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EXCHANGE OF NOTES

BETWEEN

HIS MAJESTY'S GOVERNMENT AND THE GOVERN-
MENT OF THE FRENCH REPUBLIC

RESPECTING THE

TRADE IN ARMS AND AMMUNITION
AT MUSCAT.

London, February 4, 1914.

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No. 1.

M. Cambon to Sir Edward Grey.

*Ambassade de France, Londres,
le 4 février, 1914.*

M. le Secrétaire d'État,

VOTRE Excellence m'avait signalé à plusieurs reprises les graves inconvénients qui résulteraient de l'organisation du commerce des armes et munitions de guerre dans l'Imanat de Mascate à proximité de l'Empire indien de Sa Majesté.

Mon Gouvernement, désireux d'affermir les bonnes relations qui existent si heureusement entre la France et la Grande-Bretagne, a voulu donner une nouvelle preuve des sentiments qui l'animent et m'a chargé de déclarer à votre Excellence qu'il renonçait à réclamer en faveur de ses ressortissants le bénéfice des privilèges et immunités conférés à ces derniers par le Traité franco-mascatais du 17 novembre, 1844, dans le cas où ces privilèges et immunités s'opposeraient à l'application de règlements et de lois destinés à empêcher la contrebande des armes et munitions de guerre dans l'Imanat de Mascate.

En conséquence, le consul de France à Mascate recevra incessamment les instructions nécessaires pour déclarer au Sultan que le Gouvernement français cesse de s'opposer à l'application à ses nationaux de l'Édit mascatais du 4 juin, 1912, mis en vigueur le 12 septembre suivant et concernant le commerce des armes et munitions de guerre.

Je propose en outre que nos deux Gouvernements se concertent au sujet de toute modification ou amendement que le Sultan de Mascate voudrait apporter aux règlements précités, et je puis assurer à votre Excellence que, dans ces conditions, le Gouvernement de la république, après avoir examiné ces modifications ou amendements, et constaté qu'ils ne concernent que le commerce des armes et munitions de guerre dans l'Imanat, ne s'opposera pas à leur application à ses ressortissants à Mascate.

Il est bien entendu que les ressortissants français seront placés à

Mascate, en ce qui concerne le commerce des armes et des munitions de guerre, dans la même situation que les ressortissants de Sa Majesté le Roi.

Votre Excellence sait combien l'opinion publique en France est opposée à l'abandon de tous droits ou immunités conférés aux Français à l'étranger par les Traités et par la tradition ; à cette opposition, le Gouvernement de la république a passé outre, parce qu'il a voulu donner à la Grande-Bretagne un témoignage de sa bonne amitié, et aussi parce qu'il a constaté les dangers que présentera l'organisation de la contrebande de guerre dans les régions voisines des possessions lointaines des Puissances européennes. Il est possible que le commerce illicite des armes et munitions de guerre trouve avantage à s'installer dans les régions voisines des colonies ou protectorats français, et mon Gouvernement ne doute pas que le Gouvernement britannique ne lui prête en pareil cas son concours pour la répression de ce commerce. Je serais heureux que votre Excellence voulût bien m'en donner l'assurance.

Veuillez, &c.

PAUL CAMBON.

(Translation.)

Sir,

French Embassy, London, February 4, 1914.

Your Excellency has repeatedly pointed out to me the serious inconveniences resulting from the organisation of the traffic in arms and munitions of war in the Sultanate of Muscat, adjoining His Majesty's Indian Empire.

My Government, desirous of strengthening the good relations which so happily exist between France and Great Britain, have wished to give fresh proof of the feelings which inspire them, and have instructed me to declare to your Excellency that they renounce their claims, in favour of their nationals, to the benefit of the privileges and immunities conferred on these latter by the Franco-Muscat Treaty of the 17th November, 1844, in cases where these privileges and immunities would hinder the application of regulations and laws intended to prevent contraband traffic in arms and munitions of war in the Sultanate of Muscat.

Consequent upon this decision, the French consul at Muscat will receive immediately the necessary instructions to inform the Sultan that the French Government cease to oppose the application to their nationals of the Muscat Edict of the 4th June, 1912, which was put into force on the 12th September following, and which dealt with the trade in arms and munitions of war.

I propose further that our two Governments should concert together with regard to any modification or amendment which the Sultan of Muscat may wish to make in the regulations referred to above, and I can assure your Excellency that, under these conditions, the Government of the republic, after having examined such modifications or amendments and ascertained that they deal only with the trade in arms and munitions of war in the Sultanate, will not oppose their application to their nationals in Muscat.

It is to be understood that French nationals in Muscat will be placed on the same footing as subjects of His Majesty the King as regards the trade in arms and munitions of war.

Your Excellency knows how strongly public opinion in France is opposed to the renunciation of any rights or immunities conferred on French nationals abroad by Treaties and by tradition; the Government of the republic have disregarded this opposition, because they have wished to give Great Britain a proof of their firm friendship, and also because they have become convinced of the dangers which would be presented by the organisation of contraband of war in regions adjoining the distant possessions of the European Powers. It is possible that the illicit traffic in arms and munitions of war may find it advantageous to establish itself in regions adjoining French colonies or protectorates, and my Government do not doubt that the British Government will, in similar circumstances, lend their aid for the suppression of this traffic. I should be glad if your Excellency would be so good as to give me this assurance.

Please receive, &c.

PAUL CAMBON.

No. 2.

Sir Edward Grey to M. Cambon.

Your Excellency,

Foreign Office, February 4, 1914.

I HAVE the honour to acknowledge the receipt of your Excellency's note of to-day's date stating that the French Government, in view of the relations of cordial friendship at present happily existing between Great Britain and France, renounce the right of invoking, on behalf of French citizens and protected persons, the privileges conferred on these persons by the Treaty of 1844 between France and Muscat, in so far as such privileges and immunities are opposed to the regulations and laws for the prevention of the contraband trade in arms and ammunition in the dominions of the Imaum of Muscat.

I note that, in pursuance of this decision, the French consul at Muscat will immediately receive the necessary instructions to declare to the Sultan that the French Government will no longer oppose the application to French nationals of the Sultan's Edict of the 4th June, 1912, respecting the trade in arms and ammunition.

I further have the honour to inform your Excellency that His Majesty's Government agree to the proposal that the two Governments shall concert together with regard to any modification or amendment which the Sultan of Muscat may desire to introduce into the above-mentioned regulations in order that the French Government, having satisfied themselves by examination that such modifications or amendments relate solely to the trade in arms and ammunition in the Sultanate, may give their consent to the application of such modifications or amendments to their nationals at Muscat. It is of course understood that His Majesty's Government will use their influence with the Sultan of Muscat to ensure that French nationals in the Sultanate will, as regards the trade in arms and ammunition, receive in all respects the same treatment as British subjects and protected persons.

His Majesty's Government appreciate very highly the sentiments which have animated the French Government in their consideration

of the question of the trade in arms and ammunition at Muscat, and rendered possible the understanding defined in this exchange of notes. They fully agree with the views held by the French Government as to the dangers which may result from the organisation of a contraband trade in war material in the neighbourhood of distant possessions of European Powers, and I am happy to be able to assure your Excellency that, in the event of such an illicit trade being established in the neighbourhood of any of the French colonies or protectorates, His Majesty's Government will be prepared to assist, in so far as they may be in a position to do so, in the suppression of the traffic.

I have, &c.

E. GREY.

No. 3.

Sir Edward Grey to Sir F. Bertie.

Sir,

Foreign Office, February 4, 1914.

AFTER I had exchanged with the French Ambassador to-day the notes about Muscat he made verbally the following declaration to me:—

“Le Gouvernement français ne se refusera pas à examiner toute réglementation nouvelle du commerce des armes à Mascate, même si cette réglementation comportait des mesures douanières dans les eaux territoriales, à la condition expresse que les droits extraterritoriaux des Français à Mascate et la juridiction des consuls de France soient respectés. Le Gouvernement français ne pourrait pas se rallier à une procédure comportant le droit de visite.”*

On this I observed that the rights of the Treaty of 1844 would be respected, and were applicable on sea as on land.

I am, &c.

E. GREY.

* TRANSLATION.—The French Government will not decline to examine any new Regulation dealing with the arms trade at Muscat, even though such Regulation may involve customs measures in territorial waters, on the express condition that the extraterritorial rights of French citizens at Muscat and the jurisdiction of French consuls shall be respected. The French Government could not concur in a procedure involving the right of search.