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TREATY SERIES No. 54 (1925)

CONVENTION

BETWEEN THE

UNITED KINGDOM AND THE
UNITED STATES OF AMERICA

RESPECTING THE

Rights of the Governments of the two Countries
and their respective Nationals in Palestine

Signed at London, December 3, 1924

[Ratifications exchanged at London, December 3, 1925]

PRESENTED BY THE SECRETARY OF STATE FOR FOREIGN
AFFAIRS TO PARLIAMENT BY COMMAND OF HIS MAJESTY

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Convention between the United Kingdom and the United States of America respecting the Rights of the Governments of the two Countries and their respective Nationals in Palestine.

Signed at London, December 3, 1924.

[Ratifications exchanged at London, December 3, 1925.]

WHEREAS by the Treaty of Peace concluded with the Allied Powers, Turkey renounces all her rights and titles over Palestine; and

Whereas article 22 of the Covenant of the League of Nations in the Treaty of Versailles provides that in the case of certain territories which, as a consequence of the late war, ceased to be under the sovereignty of the States which formerly governed them, mandates should be issued, and that the terms of the mandate should be explicitly defined in each case by the Council of the League; and

Whereas the Principal Allied Powers have agreed to entrust the mandate for Palestine to His Britannic Majesty; and

Whereas the terms of the said mandate have been defined by the Council of the League of Nations, as follows:—

“ The Council of the League of Nations :

“ Whereas the Principal Allied Powers have agreed, for the purpose of giving effect to the provisions of article 22 of the Covenant of the League of Nations, to entrust to a Mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them; and

“ Whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on the 2nd November, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and

“ Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country; and

“ Whereas the Principal Allied Powers have selected His Britannic Majesty as the Mandatory for Palestine; and

“ Whereas the mandate in respect of Palestine has been formulated in the following terms and submitted to the Council of the League for approval; and

“ Whereas His Britannic Majesty has accepted the mandate in respect of Palestine and undertaken to exercise it on behalf of the League of Nations in conformity with the following provisions; and

"Whereas by the aforementioned article 22 (paragraph 8), it is provided that the degree of authority, control or administration to be exercised by the Mandatory, not having been previously agreed upon by the members of the League, shall be explicitly defined by the Council of the League of Nations;

"Confirming the said mandate, defines its terms as follows :—

"ARTICLE 1.

"The Mandatory shall have full powers of legislation and of administration, save as they may be limited by the terms of this mandate.

"ARTICLE 2.

"The Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

"ARTICLE 3.

"The Mandatory shall, so far as circumstances permit, encourage local autonomy.

"ARTICLE 4.

"An appropriate Jewish agency shall be recognised as a public body for the purpose of advising and co-operating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country.

"The Zionist organisation, so long as its organisation and constitution are in the opinion of the Mandatory appropriate, shall be recognised as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the co-operation of all Jews who are willing to assist in the establishment of the Jewish national home.

"ARTICLE 5.

"The Mandatory shall be responsible for seeing that no Palestine territory shall be ceded or leased to, or in any way placed under the control of, the Government of any foreign Power.

"ARTICLE 6.

"The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish

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His Britannic Majesty and the President of the United States of America have decided to conclude a convention to this effect, and have named as their plenipotentiaries :—

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India :

The Right Honourable Joseph Austen Chamberlain, M.P.,
His Majesty's Principal Secretary of State for Foreign Affairs :

The President of the United States of America :

His Excellency the Honourable Frank B. Kellogg,
Ambassador Extraordinary and Plenipotentiary of the United States at London :

who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows :—

ARTICLE 1.

Subject to the provisions of the present convention the United States consents to the administration of Palestine by His Britannic Majesty, pursuant to the mandate recited above.

ARTICLE 2.

The United States and its nationals shall have and enjoy all the rights and benefits secured under the terms of the mandate to members of the League of Nations and their nationals, notwithstanding the fact that the United States is not a member of the League of Nations.

ARTICLE 3.

Vested American property rights in the mandated territory shall be respected and in no way impaired.

ARTICLE 4.

A duplicate of the annual report to be made by the Mandatory under article 24 of the mandate shall be furnished to the United States.

ARTICLE 5.

Subject to the provisions of any local laws for the maintenance of public order and public morals, the nationals of the United States will be permitted freely to establish and maintain educational, philanthropic and religious institutions in the mandated territory, to receive voluntary applicants and to teach in the English language.

ARTICLE 6.

The extradition treaties and conventions which are, or may be, in force between the United States and Great Britain, and the pro-

visions of any treaties which are, or may be, in force between the two countries which relate to extradition or consular rights shall apply to the mandated territory.

ARTICLE 7.

Nothing contained in the present convention shall be affected by any modification which may be made in the terms of the mandate, as recited above, unless such modification shall have been assented to by the United States.

ARTICLE 8.

The present convention shall be ratified in accordance with the respective constitutional methods of the High Contracting Parties. The ratifications shall be exchanged in London as soon as practicable. The present convention shall take effect on the date of the exchange of ratifications.

In witness whereof, the undersigned have signed the present convention, and have thereunto affixed their seals.

Done in duplicate at London, this 3rd day of December, 1924.

(L.S.) AUSTEN CHAMBERLAIN.

(L.S.) FRANK B. KELLOGG.