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TREATY SERIES No. 26 (1926)

AGREEMENT

BETWEEN THE

United Kingdom and the Netherlands

REGARDING THE

Sanitary Control over Mecca Pilgrims
at Kamaran Island

Signed at Paris, June 19, 1926

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

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1926

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Cmd. 2741

**Agreement between the United Kingdom and the
Netherlands regarding the Sanitary Control over
Mecca Pilgrims at Kamaran Island.**

Signed at Paris, June 19, 1926.

THE Governments of Great Britain and Northern Ireland and of India of the one part and the Government of the Netherlands for the Netherlands and for the Netherlands East Indies of the other part recognising that the treatment of pilgrims travelling to the Hejaz from the South at Kamaran Quarantine Station is their common concern, and being desirous to establish by agreement provisions for its efficacious administration,

Have agreed upon the following provisions:—

Measures to be applied on Pilgrim Ships and at the Quarantine Station.

1. The British and Indian Governments of the one part and the Netherlands Government for the Netherlands and for the Netherlands East Indies of the other part agree that the measures prescribed in the Schedule to this Agreement shall be applied with effect from the date on which this Agreement enters into force, pending the ratification of the revised International Sanitary Convention on behalf of India and the Netherlands East Indies.

Internal Organisation.

2. The Civil Administrator of the Island of Kamaran appointed by the Government of India shall be the Director of the Quarantine Station, and in that capacity shall exercise general supervision and control over the whole staff of the station. He shall be assisted by two medical officers, one of whom shall be appointed by the Government of India, and the other by the Government of the Netherlands East Indies. It is agreed in principle that these two medical officers shall be on a footing of complete equality. In order, however, to ensure necessary co-ordination in matters of common concern in regard to the internal administration of the Quarantine Station it is agreed that the relative seniority of the two officers shall be determined as follows:—

Each medical officer shall be appointed in the first instance for a period of two years, during the first of which he shall be described as Deputy Medical Superintendent and during the second as Medical Superintendent. For the first year from the date on which this Agreement enters into force the medical officer appointed by the Government of India shall be Medical

Superintendent. If at the end of the period of two years from first appointment the Medical Superintendent continue to be employed on the staff of the Quarantine Station, he shall revert to the position of Deputy Medical Superintendent for the first year of his second term of office or of any further term. Should the Medical Superintendent for any cause vacate his appointment before the end of his term of office, he will be succeeded by the Deputy Medical Superintendent, who will act as Medical Superintendent for the remainder of the term without losing his right to be Medical Superintendent for the next year.

3. The Medical Superintendent shall be the chief technical officer of the Quarantine Station.

4. The nature of the measures to be applied in the case of ships containing only pilgrims from the Netherlands East Indies shall be determined by the medical officer appointed by the Government of the Netherlands East Indies irrespective of his position as Medical Superintendent or Deputy Medical Superintendent. Similarly, the measures to be applied in the case of ships not containing pilgrims from the Netherlands East Indies shall be determined by the medical officer appointed by the Government of India. In the case of ships containing pilgrims both from the Netherlands East Indies and from elsewhere the decision of the *Director of the Quarantine Station* as to the measures to be applied shall be final.

5. It shall be open to the Governments of India and of the Netherlands East Indies to appoint medical and sanitary assistants to be attached to the medical officers appointed by their respective Governments.

Epidemiological Intelligence.

6. The Government of India undertake to communicate to the Far Eastern Epidemiological Bureau at Singapore information regarding cases of plague or cholera which have manifested themselves on board pilgrim ships calling at Kamaran or at the Quarantine Station.

Financial Administration.

Pilgrim Dues.

7. The amount of the dues to be paid to the Quarantine Station in respect of each pilgrim carried on all ships required to call at Kamaran shall remain fixed at Rs. 10 until the Governments of India and of the Netherlands East Indies determine otherwise by agreement.

Financial Responsibility of the various Governments concerned in the administration of the Quarantine Station and Repayment of Advances made by them.

8. The British and Indian Governments of the one part and the Government of the Netherlands for the Netherlands and for the Netherlands East Indies of the other part agree in principle—

(1) that the sums advanced by the British and Indian Governments to meet deficits which were incurred in the

administration of the Quarantine Station up to the 31st March, 1922, shall be repaid to these Governments out of the revenue of the Quarantine Station;

- (2) that responsibility for any further deficit incurred after the date on which this agreement enters into force shall be shared in proportion to the number of pilgrims by whom dues are paid to the Quarantine Station; this proportion to be calculated in accordance with the number of pilgrims embarking from British or Netherlands territory from the date on which the agreement enters into force.

9. For the purpose of repayment of the advances already made by the British and Indian Governments and of creating a reserve to meet future contingencies, provision shall be made for the maintenance in India of a fund to be called "the Kamaran Quarantine Station Fund" with effect from the date on which the agreement enters into force. To this fund shall be paid—

- (a) 5 per cent. of the amount collected annually from pilgrim dues, which shall forthwith be paid in equal moieties to the British and Indian Governments, as an instalment of the amount due to those Governments in respect of the advances referred to in article 8 (1) until the whole of that amount is liquidated;
- (b) any surplus available in respect of the previous financial year after provision has been made for the expenditure required during the forthcoming year, which surplus shall bear compound interest at 5 per cent.

Annual Report and Budget.

10. The annual budget estimates of the Quarantine Station shall be prepared by the director, together with an annual report. These shall be submitted, with the observations of the Medical Superintendent and Deputy Medical Superintendent, to the Government of India six months before the commencement of the forthcoming financial year. Copies of the annual report, the actual figures for the preceding year and the budget estimates for the forthcoming year, together with the balance sheet of the Kamaran Quarantine Station Fund, and the observations of the Medical Superintendent and the Deputy Medical Superintendent thereon, shall be communicated forthwith by the Government of India to the Government of the Netherlands East Indies. The observations of the Government of India shall be communicated to the Government of the Netherlands East Indies not later than three months before the commencement of the ensuing financial year. The budget of the Quarantine Station shall not be approved until the Government of the Netherlands East Indies have signified their acceptance of it, or such amendments have been made as are accepted by the Governments of India and of the Netherlands East Indies.

Capital Expenditure.

11. The Governments of India and of the Netherlands East Indies shall jointly determine the improvements and alterations of the Quarantine Station involving capital expenditure, the order in which such improvements shall be executed, and the provision for their execution to be made in the successive annual Budgets of the Quarantine Station.

Subsidy to Civil Administration of Island of Kamaran.

12. A sum of Rs. 10,000 shall be paid annually from the revenues of the Quarantine Station to the Government of India towards the maintenance of the civil administration of the Island of Kamaran.

Adjustment of Disputes arising out of the Interpretation of the Agreement.

13. Disputes between the British or Indian Governments of the one part and the *Governments of the Netherlands or the Netherlands East Indies* of the other part arising out of the interpretation of this Agreement shall be adjusted as follows:—

If the Director of the Quarantine Station is unable to agree with the medical officer appointed by the Government of the Netherlands East Indies, when the latter is acting either as Medical Superintendent or as Deputy Medical Superintendent, as to the interpretation of any article of this Agreement, he shall report the circumstances to the Government of India, who shall forthwith communicate his report to the Government of the Netherlands East Indies. The respective Governments shall thereupon endeavour to reach a settlement of the dispute by agreement. If, after full consideration, the Government of India and the Government of the Netherlands East Indies are unable to reach a settlement of the dispute by agreement, or if as between themselves a dispute arises in regard to the Budget or any matter referred to in this Agreement or in regard to the interpretation of this Agreement, they shall severally communicate statements of the facts to the British and Netherlands Governments, who shall endeavour to reach a settlement through the diplomatic channel. If a settlement is still not reached by this procedure, the British and Netherlands Governments shall each appoint a representative in order that these representatives may endeavour in conference to reach a settlement of the dispute by agreement. If the two representatives fail to reach an agreement they shall jointly appoint a third member. If on this point there is disagreement between the two representatives, the British and Netherlands Governments shall request the President of the Permanent Court of International Justice to appoint a third member and the Commission thus constituted shall determine the dispute.

14. This agreement, which is subject to confirmation by an exchange of notes to be effected through the diplomatic channel,

shall enter into force on the 1st January, 1927, from which date the agreement shall be in force for a period of eight years. It shall, however, be subject to revision after the 1st January, 1933.

In witness whereof the undersigned, duly authorised for that purpose, have signed the present agreement and have affixed thereto their seals.

Done in duplicate at Paris, the 19th June, 1926.

(L.S.) G. S. BUCHANAN.
 (L.S.) JOHN MURRAY.
 (L.S.) D. T. CHADWICK.
 (L.S.) W. DOUDE VAN TROOSTWYK.
 (L.S.) DE VOGEL.
 (L.S.) VAN DER PLAS.

SCHEDULE.

General Provisions.

I.—When there are cases of plague, cholera, or yellow fever in the port of departure of a pilgrim ship, embarkation shall not take place unless the Government of the country to which the port belongs has taken measures by immunisation, segregation, or observation after the persons have been collected in groups, with or without bacteriological examination, intended to ensure that none of the persons embarked shall be attacked by one of these diseases.

II.—A ship which, in addition to ordinary passengers, among whom pilgrims of the upper classes may be included, carries pilgrims in less proportion than one pilgrim per 100 tons gross, shall not be considered a pilgrim ship.

III.—As far as it is practicable, pilgrims who disembark, and pilgrims who embark at sanitary stations must have no contact with one another at the landing places. Pilgrims who have been disembarked must be distributed in camp in as small groups as possible.

It is necessary that they be supplied with wholesome drinking water, obtained either from local sources, or by distillation.

Provisions Applicable to Pilgrim Ships.

IV.—Pilgrim ships must be capable of accommodating pilgrims in the between-decks.

Over and above the space required for the crew, the ship must provide for each person, irrespective of age, an area of 1.50 square metres, equivalent to 16 English square feet, and a height between decks of at least 1.80 metres, equivalent to about 6 English feet.

No pilgrim shall be accommodated below the first between-deck below the waterline. Satisfactory ventilation must be ensured, and, in the case of any deck below the upper between-deck, it shall be mechanical.

In addition to the spaces reserved as above for pilgrims, the ship must provide on the upper deck for each person, irrespective of age, a free space of at least 0.56 square metre, equivalent to about 6 English square feet, not reckoning the space which is reserved on the upper deck for temporary hospitals, crew, shower baths, latrines and for the working of the ship.

V.—Adequately screened washing places must be provided on deck, a sufficient number of them being reserved exclusively for women. The washing places must be supplied with pipes fitted with taps or nozzles able to yield a continuous supply of sea water under pressure even when the ship is at anchor; these taps or nozzles to be in the proportion of 1 per 100 pilgrims or fraction of 100.

V.—The ship must be provided, in addition to closets for the crew, with latrines fitted with a flushing apparatus, or with a water tap. Some of these latrines shall be reserved exclusively for women.

Latrines must be in the proportion of 2 per 100 pilgrims or fraction of 100.

There must be no latrines in the hold.

VII.—The ship must have two places for cooking set apart for the use of the pilgrims.

VIII.—Properly fitted hospital quarters, constructed with due attention to safety and health, must be reserved for the accommodation of the sick. These quarters must be situated on the upper deck unless, in the opinion of the competent sanitary authority, arrangements fully as hygienic can be made elsewhere. They must be constructed so as to allow persons suffering from infectious diseases, and persons who have been in contact with them, to be isolated according to the nature of their illnesses.

The hospital, including any temporary hospital, must be capable of accommodating at the rate of 3 sq. metres per patient (equivalent to 32 English sq. ft.), 4 per 100 or fraction of 100 of the pilgrims taken on board. The hospitals must be provided with separate latrines.

IX.—Every pilgrim ship must carry such medical remedies, disinfectants, and appliances as are necessary for the treatment of the sick; it must be provided with anti-smallpox and anti-cholera vaccines. It is desirable that it should also be provided with other specific immunising agents (vaccines and sera), in the necessary quantities. The regulations framed for this class of ship by each Government must specify the nature and the quantity of these agents. Medicine and attendance shall be provided for the pilgrims free of charge.

X.—Every pilgrim ship must carry a medical officer, duly qualified in accordance with the regulations in force in the country from which the pilgrims were shipped to the Hejaz, or to which they return therefrom. A second medical officer, with similar qualifications, must be carried when the number of pilgrims on board exceeds 1,000.

XI.—The heavy baggage of pilgrims shall be registered and numbered. Pilgrims may keep with them only such articles as are absolutely necessary; the nature, amount, and dimensions of

the captain must enter the fact opposite the name of the deceased on the list countersigned by the authority of the port of departure, and must also enter in the log the name of the deceased, his age, the place from which he came, the certified cause of death, and the date of death.

In the event of a death from infectious disease, the corpse, wrapped in a shroud impregnated with a disinfecting solution, must be committed to the deep.

XXIV.—The captain must see that all preventive measures taken during the voyage are entered in the log. The log shall be submitted by him on request to the competent authority of the port of call or the port of final destination.

At each port of call the captain must cause the list drawn up in accordance with Clause XIII to be countersigned by the competent authority.

In the event of a pilgrim disembarking during the voyage, the captain must note the fact on the list opposite to the pilgrim's name.

In the event of persons embarking, their names must be entered on the list in accordance with the aforesaid Clause XIII. This must be done before the competent authority, as in duty bound, again countersigns the list.

Measures at Kamaran.

XXV.—Pilgrim ships from the South, bound for the Hejaz, must put in at the Kamaran Quarantine Station, and shall be dealt with as provided in the following clauses.

XXVI.—Ships found on medical inspection to be "healthy" shall be given free pratique on completion of the following procedure:—

The pilgrims shall be disembarked; they shall take a shower bath or bathe in the sea; their soiled linen and any portion of their personal effects or their baggage considered by the officer indicated in article 4 of the Agreement to be suspect, shall be disinfected. The duration of these operations, including disembarkation and embarkation, must not exceed forty-eight hours. Provided this period is not exceeded, such bacteriological examination as may be considered necessary by the above-mentioned officer may be made.

If no recognised or suspected case of plague or of cholera be discovered during these operations, the pilgrims shall immediately be re-embarked and the ship shall proceed to the Hejaz.

Notwithstanding the above, the officer indicated in article 4 of the Agreement may authorise ships recognised after medical inspection to be "healthy" to proceed to the Hejaz without being submitted to the measures prescribed, provided that all the pilgrims on board have been immunised against cholera and smallpox, exception being made in the case of smallpox for those pilgrims who show marks of having had the disease, and that the provisions of this Schedule have been strictly adhered to.

XXVII.—Suspected ships, that is to say ships which have had cases of plague or of cholera on board but no fresh case of plague within seven days or of cholera within five days of the date of arrival, or on board of which an unusual mortality among rats has been discovered shall be dealt with as follows :—

The pilgrims shall be disembarked; they shall take a shower bath or bathe in the sea; their soiled linen or any portion of their baggage or personal effects considered by the officer indicated in article 4 of the Agreement to be suspect shall be disinfected.

The parts of the ship occupied by the sick shall be disinfected. The duration of these operations, including disembarkation and embarkation, must not exceed forty-eight hours; provided this period is not exceeded such bacteriological examination may be made as the officer indicated in article 4 of the Agreement may consider necessary, and at his option measures may be taken to effect the destruction of all rats on board. These measures shall be carried out in such a manner as to avoid, as far as possible, damage to the ship's plating, engines and cargo, and must not last more than twenty-four hours.

If no case or suspected case of plague or of cholera be discovered during these operations, the pilgrims shall immediately be re-embarked and the ship shall proceed to the Hejaz.

XXVIII.—Infested ships, that is to say ships which have cases of plague, rat plague, or cholera on board, or which have had on board cases of plague within seven days, or of cholera within five days, of the date of their arrival, shall be dealt with as follows :—

Persons found suffering from plague or from cholera shall be disembarked and isolated in hospital. The other passengers shall be disembarked and isolated in as many small groups as possible, in order that if plague or cholera break out in one group the whole party may not be affected by the outbreak.

The soiled linen, clothing, and personal effects of the crew and the passengers shall be disinfected thoroughly, as well as the whole or such parts of the ship, and of the baggage, as the officer indicated in article 4 of the Agreement shall decide.

The passengers shall remain at the Quarantine Station five days in the case of cholera, or seven days in the case of plague. If a new case occurs after disembarkation, the period of observation shall be extended by five days for cholera and seven days for plague, to date from the isolation of the last case.

In the case of plague, or of the discovery of rats infected with plague, adequate measures shall be taken by the sanitary authority to effect the destruction of all rats on board, subject to the provisions in Clause XXVII. Pilgrims shall not be re-embarked, and the ship shall not be permitted to proceed to the Hejaz until after the completion of these measures.

XXIX.—If it is established on the arrival of a ship from Kamaran at a Hejaz port that cases of plague or cholera have

occurred on board during the voyage, or at the time of arrival, and the ship returns to Kamaran, the measures specified in Clause XXVIII shall be applied.

XXX.—If the pilgrimage is infected a pilgrim ship may be ordered to put in at Kamaran on its return voyage to the south by the consular authority of the country for which any of its pilgrims are bound. In this event the officer indicated in article 4 of the Agreement shall decide what quarantine measures, if any, shall be taken at the station. These measures may include observation, vaccination and bacteriological examination. If no case of plague or cholera has manifested itself during the voyage nor at Kamaran, the duration of these measures shall not exceed five days from the date of departure from the Hejaz. If a case of plague or cholera has manifested itself on board or at the Quarantine Station the measures prescribed in Clause XXVIII shall be applied. However, deratisation of the ship shall be effected only if deemed necessary by the above-mentioned officer.

Protocol.

On the occasion of the signature of the Agreement between the Governments of Great Britain and Northern Ireland and of India of the one part and the Government of the Netherlands for the Netherlands and the Netherlands East Indies of the other part concerning the administration of the Quarantine Station at Kamaran, the undersigned plenipotentiaries have considered it appropriate with a view to the removal of doubt and to the smooth working of the Agreement to place on record the manner in which they interpret the Agreement in regard to the following matters arising out of articles 7 to 12 :—

(1.) For the purpose of this protocol it has been assumed that the financial year for the Quarantine Station at Kamaran will coincide with the calendar year.

(2.) It is understood that the Government of India will credit to the Kamaran Quarantine Station Fund on the 1st January, 1927, the balance derived from pilgrimage dues estimated to be available on the 31st March, 1927. Thereafter the sums to be credited to the fund will be those specified in article 9 of the agreement. These sums may be distinguished as follows :—

- (a) sums dependent on the gross receipts from pilgrim dues in the immediately preceding year;
- (b) sums dependent on the results of the working of the immediately preceding year and on the prospects of the forthcoming year.

On the 1st January, 1928, 5 per cent. of the gross receipts from pilgrim dues realised in 1927 will be credited to the fund, and will

immediately be paid out for disposal in the manner prescribed under article 9 (a) of the Agreement. This sum will merely pass through the accounts of the fund and will continue to do so each year until the advances referred to in article 8 (1) of the Agreement have been fully repaid. The surplus, if any, available for credit to the fund in respect of the financial year 1927 will not be ascertainable until the accounts of the financial year 1928 are closed, since any balance which may exist on the 31st December, 1927, as the result of the working of the year 1927, is reserved in the first instance under article 9 (b) of the Agreement to make good any deficit which may occur in the following year 1928. The same procedure will apply to each subsequent year with appropriate change of dates.

(3.) It is understood that the order of priority of payments from the fund will be as follows :—

- (a.) The first charge on the fund is the annual payment provided for in article 9 (a) of the Agreement. This payment will continue until the whole of the advances referred to in article 8 (1) of the Agreement has been repaid. The first payment will be due on the 1st January, 1928, in respect of the receipts from pilgrim dues in 1927.
- (b.) The next charge on the fund is to meet the deficit, if any, incurred in the financial year, and to ensure that a sufficient sum is provided to meet, together with the revenue anticipated from dues in the forthcoming year, the total estimated expenditure of that year under all heads, namely, the running expenses of the station, including the annual payment referred to in article 12 of the Agreement and the cost of execution of the improvements and alterations referred to in article 11. This deficit, if any, will in the first instance be ascertainable when the accounts of 1927 are closed.
- (c.) The next charge on the fund is the repayment in such further instalments as may be agreed upon between the Governments of India and of the Netherlands East Indies of the balance of the advances referred to in article 8 (1) of the Agreement, the object being to secure the repayment of these advances as early as is consistent with the *prompt execution of the improvements and alterations* referred to in article 11.
- (d.) The next charge upon the fund is the payment of any advances arising out of the application of article 8 (2) of the Agreement.
- (e.) Thereafter the fund will be available as a reserve to meet further unanticipated expenditure.

(4.) It is understood that, as the British and Indian Governments are not charging interest on the advances referred to in article 8 (1) of the Agreement, interest is only due on the difference

between the amount at the credit of the fund and the outstanding amount of those advances.

Signed in duplicate at Paris, the 19th June, 1926.

G. S. BUCHANAN.
JOHN MURRAY.
D. T. CHADWICK.
W. DOUDE VAN TROOSTWYK.
DE VOGEL.
VAN DER PLAS.

M. van Swinderen to Sir Austen Chamberlain.

Légation des Pays-Bas, Londres,
le 22 juillet 1926.
M. le Secrétaire d'Etat,
CONFORMÉMENT à l'article 14 de l'arrangement, avec protocole, concernant le contrôle sanitaire à exercer sur l'île de Camaran sur les pèlerins de La Mecque, signé à Paris le 19 juin dernier, j'ai l'honneur, d'ordre de mon Gouvernement, de porter à la connaissance de votre Excellence que le Gouvernement de la Reine confirme l'arrangement susmentionné.

Veuillez, &c.

R. DE MAREES VAN SWINDEREN.

(Translation.)

Netherlands Legation, London,
July 22, 1926.
Sir,
IN conformity with article 14 of the Agreement (with Protocol) signed at Paris on the 19th June last regarding the sanitary control to be carried out at Kamaran Island over Mecca pilgrims, I have the honour, under instructions from my Government, to inform your Excellency that the Netherlands Government confirm the above-mentioned Agreement.

Be pleased, &c.

R. DE MAREES VAN SWINDEREN.

Sir Austen Chamberlain to M. van Swinderen.

Sir,

Foreign Office, August 14, 1926.

I HAVE the honour to acknowledge the receipt of your note of the 22nd July, informing me of the confirmation by the Netherlands Government of the Agreement and Protocol signed at Paris on the 19th June last, regarding the control and administration of the quarantine station at Kamaran Island.

2. In reply I have the honour to inform you that the Governments of Great Britain and Northern Ireland and of India also confirm those instruments.

I have, &c.

AUSTEN CHAMBERLAIN.
