile d'olive. Le Gouvernement palestinien prendra toutes les mesures nécessaires pour assurer qu'il n'est fait usage que d'huile d'olive pure dans les usines où est fabriqué le savon portant la marque du gouvernement ci-dessus indiquée.

b) Les tarifs de chemin de fer applicables au savon de ménage fabriqué en Palestine et transporté par les chemins de fer de

shall be at the same rate as that charged for the transport of household soap of Egyptian manufacture, excluding the special export tariff and flat rates.

(c) It shall be a punishable offence in Egypt to use any mark, or word, symbol, etc., on soap which will lead the consumer to believe wrongly that such soap is of Palestinian origin. This undertaking will come into effect on the day on which an Egyptian law for the protection of trade marks and prevention of trade frauds has, after being approved by the General Assembly of the Mixed Court of Appeal, been promulgated.

(iv) (a) The Palestinian Customs duty on melons and water melons imported into Palestine from Egypt during the months of May and June of each year shall not exceed L.P. 1 per ton.

(b) The Egyptian Customs duty on water melons imported into Egypt from Palestine during the months of July and August of each year shall not exceed L.E. 1 per ton.

(v) The Egyptian Customs duty on oranges, the produce of Palestine, imported between May 1st and September 30th shall not exceed L.E. 2 per ton.

(vi) The Egyptian Customs duty on imported grapefruit, the produce of Palestine, shall not exceed L.E. 1.500 m/ms per ton for a period of two years.

(vii) The Palestine Customs duty on sugar, the produce of Egypt, shall be reduced from the present rate of L.P. 10 per ton to a rate to be notified subsequently to the Egyptian Government, but not lower than L.P. 5 per ton.

(viii) The present restrictions on the entry into Palestine of mango fruits, the produce of Egypt, shall be removed, provided that these fruits are accompanied by suitable certificates from the competent authorities of the Egyptian Government, stating that the mangoes are free from living pests and diseases.

l'Etat égyptien seront les tarifs pratiqués pour le transport du savon de ménage de fabrication égyptienne, à l'exception du tarif spécial d'exportation et du tarif forfaitaire.

c) Le fait d'apposer une marque, un mot, un symbole, etc., sur le savon, qui seraient de nature à induire le consommateur en erreur en lui faisant croire que ce savon est d'origine palestinienne, sera considéré, en Egypte, comme un délit punissable. Cette disposition entrera en vigueur le jour où une loi égyptienne visant la protection des marques de fabrique et la répression de la fraude commerciale aura été promulguée après avoir été approuvée par l'Assemblée générale de la Cour d'appel mixte.

iv) a) Les droits de douane appliqués par la Palestine aux melons et aux pastèques importés d'Egypte en Palestine en mai et en juin de chaque année ne seront pas supérieurs à 1 L. P. par tonne.

b) Les droits de douane appliqués par l'Egypte aux pastèques importées de Palestine en Egypte en juillet et en août de chaque année ne seront pas supérieurs à 1 L. E. par tonne.

v) Les droits de douane égyptiens sur les oranges produites en Palestine et importées du 1^{er} mai au 30 septembre ne seront pas supérieurs à 2 L. E. par tonne.

vi) Les droits de douane égyptiens sur les pamplemousses d'origine palestinienne importées ne seront pas supérieurs à 1 L. E. 500 millièmes par tonne pour une période de deux ans.

vii) Les droits de douane palestiniens sur le sucre produit en Egypte seront ramenés du taux actuel de 10 L. P. par tonne à un taux qui sera ultérieurement notifié au Gouvernement égyptien, mais qui ne sera pas inférieur à 5 L. P. par tonne.

viii) Les restrictions actuelles à l'importation en Palestine des mangues produites en Egypte seront rapportées, à condition que ces fruits soient accompagnés de certificats appropriés émanant des autorités compétentes du Gouvernement égyptien et attestant que les mangues sont exemptes de parasites vivants et d'épiphyties.

(ix) The railway tariff on Egyptian tibbon (chopped straw) transported by the Palestine Railways shall be reduced by one class, namely, from 813 m/ms per ton to 530 m/ms per ton on the basis of the journey between Kantara and Lydda.

(x) The Egyptian Government will send to His Majesty's High Commissioner, for communication to the Palestine Government, a detailed list of vegetables grown in Egypt which it is desired to export to Palestine in seasons when the supply of such vegetables is short, with a view to enabling the Palestine Government to consider a reduction of the Palestine Customs tariffs on such vegetables so as to facilitate their import into Palestine.

(xi) (a) In regard to Customs duties levied in one country on goods, the produce or manufacture of the other, the general policy of the Egyptian and Palestine Governments shall be to reduce the tariffs with the object of increasing the flow of such goods to the mutual advantage of both countries, to the lowest extent possible, bearing in mind the fact that the reduced duties will also have to be accorded to similar goods, the produce or manufacture of other countries.

(b) The Governments of Egypt and Palestine will each respectively cause an investigation to be made to ascertain the goods to which it is possible to apply the policy referred to in paragraph (a) above, and, to assist them in this enquiry, will appoint local representative committees. For the purpose of this investigation the Egyptian Government will make available the services of an official of the Ministry of Commerce and Industry in Egypt, and the Palestine Government will make available the services of an official of the Department of Customs, Excise and Trade in Palestine.

2. If the Egyptian Government are likewise prepared to conclude the Agreement in the terms set forth above, I have the honour to suggest that the present note and Your Excellency's reply to that effect be regarded as constituting a formal Agreement with effect from this day between His Majesty's Government in

ix) Le tarif de chemin de fer appliqué au tibun égyptien (paille hachée) transporté par les chemins de fer palestiniens sera ramené à l'échelon inférieur, à savoir de 813 millièmes par tonne à 530 millièmes par tonne sur la base du parcours de Kantara à Lydda.

x) Le Gouvernement égyptien adressera au haut commissaire de Sa Majesté, pour que celui-ci la communique au Gouvernement palestinien, une liste détaillée des légumes cultivés en Egypte qu'il désire exporter en Palestine dans les saisons où il y a pénurie de ces légumes sur le marché, afin de permettre au Gouvernement palestinien d'envisager une réduction des droits de douane palestiniens qui grèvent ces légumes et de faciliter ainsi leur importation en Palestine.

xi) a) En ce qui concerne les droits de douane perçus dans l'un des pays sur les marchandises produites ou fabriquées dans l'autre, le Gouvernement égyptien et le Gouvernement palestinien s'efforceront en général de prendre toutes mesures utiles afin de réduire autant que possible les tarifs, de manière à augmenter l'échange de ces marchandises dans l'intérêt mutuel des deux pays, et en tenant compte du fait que ces réductions de droits devront être également accordées aux marchandises analogues, produites ou fabriquées dans d'autres pays.

b) Les Gouvernements de l'Egypte et de la Palestine ordonneront l'un et l'autre l'ouverture d'une enquête en vue de déterminer les marchandises auxquelles il est possible d'appliquer les mesures visées au paragraphe a) ci-dessus, et, pour les aider dans cette étude, ils nommeront des comités locaux représentatifs. Aux fins de cette enquête, le Gouvernement égyptien désignera un fonctionnaire du Ministère du commerce et de l'industrie en Egypte et le Gouvernement palestinien désignera un fonctionnaire du Service des douanes, de l'accise et du commerce en Palestine.

2. Si le Gouvernement égyptien est également disposé à conclure l'accord conçu dans les termes ci-dessus, j'ai l'honneur de proposer que la présente note et la réponse de Votre Excellence à cet effet soient considérées comme constituant, sur cette question, un accord officiel entre le Gouvernement de Sa Majesté dans le

the United Kingdom and the Egyptian Government in this matter, which shall remain in force for one year from the date of this note and thereafter until the expiry of three months from the date on which either Government shall have given notice in writing to the other of their intention to terminate the Agreement.

I avail myself of this opportunity to renew to Your Excellency the assurance of my high consideration.

Arthur YENCKEN,
Acting High Commissioner.

His Excellency
Aly Zaki el Oraby Pasha,
Minister for Foreign Affairs *p. i.*,
etc., etc., etc.

Royaume-Uni et le Gouvernement égyptien, qui prendra effet à partir de ce jour, et qui restera en vigueur pendant un an à compter de la date de la présente note et, par la suite, jusqu'à l'expiration d'une période de trois mois à partir de la date à laquelle l'un des deux gouvernements aura notifié à l'autre par écrit son intention d'y mettre fin.

Je saisis cette occasion, etc.

Le Haut Commissaire par intérim.
Arthur YENCKEN.

Son Excellence
Aly Zaki el Oraby Pacha,
Ministre des Affaires étrangères *p. i.*,
etc., etc., etc.

II.

MINISTÈRE
DES AFFAIRES ÉTRANGÈRES.

N° 1.31/3 (184).

MONSIEUR LE HAUT COMMISSAIRE,

LE CAIRE, le 18 août 1936.

J'ai l'honneur d'accuser réception de la lettre de Votre Excellence N° 176 (334/33/36) du 18 août 1936 ainsi conçue :

“ In accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland are willing, in order to facilitate further commercial relations between Egypt and Palestine, to conclude with the Egyptian Government an Agreement in the following terms :

“ (i) With a view to the development and improvement of trade relations to the mutual advantage of both countries, there shall be periodic meetings between representatives of the Egyptian Government and the Government of Palestine for the discussion of trade matters including railway rates and the adjustment of the Customs tariffs of one country on goods, the produce or manufacture of the other country.

“ (ii) If at any of the periodic meetings referred to in (i) above an agreement is reached as to the rates of Customs duties to be levied in one country on goods, the produce or manufacture of the other, the duties on such goods shall not, otherwise than in exceptional circumstances, be increased beyond the rates so agreed upon, until an opportunity of joint discussion of the matter between representatives of the two Governments has been given. If the duties are so increased without such discussion, on account of exceptional circumstances, the matter shall be discussed at the next periodic meeting held in accordance with paragraph (i) above.

“ (iii) (a) As from February 14th, 1936, the Egyptian Customs duty on imported soap manufactured in Palestine and made exclusively from unadulterated olive oil shall not exceed 500 milliemes per hundred kilograms gross, provided that the

outer containers thereof bear a Government seal or mark indicating that the soap has been manufactured in factories which are under the supervision of the Health Laboratory of the Palestine Government. Marks on the soap itself or on the inner wrapper will not fulfil the requirement. This reduction shall only be put into force if it is found possible to determine by laboratory analysis whether the soap is made exclusively from olive oil. The Palestine Government will take all reasonable measures to ensure that only pure olive oil is used in the factories where the soap bearing the Government mark indicated above is manufactured.

“(b) The railway tariff on household soap, the manufacture of Palestine, transported by the Egyptian State Railways shall be at the same rate as that charged for the transport of household soap of Egyptian manufacture, excluding the special export tariff and flat rates.

“(c) It shall be a punishable offence in Egypt to use any mark, or word, symbol, etc., on soap which will lead the consumer to believe wrongly that such soap is of Palestinian origin. This undertaking will come into effect on the day on which an Egyptian law for the protection of trade marks and prevention of trade frauds has, after being approved by the General Assembly of the Mixed Court of Appeal, been promulgated.

“(iv) (a) The Palestinian Customs duty on melons and water melons imported into Palestine from Egypt during the months of May and June of each year shall not exceed L.P. 1 per ton.

“(b) The Egyptian Customs duty on water melons imported into Egypt from Palestine during the months of July and August of each year shall not exceed L.E. 1 per ton.

“(v) The Egyptian Customs duty on oranges, the produce of Palestine, imported between May 1st and September 30th shall not exceed L.E. 2 per ton.

“(vi) The Egyptian Customs duty on imported grapefruit, the produce of Palestine, shall not exceed L.E. 1.500 m/ms per ton for a period of two years.

“(vii) The Palestine Customs duty on sugar, the produce of Egypt, shall be reduced from the present rate of L. P. 10 per ton to a rate to be notified subsequently to the Egyptian Government, but not lower than L.P. 5 per ton.

“(viii) The present restrictions on the entry into Palestine of mango fruits, the produce of Egypt, shall be removed, provided that these fruits are accompanied by suitable certificates from the competent authorities of the Egyptian Government, stating that the mangoes are free from living pests and diseases.

“(ix) The railway tariff on Egyptian tibbon (chopped straw) transported by the Palestine Railways shall be reduced by one class, namely, from 815 m/ms per ton to 530 m/ms per ton on the basis of the journey between Kantara and Lydda.

“(x) The Egyptian Government will send to His Majesty's High Commissioner, for communication to the Palestine Government, a detailed list of vegetables grown in Egypt which it is desired to export to Palestine in seasons when the supply of such vegetables is short, with a view to enabling the Palestine Government to consider a reduction of the Palestine Customs tariffs on such vegetables so as to facilitate their import into Palestine.

“(xi) (a) In regard to Customs duties levied in one country on goods, the produce or manufacture of the other, the general policy of the Egyptian and Palestine Governments shall be to reduce the tariffs, with the object of increasing the flow of such goods to the mutual advantage of both countries, to the lowest extent possible, bearing in mind the fact that the reduced duties will also have to be accorded to similar goods, the produce or manufacture of other countries.

“(b) The Governments of Egypt and Palestine will each respectively cause an investigation to be made to ascertain the goods to which it is possible to apply

the policy referred to in paragraph (a) above, and, to assist them in this enquiry, will appoint local representative committees. For the purpose of this investigation, the Egyptian Government will make available the services of an official of the Ministry of Commerce and Industry in Egypt, and the Palestine Government will make available the services of an official of the Department of Customs, Excise and Trade in Palestine.

“ 2. If the Egyptian Government are likewise prepared to conclude the Agreement in the terms set forth above, I have the honour to suggest that the present note and Your Excellency's reply to that effect be regarded as constituting a formal Agreement with effect from this day between His Majesty's Government in the United Kingdom and the Egyptian Government in this matter, which shall remain in force for one year from the date of this note and thereafter until the expiry of three months from the date on which either Government shall have given notice in writing to the other of their intention to terminate the Agreement. ”

En réponse, je m'empresse de confirmer à Votre Excellence l'accord de mon gouvernement sur les bases ci-dessus et je saisis l'occasion pour vous renouveler, Monsieur le Haut Commissaire, les assurances de ma très haute considération.

Le Ministre des Affaires étrangères p. i.,

A. Z. ORABY.

Monsieur A. F. Yencken, M.C.,
Haut Commissaire p. i. de Sa Majesté britannique.

¹ TRADUCTION. — TRANSLATION.

MINISTRY
OF FOREIGN AFFAIRS

No. I.31/3 (184).

CAIRO, August 18th, 1936.

Mr. HIGH COMMISSIONER,

I have the honour to acknowledge Your Excellency's letter of August 18th, 1936, No. 176 (334/33/36), in which you are good enough to state as follows :

(Here follows the text of Note No. I.)

I hasten, in reply, to send Your Excellency confirmation of my Government's agreement on the bases set out above, and avail myself of this opportunity, etc.

A. Z. ORABY,

Minister for Foreign Affairs p. i.

Monsieur A. F. Yencken, M.C.,
Acting High Commissioner
of His Britannic Majesty.

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.