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C. C.
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Foreign Office
1916
18 Feb.
Last previous Paper.
BT
7228

Treaty arrangements
in Conventional Basin of Congo

Sends letter from B. of Trade. Proposes to give notice to Italy that Great Britain reserves right to revise rate of duties on territories held in Eastern Zone at any time after 31 Aug. next, & inquires of any objection to this course.

Dr. J. Anderson

Write to F.O. as proposed in B. of T.; but, in so doing, 7228

call attention to the note at the top of p. 530 of Vol. II of Hertslet's "The map of Africa by Treaty" from which it appears that the declaration of 22 Dec 90 has been dead since 1901.

Jan 23 1916

herewith

H. J. R.
22.2.16 22/11/16
As. 12. 22. 2

Next subsequent Paper.

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11307

In any further communication
on the subject, please quote
No. 27933/C.
and address
The Under-Secretary of State,
Foreign Office,
London.

C. O.
8437
REC
Dist 16

FOREIGN OFFICE

February 18 1901

Sir,

I am directed by Secretary Sir E. Grey to transmit to you copy of a letter from the Board of Trade respecting the existing treaty arrangements affecting the territories comprised in the Conventional Basin of the Congo.

Two questions are dealt with in this letter; that of recovering freedom of action as regards residence, property, trade and navigation throughout the Conventional Basin now governed by the Berlin Act and that of the Customs Duties levied in the British, German and Italian territories of the Eastern Zone, which form the subject of the Declaration of December 22nd 1890, and of the notice given to the Italian and German Governments in September 1901.

The former of these questions is still under examination by Sir E. Grey; but he is prepared to give immediate notice to the Italian Government as suggested by the Board of Trade that His Majesty's Government reserve their right to revise the scale of duties in the territories held by them in the Eastern zone at any time after the 31st of August next. I am to enquire whether Mr. Secretary Bonar Law sees any objection to this course, which should

be

Under Secretary of State
Colonial Office.

He should
be
Hans

C. O.
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be taken before the 29th instant.

I am,

Sir,

Your most obedient,

humble Servant,

Yours

copy
L.S.
mediate.
27933)

C. C.
8437
Rec:
Reg: 21 FEB 16

BOARD OF TRADE,
7, WHITEHALL GARDENS,
LONDON, S.W.

85

12th February 1916

Sir,

I am directed by the Board of Trade to state that they have had under their consideration the existing treaty arrangements affecting the territories comprised in the Conventional Basin of the CONGO.

It would appear that these territories, as defined in Article 1 of the General Act of BERLIN of 1885, include the Belgian Congo, most of the Districts to the South of the River Ogowe (viz. Gabun, the Middle Congo and no doubt portions of the Kameruns which were acquired by GERMANY shortly before the war), part of the Portuguese Congo, the southern half of Italian Somaliland, the British East Africa Protectorate, Zanzibar, Uganda, Nyassaland, German East Africa, and that part of Portuguese East Africa which lies to the North of the River Zambesi. In these districts, as Sir Edward Grey will be aware, the Territorial Powers are required by the provisions of the Act of BERLIN to accord the most complete freedom and equality to the subjects, goods and vessels of all nations in all matters appertaining to residence, property, trade and navigation, and are consequently debarred from imposing differential taxes or duties on the goods, subjects or vessels of any nation.

Whilst it is still too early to determine the nature of the commercial policy which it will be desirable for His Majesty's Government to adopt

Under Secretary of State,
Foreign Office.

after

after the termination of hostilities, the Board consider that, in view of the great economic importance of the regions included in the Conventional Basin, it is most desirable that the Allied Governments should take such steps as may be necessary to prevent that policy from being hampered by an Instrument which would preclude them from differentiating, should they desire to do so, in favour of one another and discriminating against their present enemies. The Board would, accordingly be glad if Sir Edward Grey could see his way to give his early consideration to the question of securing for the Allied Governments, as soon as possible, complete freedom of action in the Conventional Basin in all that relates to residence, property, trade and navigation.

B. I am further to point out that the Customs Duties levied in the British, German and Italian territories of the Eastern Zone (generally 5% ad valorem) are governed by the Declaration of the 22nd December 1890, which was signed by the Governments of Great Britain, Germany and Italy. That Declaration, which appears to have come into force together with the General Act of Brussels regarding the Slave Trade on the 31st August, 1891, was to remain in force for a period of five years and to continue in operation for periods of five years unless one or other of the three powers demanded its revision six months before the expiration of the quinquennial period. As the current quinquennial period would appear to expire on the 31st August 1916, and as the Declaration would presumably remain in force for another five years unless the required notice is given before the 29th February

next, the Board venture to suggest for Sir Edward Grey's consideration that immediate notice should be given to the Italian Government that His Majesty's Government reserve their right to revise the scale of duties levied in the territories held by them in the Eastern Zone of the Conventional Basin at any time after the 31st August next. Sir Edward Grey would probably think it desirable to explain to the Italian Government and possibly also to the other Allies the grounds of our action so as to show that it is not in any way directed against their interests.

A copy of this letter has been sent to the Colonial Office.

I have etc.

(Signed)

H. Llewellyn Smith.

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Urgent

23 Feb 1916

Su

I am to ask the rest of

DRAFT.

The U.S.S.
Foreign Office

Census 11307

your letter of the 18th of February

(No 27933/c), enclosing a copy of a

letter from the Board of Trade,

regarding the existing treaty

arrangements affecting the territories

comprised in the Conventional Basin

of the Congo, and to request you to

inform Sec. Sec. G. Grey that the

U.S. concurs in the policy

to the B A Treat

MINUTE

- Mr. Jewell 23/2/16
- Mr. Bottenley 23/2/16
- Mr. Reid 23/
- Mr. [unclear]
- Sir G. Fiddes.
- Sir H. Just.
- Sir J. Anderson.
- Mr. Steel-Maitland.
- Mr. Bonar Law.