

APPENDIX

I

(a)

AGREEMENT BETWEEN HER BRITANNIC MAJESTY'S GOVERNMENT AND THE GOVERNMENT OF THE KHEDIVE OF EGYPT, RELATIVE TO THE FUTURE ADMINISTRATION OF THE SUDAN.

[Signed at Cairo, January 19, 1899.]

Whereas certain provinces in the Sudan which were in rebellion against the authority of His Highness the Khedive have now been reconquered by the joint military and financial efforts of Her Britannic Majesty's Government and the Government of His Highness the Khedive;

And whereas it has become necessary to decide upon a system for the administration of, and for the making of laws for, the said reconquered provinces, under which due allowance may be made for the backward and unsettled condition of large portions thereof, and the varying requirements of different localities;

And whereas it is desired to give effect to the claims which have accrued to Her Britannic Majesty's Government, by right of conquest, to share in the present settlement and future working and development of the said system of administration and legislation;

And whereas it is conceived that for many purposes Wadi Halfa and Suakin may be most effectively administered in conjunction with the reconquered provinces to which they are respectively adjacent:

Now, it is hereby agreed and declared by and between the undersigned, duly authorized for that purpose, as follows:—

Art. I. The word "Sudan" in this Agreement means all the territories south of the 22nd parallel of latitude, which—

1. Have never been evacuated by Egyptian troops since the year 1882; or
2. Which, having before the late rebellion in the Sudan been administered by the Government of His Highness the Khedive, were temporarily lost to Egypt, and have been reconquered by Her Britannic Majesty's Government and the Egyptian Government acting in concert; or
3. Which may hereafter be reconquered by the two Governments acting in concert.

Art. II. The British and Egyptian flags shall be used together, both on land and water, throughout the Sudan, except in the town of Suakin, in which locality the Egyptian flag alone shall be used.

Art. III. The supreme military and civil command in the Sudan shall be vested in one officer, termed the "Governor-General of the Sudan." He shall be appointed by Khedivial Decree on the recommendation of Her Britannic Majesty's Government, and shall be removed only by Khedivial Decree, with the consent of Her Britannic Majesty's Government.

Art. IV. Laws, as also orders and regulations with the full force of law, for the good government of the Sudan, and for regulating the holding, disposal, and devolution of property of every kind therein situate, may from time to time be made, altered, or abrogated by Proclamation of the Governor-General. Such laws, orders, and regulations may apply to the whole or any named part of the Sudan, and may, either explicitly or by necessary implication, alter or abrogate any existing law or regulation.

All such proclamations shall be forthwith notified to Her Britannic Majesty's Agent and Consul-General in Cairo, and to the President of the Council of Ministers and His Highness the Khedive.

Art. V. No Egyptian law, decree, Ministerial arrêté, or other enactment hereafter to be made or promulgated shall apply to the Sudan or any part thereof, save in so far as the same shall be applied by Proclamation of the Governor-General in manner hereinbefore provided.

Art. VI. In the definition by Proclamation of the conditions under which Europeans, of whatever nationality, shall be at liberty to trade with or reside in the Sudan, or to hold property within its limits, no special privileges shall be accorded to the subjects of any one or more Powers.

Art. VII. Import duties on entering the Sudan shall not be payable on goods coming from Egyptian territory. Such duties may, however, be levied on goods coming from elsewhere than Egyptian territory; but in the case of goods entering the Sudan at Suakin, or any other port on the Red Sea littoral, they shall not exceed the corresponding duties for the time being leviable on goods entering Egypt from abroad. Duties may be levied on goods leaving the Sudan at such rates as may from time to time be prescribed by Proclamation.

Art. VIII. The jurisdiction of the Mixed Tribunals shall not extend, nor be recognised for any purpose whatsoever, in any part of the Sudan, except in the town of Suakin.

Art. IX. Until and save so far as it shall be otherwise determined by Proclamation, the Sudan, with the exception of the town of Suakin, shall be and remain under martial law.

Art. X. No Consuls, Vice-Consuls, or Consular Agents shall be accredited in respect of nor allowed to reside in the Sudan

without the previous consent of Her Britannic Majesty's Government.

Art. XI. The importation of slaves into the Sudan, as also their exportation, is absolutely prohibited. Provision shall be made by Proclamation for the enforcement of this Regulation.

Art. XII. It is agreed between the two Governments that special attention shall be paid to the enforcement of the Brussels Act of the 2nd July, 1890, in respect of the import, sale, and manufacture of firearms and their munitions, and distilled or spirituous liquors.¹

Done in Cairo, the 19th January, 1899.

CROMER.

BOUTROS GHALI.

(b)

The "Suakin Amendment" to the Agreement of January 19, 1899.

AGREEMENT BETWEEN HER BRITANNIC MAJESTY'S GOVERNMENT AND THE GOVERNMENT OF THE KHEDIVE OF EGYPT, RELATIVE TO THE INCLUSION OF SUAKIN IN THE AGREEMENT OF JANUARY 19, 1899.

[Signed at Cairo, July 10, 1899.]

Whereas under our Agreement made the 19th day of January, 1899, relative to the future administration of the Sudan, it is provided by Article VIII that the jurisdiction of the Mixed Tribunals shall not extend nor be recognized for any purpose whatsoever in any part of the Sudan except in the town of Suakin;

And whereas no Mixed Tribunal has ever been established at Suakin, and it has been found to be inexpedient to establish any such Tribunal in that locality, by reason notably of the expense which the adoption of this measure would occasion;

¹ Art. VIII of the Brussels Act prohibits importation of firearms and ammunition into territories between 20° north latitude and 22° south latitude and extending westward to the Atlantic Ocean, and eastward to the Indian Ocean and its dependencies, &c., save under certain conditions defined in Art. IX.

Art. XC-XCV are restrictive measures concerning traffic in spirituous liquors, prohibition of importation and manufacture of such for native use in regions of this zone where either on account of religious belief or from other motives the use of distilled liquors does not exist or has not been developed.

And whereas grievous injustice is caused to the inhabitants of Suakin by the absence of any local jurisdiction for the settlement of their disputes, and it is expedient that the town of Suakin should be placed upon the same footing as the rest of the Sudan;

And whereas we have decided to modify our said Agreement accordingly in manner hereinafter appearing:

Now, it is hereby agreed and declared by and between the undersigned, duly authorized for that purpose, as follows:—

Art. I. Those provisions of our Agreement of the 19th day of January, 1899, by which the town of Suakin was excepted from the general régime established by the said Agreement for the future administration of the Sudan, are hereby abrogated.

Done at Cairo, the 10th July, 1899.

CROMER.

BOUTROS GHAILI.

II

DECLARATION COMPLETING THE CONVENTION OF JUNE 14, 1898¹ (SPHERES OF INFLUENCE IN CENTRAL AFRICA) BETWEEN GREAT BRITAIN AND FRANCE.

[Signed at London, March 21, 1899.]

The undersigned, duly authorized by their Governments, have signed the following Declaration:—

Article IV of the Convention of the 14th June, 1898, shall be completed by the following provisions, which shall be considered as forming an integral part of it:—

1. Her Britannic Majesty's Government engages not to acquire either territory or political influence to the west of the line of frontier defined in the following paragraph, and the Government of the French Republic engages not to acquire either territory or political influence to the east of the same line.

2. The line of frontier shall start from the point where the boundary between the Congo Free State and French territory meets the water-parting between the watershed of the Nile and that of the Congo and its affluents.² It shall follow in principle that water-parting up to its intersection with the 11th parallel of north latitude. From this point it shall be drawn as far as the 15th parallel in such manner as to separate, in principle, the

¹ See *Partition of Africa*, No. 89 of this series.

² This point is the source of the Mbomu river, practically on 5° of north latitude and about 27° 50' east longitude.