

N° 565.

**GRANDE-BRETAGNE
ET FRANCE**

Echange de notes comportant un accord concernant le tracé de la frontière syro-palestinienne entre la Méditerranée et El Hammé. Paris, le 7 mars 1923.

**GREAT BRITAIN
AND FRANCE**

Exchange of Notes constituting an Agreement respecting the boundary line between Syria and Palestine from the Mediterranean to El Hammé. Paris, March 7, 1923.

No. 565. — EXCHANGE OF NOTES¹ CONSTITUTING AN AGREEMENT BETWEEN THE BRITISH AND FRENCH GOVERNMENTS RESPECTING THE BOUNDARY LINE BETWEEN SYRIA AND PALESTINE FROM THE MEDITERRANEAN TO EL HAMMÉ. PARIS MARCH 7, 1923.

Textes officiels anglais et français communiqués par le Ministère des Affaires étrangères de Sa Majesté britannique. L'enregistrement de cet échange de notes a eu lieu le 6 février 1924.

No. 1.

HIS BRITANNIC MAJESTY'S AMBASSADOR TO HIS EXCELLENCY
THE PRESIDENT OF THE COUNCIL, MINISTER FOR FOREIGN AFFAIRS².

*L'Ambassadeur de Sa Majesté Britannique à Paris à Son Excellence le Président du Conseil,
Ministre des Affaires étrangères.*

The members of the Boundary Commission designated, in accordance with the terms of article 2 of the Convention³ of the 23rd December 1920 for the purpose of fixing the line of the Syro-Palestinian frontier between the sea and El Hammé, concluded their labours and drew up a final report at Beyrouth on the 3rd February 1922. Three maps, on a scale of 1 : 50,000, on which the line proposed by the Commission has been traced, are annexed to this report.

His Britannic Majesty's Ambassador, in addressing to his Excellency the President of the Council, Minister for Foreign Affairs, a copy of the report and of the maps annexed thereto, signed by Lieutenant-Colonel Newcombe, the British delegate, whose signature equally binds the State under mandate, has the honour to inform him that His Britannic Majesty's Government agree to ratify the proposals of the commission, and consider the present note as being equivalent to ratification.

The necessary instructions will be sent to His Britannic Majesty's High Commissioner for Palestine, in order that the present agreement may take effect from the 10th March next.

A copy of the report of the commission, dated the 3rd February, 1922, signed by Lieutenant-Colonel Newcombe, together with a copy of the present exchange of notes, will be communicated by His Britannic Majesty's Government to the League of Nations.

British Embassy,
Paris, March 7, 1923.

¹ Les deux notes étant conçues dans des termes analogues, il a semblé inutile au Secrétariat de les faire traduire.

² Les deux notes sont considérées comme valant ratification de l'accord qu'elles comportent.

³ Voir page 353 de ce volume.

No. 565. — ÉCHANGE DE NOTES ¹ COMPORTANT UN ACCORD ENTRE LES GOUVERNEMENTS BRITANNIQUE ET FRANÇAIS CONCERNANT LE TRACÉ DE LA FRONTIÈRE SYRO-PALESTINIENNE ENTRE LA MÉDITERRANÉE ET EL HAMMÉ. PARIS, LE 7 MARS 1923.

English and French official texts communicated by His Britannic Majesty's Foreign Office. The registration of this exchange of notes took place February 6, 1924.

No. 2.

Le Ministre des Affaires étrangères de France à Son Excellence l'Ambassadeur Britannique à Paris ².

FRENCH MINISTRY FOR FOREIGN AFFAIRS
TO HIS EXCELLENCY THE BRITISH AMBASSADOR AT PARIS.

Les membres de la Commission de délimitation désignés conformément aux stipulations de l'article 2 de la Convention ³ du 23 décembre 1920, pour fixer le tracé de la frontière syro-palestinienne, entre la mer et El Hammé, ont terminé leurs travaux et rédigé un rapport de clôture à Beyrouth le 3 février 1922. A ce rapport sont annexées trois cartes au 1 : 50,000^e, sur lesquelles a été reporté le tracé proposé par la Commission.

Le Ministère des Affaires étrangères, en adressant à Son Excellence l'Ambassadeur d'Angleterre à Paris un exemplaire du rapport et des cartes annexées signé par le lieutenant-colonel Paulet, délégué français, dont la signature engage également l'Etat sous mandat, a l'honneur de lui faire savoir que le Gouvernement de la République accepte de ratifier les propositions de la Commission et considère la présente note comme valant ratification.

Les instructions nécessaires seront adressées au Haut Commissaire de la République en Syrie pour que le présent Accord produise effet à dater du 10 mars prochain.

Un exemplaire du rapport de la Commission daté du 3 février 1922 signé par le lieutenant-colonel Paulet, ainsi qu'une copie du présent échange de notes, seront remis par le Gouvernement français à la Société des Nations.

Ministère des Affaires étrangères,
Paris, le 7 mars 1923.

¹ The two notes being drafted in analogous terms, it has seemed unnecessary to the Secretariat to translate them.

² The two notes are considered as being equivalent to ratification of the agreement which they entail.

³ See page 353 of this volume.

ENCLOSURE IN No. 1.

THE FINAL REPORT ON THE DEMARCATION OF THE FRONTIER BETWEEN THE GREAT LEBANON AND SYRIA ON THE ONE SIDE, AND PALESTINE ON THE OTHER SIDE, FROM THE MEDITERRANEAN SEA TO EL HAMMÉ (IN THE LOWER VALLEY OF THE YARMUK) IN PURSUANCE OF ARTICLES 1 AND 2 OF THE CONVENTION OF PARIS OF DECEMBER 23, 1920.

It is agreed between the undersigned, being the commission duly constituted in accordance with article 2 of the said convention, that the boundary between the Mediterranean and El Hammé shall be as follows :

The frontier leaves the Mediterranean Sea at the point called Ras-el-Nakurah, and follows the crest of the spur to cairn 1, situated 50 metres north of the Palestinian police post of Ras-el-Nakurah.

Thence the frontier follows the same crest to cairn 2 at Khirbet Danian.

Thence it follows the same crest to cairn 3, which is an old point of triangulation 400 metres south-west of Labuna village.

Thence it follows the same crest to cairn 4, 1 kilom. east-south-east of the village of Labuna.

Thence, running southwards, it follows the thalweg of an unnamed wadi to its confluence with the Wadi Kutayeh ; runs up the thalweg of Wadi Kutayeh east-north-east for 2 kilom. ; thence runs up the thalweg of a small tributary on the left of the Wadi Kutayeh, coming from the east up to cairn 5, which is situated at the south-east limit of the cultivated lands of this valley. Thence it follows a straight line to cairn 6, which is situated on the crest between the Wadis Kutayeh and El Dalem. From cairn 6 it follows a straight line of 700 metres in a south-south-east direction to cairn 7, which is situated at the confluence of Wadi Dalem with a small thalweg running from the north ; it continues up the Wadi Dalem 1,300 metres in an east-north-east direction, then 400 metres in a northerly direction, then 600 metres in a west-north-west direction and 1 kilom. again in a north-north-east direction up to cairn 8, situated on the road from Alma-el-Shaub to Yurdeth, and 2,500 metres east of the village of Alma-el-Shaub.

Thence it follows the road passing a few metres to the north of Yurdeth, and thence a few metres to the south of Birket-el-Rishe to cairn 9, situated 700 metres south-east of Khirbet Balat at the junction of the road from Ramia to Terbikha with the road from Ramia to Alma-el-Shaub.

Thence it follows a straight line to cairn 10, situated at 600 metres south-south-east of cairn 9, thence along the crest between Wadi Terbikha to the south and the basin of Ramia to the north to cairn 11, situated 1 kilom. south-east of the village of Ramia.

Thence it follows a straight line to cairn 12, situated on the peak 700 metres west of the village of Aita-el-Shaub.

Thence it follows the crest in a generally southern direction to cairn 13 on Tel Rahib.

Thence running in a straight line to the confluence of Wadi-el-Waul with an unnamed wadi at 300 metres to the north-east of Tel Abu Babein, it follows this unnamed wadi which passes east of Mansurah and west of Samuklieh as far as cairn 14, situated at 600 metres west of Ain Katamun.

Thence it runs in a straight line in an easterly direction to cairn 15, situated in the valley of Wadi Bediyeh.

Thence it runs in a straight line to cairn 16, situated at the confluence of Wadi Bediyeh with Wadi Khelal.

Thence it follows a straight line to cairn 17, situated on the west peak of Jebel Haramun.

Thence it follows a straight line to cairn 18, situated on the east peak of Jebel Haramun.

Thence it follows a straight line to cairn 19, situated on a hill 2,100 metres south-east of the village of Yarun.

Thence it follows a straight line to cairn 20, situated on a spur 2 kilom. east of the village of Yarun.

Thence it follows a straight line to cairn 21, situated on the top of Jebel-el-Asy.

Thence it follows a straight line to cairn 22, situated on the bank of a wadi, and 600 metres to the north of Khirbet Auba and about 1 kilom. to the south of the Birket.

Thence it follows a straight line to cairn 23, situated on the top of Jebel Ghabieh and at 600 metres to the south of Deir-el-Ghabieh.

Thence it follows a straight line to cairn 24, situated on the spur east of Jebel Ghabieh.

Thence it follows a straight line to cairn 25, situated in the valley, on the east bank of a thalweg 600 metres north-west of the village of El Malkiyeh.

Thence it follows the thalweg in a generally northern direction to cairn 26, situated where the thalweg is cut by the path from Kades to Aitherun.

Thence it follows a straight line to cairn 27, situated 700 metres west-north-west of the village of Kades, near the large tree of Khirbet Menafir.

Thence it follows a straight line to cairn 28, situated at the crossing of the path from Kades to Meis with the Wadi Atabeh.

Thence it follows the thalweg of Wadi Atabeh to cairn 29, situated at the confluence of Wadi Atabeh with the Khallet Ghuzeleh.

Thence it follows a straight line to cairn 30, situated on the crest east of Merj Tufeh.

Thence it follows a straight line to cairn 31, situated on a small spur 800 metres to the east of the eastern village of Meis.

Thence it follows a straight line to cairn 32, situated at 300 metres to the north-west of Khirbet-el-Menarah, at the junction of the paths from Meis to Hunin and from Khirbet-el-Menarah to El Hoha.

Thence it follows the crest in a generally north-north-western direction to cairn 33, which is the old triangulation point called Sheikh Abbad.

Thence it follows a straight line to cairn 34, situated in the valley of Hunin, and 1 kilom. north-north-west of the village of Hunin.

Thence it follows a straight line to cairn 35, situated on the watershed between the Litani and the Huleh and 1,300 metres north of Hunin village.

Thence it follows a straight line to cairn 36, situated on the summit of Jebel-el-Meruj.

Thence it follows a straight line to cairn 37, situated on the col of Odeissa 300 metres to the east of the last houses of the village and south of the path Odeissa to Metallah.

Thence it follows the path from the col of Odeissa, and passing 1,400 metres to north-west and to north of Jebel Ariak, turns to the south-east at the junction of the paths leading to Jedeida of Merj Ayoun, Khiam and Kaleia ; thence it passes over the bridge 200 metres north-east of the village of Metallah, then it follows the path from Metallah to Baniyas in a generally southerly direction to cairn 38, situated on a hill 900 metres north-north-east of the village Abl.

Thence it follows a line parallel to and 100 metres to the south of the path from Metallah to Baniyas, passing by the old Roman bridge over the River Hesbani, as far as Tel-el-Kadi, which remains in Palestine.

Thence it follows the path from Metallah to Baniyas to cairn 39, situated to the south of the path and at its junction with an irrigation canal 1,000 metres west of the village of Baniyas. The whole of the path from the col of Odeissa to Baniyas is entirely in Syrian territory.

Thence it follows the irrigation canal to cairn 40, situated to the south of and near Tel Alla.

Thence it follows a straight line to cairn 41, situated on the left bank of Nahr Banias and about 900 metres to the south-west of Banias.

Thence it follows the top of the left bank of Nahr Banias to cairn 42, situated 700 metres to north-north-east of Tel-Aziziat on the path along the left bank of the Nahr Banias.

Thence it follows a straight line to cairn 43, situated on the top of Tel-Aziziat.

Thence it follows a straight line to cairn 44, situated at the junction of the path from Muddahad to Banias with the thalweg from Ain Fit to Seid Huda-ibn-Yakub.

From this point where the contour 180 metres passes (this contour must remain entirely in Palestine to permit of the construction of a canal), the frontier follows a succession of straight lines from cairn to cairn with cairns erected as follows :

Cairn 45, at 1,400 metres east of Tel-el-Sakhni, on the crest to the north of the thalweg of Wadi-el-Zatir.

Cairn 46, immediately west of the isolated house called El Bergiat.

Cairn 47, at the change of slope 1,800 metres east of Ain Sheikh Mahmud, and to the north of the thalweg of Wadi Hamarlulu.

Cairn 48, at the tree called Khurbet Dheiatein.

Cairn 49, immediately to the west of the mill Seiada.

Cairn 50, 600 metres east of the tree which is close to the mouth of Wadi Fajir.

Cairn 51, immediately west of the mill Jalubina.

Cairn 52, immediately west of the house which stands 1,200 metres to the north of the bridge Benat Yakub.

Cairn 53, 20 metres to west of the Syrian gendarmerie post at Benat Yakub.

Cairn 54, 350 metres to the east of the ruined mill which is 900 metres to the south of the bridge Benat Yakub.

Cairn 55, 20 metres to west of the place called El Min.

Cairn 56, to the east of and above the falls of Wadi Sheikh.

Cairn 57, 400 metres to the north-east of the place called El Rafit.

Cairn 58, 20 metres to the west of the place called El Rafit.

Cairn 59, 2,300 metres south of the place called El Rafit, and about 400 metres to the east of the Jordan on a small peak.

Cairn 60, at 20 metres to west of Kalaat-el-Kassab.

After cairn 60 the frontier follows a line parallel to and 50 metres east of the eastern branch of the Jordan to the mouth of that branch in Lake Tiberias. From the mouth of the Jordan to the sulphur springs at Messifer, where is placed cairn 61, the frontier follows a line on the shore parallel to and at 10 metres from the edge of Lake Tiberias, following any alteration of level consequent on the raising of its waters owing to the construction of a dam on the Jordan south of Lake Tiberias.

From cairn 61 it follows a straight line to cairn 62, situated 1,200 metres to the east of cairn 61 on a spur.

Thence it follows a straight line to cairn 63, situated on the top of Jebel Kurein Jerada to the south-west of Bir Shekum.

Thence it follows a straight line to cairn 64, situated to the east of the ruins on the top of the peak Kalaat-el-Husn to the west of Fik.

Thence it follows a straight line to cairn 65, situated on the top of Tel Khallis.

Thence it follows a straight line to cairn 66, situated at 200 metres below and west of the spring of Ain Rajil to the west of the village of Kefr Harib.

Thence the frontier follows a line marked by the white cliffs on the western slopes of the plateau of the Jaulan to cairn 67, situated at 250 metres to the south-east of Ain Shereira.

Thence it follows a straight line to cairn 68, situated at 750 metres to the south-west of Ain Shereira.

Thence it follows a straight line to cairn 69, situated immediately to the east of Khirbet Tawafik.

Thence it follows a straight line to cairn 70, situated on the col 500 metres to the north-north-west of kilometre 91,750 on the Deraa-Haifa Railway.

Thence it follows a straight line to cairn 71, situated 50 metres to the north of kilometre 91,750 on the railway.

Thence the frontier follows a line 50 metres to the north of and parallel to the railway, as far as the path from Semakh to El Hammé. It follows this path up to the point where the path crosses the cliffs 100 metres north-west of the station of El Hammé. Thence it follows the upper edge of the cliffs north of the railway to the bridge which stands 500 metres to the east of El Hammé Station.

The Government of Palestine or persons authorised by the said Government shall have the right to build a dam to raise the level of the waters of Lakes Huleh and Tiberias above their normal level, on condition that they pay fair compensation to the owners and occupiers of the lands which will thus be flooded.

Any dispute arising between the said Government and the persons so authorised on the one hand, and the owners and occupiers of the land on the other hand, shall be finally settled by a commission consisting of four members, each of the two mandatory Powers nominating two of the members of such commission.

Any existing rights over the use of the waters of the Jordan by the inhabitants of Syria shall be maintained unimpaired.

It is understood that the readjustment of the frontier of Syria northwards between Semakh and El Hammé leaves to Syria the railway as far as Semakh, where the railway station shall be for the joint use of the two countries, subject to such conditions as may be prescribed by the commission provided for in article 5 of the convention of the 23rd December 1920.

The Government of Syria shall have the right to erect a new pier at Semakh on Lake Tiberias or to have joint use of the existing pier, subject to such conditions as may be prescribed by the above-mentioned commission.

The extraterritoriality of the said section of the railway (up to but not including Semakh Station), which by reason of the said readjustment is now in Palestine, and the rights of the Syrian Government and of its technical agents to full and free access for all railway purposes, including the policing of that section, are recognised.

Persons or goods passing between the existing landing-stage or any future landing-stages on the Lake of Tiberias and Semakh Station shall not by reason of the mere fact that they must cross the territory of Palestine be deemed persons or goods entering Palestine for the purpose of Customs or other regulations, and the right of the Syrian Government and their agents to access to the said landing-stages is recognised.

The inhabitants of Syria and of the Lebanon shall have the same fishing and navigation rights on Lakes Huleh and Tiberias and on the River Jordan between the said lakes as the inhabitants of Palestine, but the Government of Palestine shall be responsible for the policing of the lakes.

It is hereby agreed that the above is the final report of the commission in respect of the frontier from the Mediterranean to El Hammé only, and that the British Government shall be free to reopen the question of readjusting the frontier between Banias and Metallah on such terms as may be agreed between the two mandatory Powers with a view of making the north road between these two villages the final frontier.

It is agreed that the frontier, as delimited on the ground by the commission, is shown in red on the attached maps, which are signed by the members of the commission.

Signed on behalf of His Britannic Majesty's Government :

February 3, 1922.

S. F. NEWCOMBE,
Lieutenant-Colonel, R.E.