

TREATY SERIES. No. 15.

1894.

AGREEMENT

BETWEEN

GREAT BRITAIN AND HIS MAJESTY
KING LEOPOLD II, SOVEREIGN OF THE
INDEPENDENT STATE OF THE CONGO,

RELATING TO THE

SPHERES OF INFLUENCE OF GREAT
BRITAIN AND THE INDEPENDENT STATE
OF THE CONGO IN EAST AND
CENTRAL AFRICA.

Signed at Brussels, May 12, 1894.

*Presented to both Houses of Parliament by Command of Her Majesty.
May 1894.*

LONDON:

PUBLISHED BY HIS MAJESTY'S STATIONERY OFFICE.

To be purchased, either directly or through any Bookseller, from
WYMAN AND SONS, LIMITED, FETTER LANE, E.C., and 32, ABINGDON STREET, S.W.; or
OLIVER AND BOYD, TWEEDDALE COURT, EDINBURGH; or
E. PONSONBY, LTD., 116, GRAFTON STREET, DUBLIN.

REPRINTED BY

HARRISON AND SONS PRINTERS IN ORDINARY TO HIS MAJESTY,
45-47, ST. MARTIN'S LANE, W.C.

AGREEMENT BETWEEN GREAT BRITAIN AND
HIS MAJESTY KING LEOPOLD II, SOVEREIGN
OF THE INDEPENDENT STATE OF THE
CONGO, RELATING TO THE SPHERES OF
INFLUENCE OF GREAT BRITAIN AND THE
INDEPENDENT STATE OF THE CONGO IN
EAST AND CENTRAL AFRICA.

Signed at Brussels, May 12, 1894.

THE Undersigned, the Honourable Sir Francis Richard Plunkett, a Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the King of the Belgians, on behalf of the British Government, and M. van Eetvelde, Officer of the Order of Leopold, Grand Cross of the Orders of St. Gregory the Great, of Christ of Portugal, and of the African Redemption, &c., Secretary of State of the Interior of the Independent State of the Congo, on behalf of the Government of the Independent State of the Congo, duly authorized by their respective Governments, have agreed as follows :

His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo, having recognized the British sphere of influence, as laid down in the Anglo-German Agreement of the 1st July, 1890, Great Britain undertakes to give to His Majesty a lease of territories in the western basin of the Nile, under the conditions specified in the following Articles :—

ARTICLE I.

(a.) It is agreed that the sphere of influence of the Independent Congo State shall be limited to the north of the German sphere in East Africa by a frontier following the 30th meridian east of Greenwich up to its intersection by the watershed between the Nile and the Congo, and thence following this watershed in a northerly and north-westerly direction.

(b.) The frontier between the Independent Congo State and the British sphere to the north of the Zambesi shall follow a line running direct from the extremity of Cape Akalunga on Lake Tanganika, situated at the northernmost point of Cameron Bay at about $8^{\circ} 15'$ south latitude, to the right bank of the River Luapula, where this river issues from Lake Moero. The line shall then be drawn directly to the entrance of the river into the lake, being, however, deflected towards the south of the lake so as to give the Island of Kilwa to Great Britain. It shall then follow the "thalweg" of the Luapula up to its issue from Lake Bangweolo. Thence it shall run southwards along the meridian of longitude of the point where the river leaves the lake to the watershed between the Congo and Zambesi, which it shall follow until it reaches the Portuguese frontier.

ARTICLE II.

Great Britain grants a lease to His Majesty King Leopold II, Sovereign of the Independent Congo State, of the territories hereinafter defined, to be by him occupied and administered on the conditions and for the period of time hereafter laid down.

The territories shall be bounded by a line starting from a point situated on the west shore of Lake Albert, immediately to the south of Mahagi, to the nearest point of the frontier defined in paragraph (a) of the preceding Article. Thence it shall follow the watershed between the Congo and the Nile up to the 25th meridian east of Greenwich, and that meridian up to its intersection by the 10th parallel north, whence it shall run along that parallel directly to a point to be determined to the north of Fashoda. Thence it shall follow the "thalweg" of the Nile southward to Lake Albert, and the western shore of Lake Albert to the point above indicated south of Mahagi.

This lease shall remain in force during the reign of His Majesty Leopold II, Sovereign of the Independent Congo State.

Nevertheless, at the expiration of His Majesty's reign, it shall remain fully in force as far as concerns all the portion of the territories above mentioned situated to the west of the 30th meridian east of Greenwich, as well as a strip of 25 kilom. in breadth, to be delimited by common consent, stretching from the watershed between the Nile and the Congo up to the western shore of Lake Albert, and including the port of Mahagi.

This extended lease shall be continued so long as the Congo territories as an Independent State or as a Belgian Colony remain under the sovereignty of His Majesty and His Majesty's successors.

Throughout the continuance of a lease there shall be used a special flag in the leased territories.

ARTICLE III.

The Independent Congo State grants under lease to Great Britain, to be administered when occupied, under the conditions and for the period hereinafter determined, a strip of territory 25 kilom. in

breadth, extending from the most northerly Port on Lake Tanganika, which is included in it, to the most southerly point of Lake Albert Edward.

This lease will have similar duration to that which applies to the territories to the west of the 30th meridian east of Greenwich.

ARTICLE IV.

His Majesty King Leopold II, Sovereign of the Independent Congo State, recognizes that he neither has nor seeks to acquire any political rights in the territories ceded to him under lease in the Nile Basin other than those which are in conformity with the present Agreement.

Similarly, Great Britain recognizes that she neither has, nor seeks to acquire, any political rights in the strip of territory granted to her on lease between Lake Tanganika and Lake Albert Edward other than those which are in conformity with the present Agreement.

ARTICLE V.

The Independent Congo State authorizes the construction through its territories by Great Britain, or by any Company duly authorized by the British Government, of a line of telegraph connecting the British territories in South Africa with the British sphere of influence on the Nile. The Government of the Congo State shall have facilities for connecting this line with its own telegraphic system.

This authorization shall not confer on Great Britain or any Company, person or persons, delegated to construct the telegraph line, any rights of police or administration within the territory of the Congo State.

ARTICLE VI.

In the territories under lease in this Agreement the subjects of each of the Contracting Parties shall reciprocally enjoy equal rights and immunities, and shall not be subjected to any differential treatment of any kind.

In witness whereof the Undersigned have signed the present Agreement, and have affixed thereto the seal of their arms.

Done in duplicate at Brussels, this 12th day of May, 1894.

(L.S.) FRANCIS RICHARD PLUNKETT.

(L.S.) EDM. VAN EETVELDE.

No. 1.

*Sir F. Plunkett to M. van Eetvelde.**British Legation, Brussels,*

M. le Secrétaire d'État,

May 12, 1894.

THE Earl of Kimberley, in authorizing me to sign the Agreement of this day's date for a lease of certain territories in the British sphere of influence in East Africa to His Majesty King Leopold II, has directed me to record the assurance that the parties to the Agreement do not ignore the claims of Turkey and Egypt in the basin of the Upper Nile.

I avail, &c.

(Signed) F. R. PLUNKETT.

No. 2.

M. van Eetvelde to Sir F. Plunkett.

Sir,

Brussels, May 12, 1894.

IN signing, on behalf of His Majesty Leopold II, the Agreement of this day's date, for a lease of certain territories in the British sphere of influence in East Africa, I reciprocate the assurance that the parties to the Agreement do not ignore the claims of Turkey and Egypt in the basin of the Upper Nile.

I avail, &c.

(Signed) EDM. VAN EETVELDE.

No. 3.

M. van Eetvelde to Sir F. Plunkett.

M. le Ministre,

Bruxelles, le 12 Mai, 1894.

ÀU cours des pourparlers auxquels a donné lieu la Convention de ce jour entre l'État Indépendant du Congo et la Grande-Bretagne, j'ai eu l'occasion de déclarer à votre Excellence que l'État du Congo s'engage à autoriser, le cas échéant, les recrutements de soldats que les Agents dûment commissionnés à cet effet par les autorités Britanniques désireraient effectuer dans les territoires situés entre le 30^e méridien et le Lac Albert.

J'ai l'honneur de confirmer cet engagement, et je saisis, &c.

(Signé) EDM. VAN EETVELDE.

(Translation.)

M. le Ministre,

Brussels, May 12, 1894.

IN the course of the discussions to which the Convention of to-day between the Independent State of the Congo and Great Britain has given rise, I have had occasion to declare to you that the State of the Congo engages to authorize, in case of need, such recruitment

of soldiers as the Agents duly commissioned for that purpose by the British authorities may wish to effect in the territories situated between the 30th meridian and Lake Albert.

I have the honour to confirm this engagement, and I seize, &c.
(Signed) EDM. VAN EETVELDE.

No. 4.

Sir F. Plunkett to M. van Eetvelde.

British Legation, Brussels,

M. le Secrétaire d'État,

May 12, 1894.

IN accordance with the wish which you have expressed, I have to convey to your Excellency the assurance, on the part of the Earl of Kimberley, that his Lordship will be ready to recommend to Her Majesty's Secretary of State for the Colonies that facilities shall be given, so far as it may be found to be practicable, for recruitment, under suitable conditions, in the British Colonies on the West Coast of Africa, to facilitate the prompt and complete occupation by His Majesty King Leopold II of the territories in the western basin of the Nile comprised in the lease contained in the Agreement of this day's date.

I avail, &c.
(Signed) F. R. PLUNKETT.
