

N° 1971.

---

**ESPAGNE, FRANCE,  
GRANDE-BRETAGNE  
ET ITALIE**

Accord portant revision de la Convention du 18 décembre 1923 relative à l'organisation du statut de la zone de Tanger et accord, dispositions particulières, lettres et protocole final s'y rapportant. Signés à Paris, le 25 juillet 1928.

---

**SPAIN, FRANCE,  
GREAT BRITAIN AND ITALY**

Agreement revising the Convention of December 18, 1923, relating to the Organisation of the Statute of the Tangier Zone and Agreement, Special Provisions, Notes and Final Protocol relating thereto. Signed at Paris, July 25, 1928.

<sup>1</sup> TRADUCTION. — TRANSLATION.No. 1971. — AGREEMENT <sup>2</sup> REVISING THE CONVENTION OF DECEMBER 18, 1923, RELATING TO THE ORGANISATION OF THE STATUTE OF THE TANGIER ZONE. SIGNED AT PARIS, JULY 25, 1928.

*French official text communicated by the Representatives of Spain, France, Great Britain and Italy on the Council of the League of Nations. The registration of this Agreement took place March 9, 1929.*

The undersigned, duly authorised, respectively Plenipotentiaries of the Powers signatories of the Convention <sup>3</sup> signed at Paris on the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, to whom has been added the Plenipotentiary of Italy.

Having agreed to revise certain articles of the said Convention and its Annex containing the gendarmerie regulations of the Tangier Zone,

Have agreed as follows :

## I.

The text of articles 1, 3, 4, 8, 10, 27, 34, 35, 37, 47, 48, 50 and 56 of the Convention signed at Paris on the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone is replaced by the following text :

*Article 1.* — *Replace the words : " The three contracting Governments " by the words : " The contracting Governments. "*

*Article 3.* — .....

*(last paragraph)* : The British, Spanish, French and Italian Governments have the right to attach to their consulates at Tangier an officer charged with the duty of keeping them informed as to the observance of the foregoing obligations of military order.

*Article 4.* — The surveillance of contraband traffic in arms and munitions of war in the territorial waters of the Tangier Zone shall in normal times be exercised jointly by the naval forces of Spain and France, in view of the special interest of these Powers due to the proximity of their respective zones of influence in the Shereefian Empire.

Should, in virtue of exceptional circumstances, the co-operation of the British or Italian naval forces in the surveillance referred to in paragraph 1 of the present article appear desirable, the British, Spanish, French and Italian Governments shall previously agree on the arrangements for such participation.

Offenders shall be brought before the Mixed Court of Tangier.

Communiqué par le Ministère des Affaires étrangères de Sa Majesté britannique. <sup>1</sup> Communicated by His Britannic Majesty's Foreign Office.

<sup>2</sup> The deposit of ratifications took place at Paris, September 14, 1928. The Netherlands acceded to this Agreement June 12, 1929, (communicated by the Netherland's Minister at Berne, July 22, 1929.)

<sup>3</sup> Vol. XXVIII, page 541; and Vol. XXXIX, page 198, of this Series.

*Article 8.* — International agreements concluded in the future by His Shereefian Majesty shall only extend to the Tangier Zone with the consent of the International Legislative Assembly of the Zone.

By exception, international agreements to which all the Powers signatories of the Act of Algeciras are contracting parties or shall have acceded apply automatically to the Zone.

Dahirs issued by His Shereefian Majesty in order to modify the organic texts of the Zone in conformity with agreements concluded or to be concluded for the revision of the Tangier Statute between the Powers signatories of the present Convention shall apply automatically to the Zone.

The provisions of Article 141 *et seq.* of the Treaty of Versailles continue to apply to the Tangier Zone. The Shereefian dahirs issued in consequence of those provisions can only be modified in agreement with the central Shereefian Authority.

*Article 10.* — Any agitation, propaganda or conspiracy against the established order in any of the Zones of Morocco or in any foreign country is prohibited.]

Offenders, whosoever they may be, shall be brought before the Mixed Court of Tangier.

A mixed intelligence bureau composed of a senior Spanish officer, who shall be head of the bureau and of a French subaltern officer, who shall be assistant to the head of the bureau, and of a Spanish subaltern officer, shall be established at Tangier and entrusted with the task of watching all matters affecting the security of Tangier in relation to that of the neighbouring Zones and of foreign countries.

In view of the special importance which the proceedings of this bureau will have for the other Zones of Morocco, its cost will be entirely defrayed by the Spanish and French Governments.

The head of the bureau will fulfil the functions and will bear the title of Inspector-General of Security in the Tangier Zone and as such his appointment must receive the concurrence of the Committee of Control.

Without intervening in the work of the services of the Tangier Administration, the Inspector-General of Security will be the counsellor of the authorities of the Zone, mentioned below in the present article, for the application of article 3, paragraph 1, of the present Convention in so far as it concerns the security of Tangier in relation to that of the neighbouring Zones and foreign countries, for the application of article 10 dealing with subversive propaganda, contraband, and in a general manner for the application of the existing provisions concerning undesirables and conspiracy directed against the established order both in Morocco and in foreign countries.

He will communicate his information to the Administrator in order to enable the latter to take the appropriate measures of surveillance or to order the necessary investigation.

However, if the facts of which he has knowledge appear to him to have a definitely criminal character, he may lay information direct with the public prosecutor of the Mixed Tribunal.

The Inspector-General of Security is authorised to present to the Committee of Control all observations, suggestions and advice which he may think it his duty to offer concerning the organisation of the services of the Administration with the application of article 3, paragraph 1, and of article 10 of the present Convention.

The various authorities of the Tangier Zone mentioned above, with whom in virtue of the present article the Inspector-General of Security is placed in contact, shall facilitate his mission and shall in particular indicate to him the action, if any, which has been taken as the result of his representations. The Committee of Control will serve in this respect as the intermediary between the authorities of the Zone and the Inspector-General.

*Article 27.* — For the words : " The three contracting Powers, " substitute the words : " The contracting Powers. "

*Article 34.* — In consideration of the number of nationals, the volume of commerce, the property interests and the importance of local trade at Tangier of the several Powers signatories of the Act of Algeciras, the International Legislative Assembly shall be composed of :

- 4 French members,
- 4 Spanish members,

- 3 British members,
- 3 Italian members,
- 1 American member,
- 1 Belgian member,
- 1 Dutch member,
- 1 Portuguese member,

nominated by their respective consulates, and in addition :

- 6 Mussulman subjects of the Sultan nominated by the Mendoub, and,
- 3 Jewish subjects of the Sultan nominated by the Mendoub and chosen from a list of nine names submitted by the Jewish community.

The Assembly shall appoint from among its members four vice-presidents, a French citizen, a British subject, a Spanish subject, and an Italian citizen, responsible for assisting the Mendoub in presiding over the Assembly and of acting as deputy for him in his absence.

*Article 35. (Paragraphs 1, 2, 3, 4, and 5).*

The administrator will carry out the decisions of the Assembly and direct the international Administration of the Zone.

The administrator will have under his orders three assistant administrators and two engineers.

One of the assistant administrators, with the title of director, will be especially responsible for the services of health and relief ; one assistant administrator, with the the title of director, will be especially responsible for the financial services ; one assistant administrator, with the title of director, will be especially responsible for the services relating to the administration of justice.

For the first period of six years the administrator will be of French nationality ; the assistant administrator responsible for the services of health and relief will be of Spanish nationality ; the assistant administrator responsible for the financial service will be of British nationality, the assistant administrator responsible for the services relating to the administration of justice will be of Italian nationality. The administrator, the three assistant administrators and the two engineers will be appointed by His Shereefian Majesty at the instance of the Committee of Control, to whom they will be presented by their respective consulates.

After this first period of six years, the Assembly will appoint the administrator and the assistant administrators from among the nationals of the Powers signatories of the Act of Algeciras. The four posts musts, however, be conferred on persons of different nationality.

.....

*Article 37. —* The recruitment of the officials of the international administration, other than those specified in article 36 above, shall be effected by a committee presided over by the Administrator and composed of the four vice-presidents of the Assembly and of the head of the service concerned.

The committee must satisfy itself, by enquiring of the consul of the nationality concerned, that the candidate has a satisfactory record. The required information must be given within a month from the date on which it is sought. Otherwise the committee may proceed with the appointment of the candidate.

The candidates selected will be appointed by the Administrator with the previous approval of the Assembly.

*Article 47. —* Public security in the Zone shall be assured exclusively by a force of native gendarmerie placed at the disposal of the Administrator.

The strength of this force shall be fixed at a maximum of 400 men for a period of twelve months from the date of its formation.

On the expiry of this period of twelve months the strength shall be fixed at 250 men and shall not be either increased or reduced without the unanimous consent of the Committee of Control.

From the date of the formation of the gendarmerie until the 31st December, 1928, the Spanish and French Governments shall contribute to the cost of this force by utilising the credits made available by the dissolution of the existing tabors. After this date and until the end of the period

of twelve months referred to above, the two Governments shall pay to the Zone a subvention representing the difference between the sum of 1,500,000 francs, which the Zone must provide in its budget for the maintenance of the gendarmerie, and the actual cost of the force. Each of the two Governments shall pay one half of the said subvention.

On the expiry of the said period the Spanish and French Governments shall bear in equal parts the supplementary cost occasioned by the maintenance of the gendarmerie at 250 men, namely 350,000 francs each. The sum of 1,500,000 francs voted in the budget of the Zone will thus be raised to 2,200,000 francs, which represents the estimated cost of the force.

The gendarmerie shall be recruited from each of the existing tabors in equal numbers. Equality between the French and Spanish elements shall be maintained both when the strength of the force is reduced and when vacancies occur.

The gendarmerie shall be commanded by a Spanish officer of the rank of major, who will have a French second-in-command of the rank of captain. The European cadre shall contain an equal proportion of French and Spanish officers and non-commissioned officers. In view of the international character of the force it may comprise officers and non-commissioned officers belonging to other nationalities.

The gendarmerie may be garrisoned in the town of Tangier and maintain posts in the surrounding country.

The regulations respecting the gendarmerie are annexed to the present convention.

*Article 48 (First paragraph).* — An international tribunal, called the Mixed Court of Tangier shall be responsible for the administration of justice over nationals of foreign Powers. It shall be composed of magistrates of Belgian, British, Spanish, French and Italian nationality.

*Article 50.* — The existing commissions and committees at Tangier shall be abolished.

The duty of fixing the scale of custom values applicable in the three Zones, which at present devolves upon the commission of custom values, will be entrusted to a commission composed of representatives of the three Zones. This commission will meet in Tangier at least twice a year.

Should protests be made on the ground of economic inequality against the decisions of the commission, in so far as they concern the Tangier Zone, such protests shall be submitted to the Committee of Control.

*Article 56 (First paragraph).* — *Replace the words : " The three contracting Governments " by the words : " The contracting Governments. "*

## II.

The text of the Regulations for the gendarmerie in the Tangier Zone (annex to the Convention of the 18th December, 1923) is replaced by the following text :

### REGULATIONS FOR THE GENDARMERIE IN THE TANGIER ZONE.

#### (i.) — ORGANISATION.

*Article 1.* — A force of gendarmerie belonging to the Zone shall be formed at Tangier.

*Article 2.* — This force shall :

(1) Maintain order in the Zone. It must assist the local police on the demand of the administrator.

(2) Effectively guarantee public security in the Zone.

*Article 3.* — The gendarmerie is placed under the authority of the administrator of the Zone.

*Article 4.* — It shall be commanded by a Spanish officer of the rank of major, who shall be assisted by a French officer of the rank of captain.

The European cadre shall, in addition, consist of :

Four Lieutenants or Second-Lieutenants, of whom two shall be Spanish and two French.

Three non-commissioned officers, of whom one shall be Spanish and one French.

*Article 5.* — Should any of these European officers or non-commissioned officers be promoted to a higher rank during the period of their contract they shall be replaced by other officers or non-commissioned officers of the rank laid down in article 4 above.

*Article 6.* — The native Moroccan strength shall be fixed at 3 caïds and 250 men, including non-commissioned officers. The distribution of officers and men shall be fixed by the International Legislative Assembly, with the approval of the Committee of Control. Modifications may be made in the light of experience.

The strength of horses shall be fixed in principle at fifty.

*Article 7.* — A contract, drawn up between the Tangier Administration and the European officers, shall lay down the conditions of their appointment and the amount of their salary, which shall be disbursed by the director of finance.

#### (ii.) — RECRUITMENT.

*Article 8.* — The gendarmerie shall consist of Moroccan caïds, non-commissioned officers, corporals and private soldiers of good character.

The men shall not be less than 24 and not more than 45 years of age.

*Article 9.* — For the formation of the gendarmerie, the non-commissioned ranks and Moroccan private soldiers shall be recruited in equal numbers from each of the police tabors. Equality between the Spanish and French elements shall be maintained both when the strength of the force is reduced and when vacancies occur.

*Article 10.* — The recruitment of private soldiers shall be effected by means of short-term enlistment and re-engagement.

Enlistment shall be for a period of three years.

Re-engagement shall be for a period of from one to three years, and carries with it an increase in pay.

The amount of pay and the increase shall be fixed by the International Assembly with the approval of the Committee of Control.

#### (iii.) — FUNCTIONS OF THE COMMANDANT — DISCIPLINE.

*Article 11.* — The commandant of the gendarmerie has all the functions of a commanding officer.

He is responsible for the training, discipline and the administration of the unit.

As regards the organisation of duties and discipline for both the European staff and for the Moroccan officers and private soldiers, regulations shall be drawn up which shall be based on the principles common to the regulations of the French gendarmerie and the Spanish *guardia civil*.

The commandant of the gendarmerie and the second in command shall exercise over the officers and non-commissioned officers of their own nationality the authority conferred on them by the

regulations in force in their respective armies. The commandant of the gendarmerie may also on his own responsibility forward to the Administrator of Tangier a report with recommendations in regard to the officers and non-commissioned officers who are not of his own nationality. The Administrator shall forward this report to the Consul of the nationality to which the officer or non-commissioned officer concerned belongs.

(iv.) — SALUTES.

*Article 12.* — The gendarmerie is responsible for manning the battery for the purpose of the usual salutes.

(v.) — TRANSITIONAL PERIOD.

*Article 13.* — For a period of twelve months from the date of the formation of the Tangier gendarmerie, its strength will be fixed at 400 men, including non-commissioned officers, and fifty horses, but shall be reduced on the expiry of that period to the strength laid down in article 6.

In view of the transitional character of this provision the European cadre laid down in article 4 shall not be modified.

The number of caids may during the initial period be eight. They shall be recruited in accordance with the conditions laid down in article 9 and their strength shall be progressively reduced to that fixed in article 6.

III.

The present agreement shall be communicated by the Government of the French Republic to the Powers which have acceded to the Convention of the 18th December, 1923, relating to the organisation of the Tangier Statute, as well as to the Government of the United States of America as a signatory of the Act of Algeciras.

IV.

The present agreement shall be ratified and the ratifications shall be deposited at Paris as soon as possible.

It shall enter into force three months from the date of the deposit of the ratifications, and shall from that moment have the same duration and the same conditions of renewal as the Statute established by the Convention of the 18th December, 1923.

The present agreement done in four copies at Paris, the 25th July 1928.

J. QUIÑONES DE LEÓN.  
BERTHELOT.  
CREWE.  
G. MANZONI.

## B.

AGREEMENT REVISING CERTAIN ARTICLES OF THE SHEREEFIAN DAHIR REGARDING THE ADMINISTRATION OF THE TANGIER ZONE, OF THE SHEREEFIAN DAHIR ON THE ORGANISATION OF AN INTERNATIONAL TRIBUNAL AT TANGIER, OF THE ANNEX TO THE SHEREEFIAN DAHIR ON THE ORGANISATION OF AN INTERNATIONAL TRIBUNAL AT TANGIER, AND OF THE PENAL CODE OF THE TANGIER ZONE.

THE GOVERNMENT OF HIS MAJESTY THE KING OF SPAIN, THE GOVERNMENT OF THE FRENCH REPUBLIC, HIS BRITANNIC MAJESTY'S GOVERNMENT IN GREAT BRITAIN, AND THE GOVERNMENT OF HIS MAJESTY THE KING OF ITALY, having considered the necessity of amending certain articles of the Shereefian Dahir organising the administration of the Tangier Zone, of the Shereefian Dahir regarding the organisation of an international tribunal at Tangier, of the annex to the Shereefian Dahir regarding the organisation of an international tribunal at Tangier, and of the Penal Code of the Tangier Zone, particularly with a view to bringing them into harmony with the Tangier Statute, established by the Convention of the 18th December, 1923, as revised this day.

Have agreed to recommend to His Shereefian Majesty the adoption of the following amendments to the instruments specified above :

## I.

## AMENDMENTS

TO THE SHEREEFIAN DAHIR ORGANISING THE ADMINISTRATION OF THE TANGIER ZONE.

*Article 12.* — International agreements concluded in the future by Our Shereefian Majesty shall only extend to the Tangier Zone with the consent of the International Legislative Assembly. The same applies to our decrees issued in accordance with article 5 of the Protectorate Treaty<sup>1</sup> of the 30th March, 1912.

By exception the following shall apply automatically to Tangier :

(1) International agreements of which the Powers signatories of the Act of Algeiras are contracting parties or to which they have adhered.

(2) Our decrees referred to above when they are issued in order to modify the organic texts of the Zone in conformity with agreements concluded or to be concluded for the revision of the Tangier Statute by the Powers signatories of the convention of the 18th December, 1923, as revised.

(3) All legislation in force in both the French and Spanish Zones relating to :

(a) The operation of the postal and telegraphic services to foreign countries and the unification of their tariffs.

(b) The trade in arms and ammunition and their use.

*Article 20.* — The International Legislative Assembly is the legislative authority.

It is presided over by the Mendoub and is composed of twenty-seven members drawn as follows from the foreign and native communities :

4 French members,

4 Spanish members,

<sup>1</sup> *British and Foreign State Papers*, Vol. 106, page 1023.



3 British members,  
 3 Italian members,  
 1 American member,  
 1 Belgian member,  
 1 Dutch member,  
 1 Portuguese member,  
 nominated by their respective consulates,  
 6 of our Musulman subjects nominated by our Mendoub, and  
 3 of our Jewish subjects, chosen by our Mendoub from a list of nine names  
 submitted by the Jewish community of Tangier.

The same procedure shall be followed, within three months of the vacancy, to replace a deceased or retired member.

*Article 22.* — .....

*(Fourth paragraph)* : The Assembly is presided over by our Mendoub, assisted by a French vice-president, a Spanish vice-president, a British vice-president and an Italian vice-president, nominated each year by the Assembly.  
 .....

*Article 32.* — The Administrator shall have under his orders three assistant administrators : a first assistant, who acts for him during his absence and who, under his direction, is especially responsible for the services of health and relief ; a second assistant, who, under his direction, is especially responsible for the financial services ; and a third assistant, who, under his direction, is especially responsible for the services relating to the administration of justice.

The other administrative services shall be under the immediate direction of the Administrator.

*Article 33.* — The police of the Zone shall comprise :

1. A force of gendarmerie composed of 250 men and constituted in accordance with the provisions of article 47 of the convention of the 18th December, 1923, as revised.

2. A civil police, composed of Europeans and natives, the strength of which shall be fixed by the Assembly. The police shall be placed under the orders of a commissioner appointed by the Assembly on the nomination of the Administrator.

*Article 36.* — The appointment of officials of the international administration, other than those specified in article 35 of the convention of the 18th December, 1923, as revised, shall be effected by a committee presided over by the Administrator and composed of the four vice-presidents of the Assembly and of the head of the service concerned.

The committee must assure themselves by seeking information from the candidate's Consul that he has a satisfactory record. The required information must be given within a month from the date on which it is sought. Otherwise the committee may proceed with the appointment of the candidate.

The candidates selected will be appointed by the Administrator with the previous approval of the Assembly.

## II.

### AMENDMENTS

TO THE DAHIR CONCERNING THE ORGANISATION OF AN INTERNATIONAL TRIBUNAL AT TANGIER.

*Article I (paragraphs 1, 2, and 3).* — An international tribunal, called the Mixed Court of Tangier, shall be established at Tangier.

This tribunal is composed of :

- i. As permanent members, a Belgian magistrate, a British magistrate, a Spanish magistrate, a French magistrate and an Italian magistrate :

*Article 10 (paragraphs 1 and 2).* — If the accused is one of our subjects, the jury shall consist of three of our subjects, one Spanish subject, a French citizen and either a British subject or an Italian citizen.

If the accused is a national of a State other than Morocco, the members of the jury shall be drawn by lot from the list of jurors of the same nationality as the accused. Should there be no special list for the nation to which the accused belongs, the accused may select the nationality of the list of jurors before whom he desires to be tried and the jurors shall be drawn by lot from the list of this nationality. The president of the criminal court shall inform the accused of his rights in this respect at least ten days before the opening of the session. Should the accused not avail himself of this right within twenty-four hours of receiving such notice from the President, the jury shall be composed of six members, of whom not more than two may be of the same nationality, chosen from the lists of British, Spanish, French and Italian jurors,

*Article 14.* — The office of the Mixed Court shall consist of one chief clerk, four clerks and two assistant clerks, who shall be appointed by dahir issued by Our Majesty on the recommendation of the assembly-general of magistrates.

These officials shall be exclusively remunerated by a fixed salary, the amount of which shall be fixed later.

They are responsible for all duties which normally devolve on the clerk, the notary, and the accountant of the court. They also put into effect the orders of the magistrates as to summonses, notifications, execution and ascertainment of facts. Finally they perform the duties of official liquidator, receiver in bankruptcy and of curator of estates under the conditions laid down by the law.

The members of the office shall be of British, Spanish, French or Italian nationality. They must be at least twenty-five years of age. They may be dismissed by dahir on the recommendation of the assembly-general of magistrates acting either on their own initiative or on that of one of the public procurators, but in any case after the official concerned has stated his case or at least has been invited to do so.

A dahir shall fix the amount of the fees due to the Treasury in respect of judicial procedure or office fees, and shall determine the conditions under which such fees shall be levied.

*Article 22.* — The salary of the magistrates of the Mixed Court is fixed at 30,000 Moroccan francs. The magistrates shall receive in addition a yearly allowance of 14,000 francs in respect of lodging and foreign allowance.

III.

AMENDMENTS

TO THE ANNEX TO THE DAHIR CONCERNING THE ORGANISATION OF AN INTERNATIONAL TRIBUNAL AT TANGIER.

*Article 5.* — From the date of the entry into force of the present Dahir the Mixed Court shall, within the limits of the competence of its different sections and in conformity with the penal laws of the international zone, have jurisdiction over :

- (1) All felonies, misdemeanours or petty offences committed by foreign nationals ;
- (2) All felonies, misdemeanours or petty offences committed by subjects of our Empire together with nationals of foreign Powers ;

(3) All felonies, misdemeanours or petty offences committed by subjects of our Empire against nationals of foreign Powers ;

(3) *bis* All offences committed by subjects of our Empire which fall within the scope of articles 139 and 139 *bis* of the penal code ;

(4) All felonies, misdemeanours and petty offences :

(a) Committed in court or in any place in which one or more magistrates are engaged in the performance of their duties ;

(b) Amounting to perjury or suborning of witnesses in civil or criminal proceedings before the Mixed Court ;

(c) Against the execution of decisions, judgments, sentences, orders or warrants of the Mixed Court ;

(d) Against the magistrates, assessors, jurors or judicial officers of the Mixed Court in the exercise of or on the occasion of the exercise of their functions ;

(e) By the magistrates, assessors, jurors or judicial officers of the Mixed Court in the exercise of their functions or in consequence of an abuse of authority.

#### IV.

#### AMENDMENTS

#### TO THE PENAL CODE OF THE TANGIER ZONE.

#### BOOK I.

#### CHAPTER V. (*New.*)

#### PROHIBITION OF RESIDENCE.

*Article 25 bis.* — In addition to sentences of imprisonment, the Tribunal may in any case impose the penalty of prohibition of residence in the Tangier Zone for a period of 20 years on persons convicted of any of the following offences, or their accomplices :

1. All crimes and attempted crimes ;

2. The offences which fall under articles 139 (paragraphs 1 and 2) and 139 *bis* ;

3. In the case of persons previously convicted, the offences falling under articles 118, 130, 131, 132, 133, 139 (paragraph 3), 146, 147, 148, 149, 150, 188, 189, 199, 201 and 203.

Moroccan subjects who are sentenced to the accessory penalty of prohibition of residence in the Tangier Zone shall be ordered by the Tribunal to reside in one of the other Zones of Morocco, which shall be designated after agreement with the competent authorities of the Zone in question.

A convict who returns to the Zone before the expiry of the period during which his residence there has been prohibited, shall be banished from the Tangier Zone. If he is a Moroccan subject, he will be compelled to reside in a place chosen in accordance with the terms of the preceding paragraph.

#### BOOK III.

#### PART TWO.

#### CHAPTER I.

#### SECTION 2.

*Article 139.* — The manufacture, introduction or possession in any capacity in the Tangier Zone of explosives, war material and munitions such as arms, ammunition, cartridges, loaded

or unloaded, is punishable by imprisonment for a term of from 6 months to 5 years and a fine of 1,000 to 20,000 francs.

Attempts to commit, and complicity in, the above offences are punishable with the same penalty as the offence itself.

Without prejudice to the application, if necessary, of the first two paragraphs of the present article, the carriage, outside the residence of the individual and without authorisation, of any weapon, whether concealed or not, is punishable by imprisonment for a term of from 6 days to 3 months and of a fine of 100 to 200 francs, or by one of these two penalties only.

In all cases falling within the scope of the present article, the articles manufactured, introduced or possessed, and the weapons carried, shall be confiscated.

*Article 139 bis.* — Agitation, propaganda or conspiracy against the established order in any one of the Zones in Morocco or in foreign countries is punishable by imprisonment for a term of from 6 months to 5 years and of a fine of 1,000 to 20,000 francs.

The present agreement done in four copies at Paris, the 25th July, 1928.

J. QUIÑONES DE LEON.  
BERTHELOT.  
CREWE.  
G. MANZONI.

### C.

#### SPECIAL PROVISIONS.

The undersigned, duly authorised respectively by the GOVERNMENT OF HIS MAJESTY THE KING OF SPAIN, THE GOVERNMENT OF THE FRENCH REPUBLIC, HIS BRITANNIC MAJESTY'S GOVERNMENT IN GREAT BRITAIN and THE GOVERNMENT OF HIS MAJESTY THE KING OF ITALY, have agreed upon the following special provisions relating to the agreements concluded this day concerning the Tangier Zone.

### I.

The assistant-administrator in charge of the services relating to the administration of justice shall have under his authority the administrative services connected with the international tribunal, the prisons and the issue of official publications. He shall supervise the execution of the judgments of the Mixed Court in criminal matters. In addition he will discharge the functions of counsellor to the administration of the Zone in legal and legislative matters, always provided that he does not encroach on the functions of the other assistant administrators.

### II.

In accordance with the provisions of the Tangier Statute the existing tabors shall be dissolved and replaced as soon as possible after the entry into force of the agreement revising the Convention of the 18th December, 1923, and signed this day, by a force of gendarmerie constituted in accordance with the provisions of the said Convention as revised in article 47 and by the regulations for the gendarmerie, also revised, which are annexed to that instrument.

## III.

The codes drawn up in accordance with article 48 of the Convention of the 18th December, 1923, relating to the organisation of the Tangier Statute and revised this day shall be officially communicated to the Italian Government. They shall be provisionally applicable to Italian subjects from the date on which the agreement revising the said convention signed this day comes into force. On the expiration of two years from the said day, the codes shall be submitted to a committee of jurists composed of British, Spanish, French and Italian representatives, which shall be entrusted with the task of examining the modifications which the Italian Government, and possibly other governments which have acceded to the said Convention, may desire to propose. The committee shall draft the texts to be submitted to the Legislative Assembly. It must complete its work within three months from the date of its first meeting.

## IV.

As regards the application of article 48 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, and of article 1 of the Shereefian Dahir of the 16th February, 1924, relating to the organisation of an international tribunal at Tangier, the said Convention and the said Shereefian Dahir having been revised in conformity with the agreements signed this day, it is agreed that :

(1) The Italian magistrate shall take his seat on the Mixed Court of Tangier on the entry into force of the revised Statute.

(2) The Belgian magistrate shall replace the first of the two British magistrates who shall cease to be a member of the Court.

## V.

The four Governments undertake to cause a revised scheme for the international tribunal of Tangier to be elaborated by a committee of jurists which shall meet in Paris within six months from the date of signature of the present provisions. This committee shall take as a basis of its work the recommendations and drafts annexed to the minutes of the 29th meeting held on the 12th July, 1928, by the experts entrusted with the revision of the Tangier Statute.

The revised scheme shall in particular :

Place the directorship of the *Parquet* under one head ;

Entrust the duties of the representative of the State before the courts of first instance and the court of appeal and the criminal court to a Spanish magistrate and a French magistrate respectively in alternate years ; and before the police court to a Spanish inspector of police and a French inspector of police in the same way ;

Create a presidency of the Mixed Court ;

Make provision for a vacation court during the vacation of the Mixed Court ;

Create a court of appeal, wholly separate from the other courts, on which may sit non-resident appeal judges who shall come periodically to hear appeals at Tangier. A special fee may be levied on all appellants, not poor persons, in addition to the usual court fees ;

Take into account the desire expressed by the Spanish and French Governments to be represented by a magistrate of their nationality in the court of first instance and in the court of appeal ;

Suppress the lay assessors of the Mixed Court, as permanent members of the international tribunal.

Provision might be made for a court of cassation composed of magistrates belonging to the Supreme Court of a country not represented in the international tribunal of Tangier.

#### VI.

In accordance with article 49 of the Convention of the 18th December, 1923, relating to the organisation of the Tangier Statute and revised this day, the diplomatic agency of Italy at Tangier shall be replaced by a consulate. The Italian Government, however, reserve the right to appoint a member of their diplomatic service to this consulate without claiming for him other rights, prerogatives and privileges than those attached to the functions of consul *de carrière* in the Tangier Zone.

#### VII.

The Government of His Majesty the King of Italy agree that Italian subjects shall be subject to the fiscal laws of the zone from the date of the deposit of the ratifications of the agreement signed this day revising the Convention of the 18th December, 1923, relating to the organisation of the Tangier Statute.

#### VIII.

The present provisions shall be communicated by the Government of the French Republic to the Powers which have acceded to the Convention of the 18th December, 1923, relating to the organisation of the Tangier Statute and also to the Government of the United States of America, as a signatory of the Act of Algeciras, at the same time as the agreements signed this day.

The present provisions done in four copies at Paris, the 25th July, 1928.

J. QUIÑONES DE LEON.  
BERTHELOT.  
CREWE.  
G. MANZONI

NOTES REGARDING CERTAIN CLAUSES OF THE AGREEMENT SIGNED AT PARIS JULY 25, 1928, FOR THE REVISION OF THE CONVENTION OF DECEMBER 18, 1923, RELATING TO THE ORGANISATION OF THE STATUTE OF THE TANGIER ZONE.

## I.

NOTES REGARDING THE EXECUTION OF PUBLIC WORKS IN THE TANGIER ZONE.

A. — NOTE FROM HIS EXCELLENCY MONSIEUR QUIÑONES DE LEON, SPANISH AMBASSADOR AT PARIS, TO HIS EXCELLENCY COUNT MANZONI, ITALIAN AMBASSADOR AT PARIS.

PARIS, *July 25, 1928.*

SIR,

You were good enough to draw my attention to the fact that the Italian Government, on becoming a contracting party to the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, were anxious to know whether a fair distribution would be assured to Italian capital and labour in the execution of public works at Tangier. I have the honour to inform you that the régime of economic equality, instituted in the Tangier Zone by the treaties in force and guaranteed by article 7 of the said convention, guarantees the enterprise and labour of the different nations against any form of discrimination. I have the honour to inform you that the Spanish Consul-General at Tangier, who is a member of the Committee of Control, will receive instructions to ensure in that committee that Italy shall derive full benefit from this régime, and to take steps, if necessary, to cause the committee, acting within the powers with which they are invested under article 30, paragraph 5, to address the necessary observations to the international administration.

In order to give satisfaction to another request which you have put forward, the Spanish representative will be reminded that the Port Commission instituted under article 41 is responsible, under the authority of the Committee of Control, for ensuring the observance of the régime of economic equality, to which Italian interests are fully entitled, and that in accordance with the terms of the port concession, this régime extends to the construction and maintenance as well as the exploitation of the port.

I have, etc.

J. QUIÑONES DE LEON.

REPLY OF HIS EXCELLENCY COUNT MANZONI TO HIS EXCELLENCY  
MONSIEUR QUIÑONES DE LEÓN.

PARIS, *July 25, 1928.*

SIR,

You were good enough by your note of to-day's date to inform me that the régime of economic equality, instituted in the Tangier Zone by the treaties in force and guaranteed by article 7 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, guarantees the enterprise and labour of the different nations against any form of discrimination.

You add that the Spanish Consul-General at Tangier, who is a member of the Committee of Control, will receive instructions to ensure in that committee that Italy shall derive full benefit

from this régime, and to take steps, if necessary, to cause the committee, acting within the powers with which they are invested under article 30, paragraph 5, of the said convention, to address the necessary observations or representations to the international administration.

At the same time the Spanish Consul-General will also be reminded that the Port Commission instituted under article 41, is responsible, under the authority of the Committee of Control, for ensuring the observance of the régime of economic equality, to which Italian interests are fully entitled, and that in accordance with the terms of the port concession, this régime extends to the construction and maintenance as well as the exploitation of the port.

I have the honour to thank you for this communication, which I shall not fail to transmit to my Government.

I have, etc.

G. MANZONI.

B. — NOTE FROM HIS EXCELLENCY THE MARQUESS OF CREWE, HIS BRITANNIC MAJESTY'S AMBASSADOR AT PARIS, TO HIS EXCELLENCY COUNT MANZONI, ITALIAN AMBASSADOR AT PARIS.

PARIS, July 25, 1928.

SIR,

You were good enough to draw my attention to the fact that the Italian Government, on becoming a contracting party to the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, were anxious to know whether a fair distribution would be assured to Italian capital and labour in the execution of public works at Tangier. I have the honour to inform you that the régime of economic equality, instituted in the Tangier Zone by the treaties in force and guaranteed by article 7 of the said convention, guarantees the enterprise and labour of the different nations against any form of discrimination. I have the honour to inform you that the British Consul-General at Tangier, who is a member of the Committee of Control, will receive instructions to ensure in that committee that Italy shall derive full benefit from this régime and to take steps, if necessary, to cause the committee, acting within the powers with which they are invested under article 30, paragraph 5, to address the necessary observations or representations to the international administration.

In order to give satisfaction to another request which you have put forward, the British representative will be reminded that the Port Commission instituted under article 41 is responsible, under the authority of the Committee of Control, for ensuring the observance of the régime of economic equality, to which Italian interests are fully entitled, and that in accordance with the terms of the port concession, this régime extends to the construction and maintenance as well as the exploitation of the port.

I have, etc.

CREWE.

REPLY OF HIS EXCELLENCY COUNT MANZONI TO HIS EXCELLENCY THE MARQUESS OF CREWE.

PARIS, July 25, 1928.

SIR,

You were good enough by your note of to-day's date to inform me that the régime of economic equality, instituted in the Tangier Zone by the treaties in force and guaranteed by article 7 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, guarantees the enterprise and labour of the different nations against any form of discrimination.



You add that the British Consul-General at Tangier, who is a member of the Committee of Control, will receive instructions to ensure in that committee that Italy shall derive full benefit from this régime and to take steps, if necessary, to cause the committee, acting within the powers with which they are invested under Article 30, paragraph 5, of the said convention, to address the necessary observations or representations to the international administration.

At the same time the British Consul-General will also be reminded that the Port Commission instituted under article 41 is responsible, under the authority of the Committee of Control, for ensuring the observance of the régime of economic equality, to which Italian interests are fully entitled, and that in accordance with the terms of the port concession, this régime extends to the construction and maintenance as well as the exploitation of the port.

I have the honour to thank you for this communication, which I shall not fail to transmit to my government.

I have, etc.

G. MANZONI.

C. — NOTE FROM HIS EXCELLENCY MONSIEUR BERTHELOT, FRENCH AMBASSADOR, SECRETARY-GENERAL OF THE MINISTRY FOR FOREIGN AFFAIRS, TO HIS EXCELLENCY COUNT MANZONI, ITALIAN AMBASSADOR AT PARIS.

PARIS, *July 25, 1928.*

SIR,

You were good enough to draw my attention to the fact that the Italian Government, on becoming a contracting party to the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, were anxious to know whether a fair distribution would be assured to Italian capital and labour in the execution of public works at Tangier. I have the honour to inform you that the régime of economic equality, instituted in the Tangier Zone by the treaties in force and guaranteed by article 7 of the said convention, guarantees the enterprise and labour of the different nations against any form of discrimination. I have the honour to inform you that the French Consul-General at Tangier, who is a member of the Committee of Control, will receive instructions to ensure in that committee that Italy shall derive full benefit from this régime, and to take steps, if necessary, to cause the committee, acting within the powers with which they are invested under article 30, paragraph 5, to address the necessary observations or representations to the international administration.

In order to give satisfaction to another request which you have put forward, the French representative will be reminded that the Port Commission instituted under article 41 is responsible, under the authority of the Committee of Control, for ensuring the observance of the régime of economic equality, to which Italian interests are fully entitled, and that in accordance with the terms of the port concession, this régime extends to the construction and maintenance as well as the exploitation of the port.

I have, etc.

BERTHELOT.

REPLY OF HIS EXCELLENCY COUNT MANZONI TO HIS EXCELLENCY  
MONSIEUR BERTHELOT.

PARIS, *July 25, 1928.*

SIR,

You were good enough by your note of to-day's date to inform me that the régime of economic equality, instituted in the Tangier Zone by the treaties in force and guaranteed by article 7 of the

Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, guarantees the enterprise and labour of the different nations against any form of discrimination.

You add that the French Consul-General at Tangier, who is a member of the Committee of Control, will receive instructions to ensure in that committee that Italy shall derive full benefit from this régime, and to take steps, if necessary, to cause the committee, acting within the powers with which they are invested under article 30, paragraph 5, of the said convention, to address the necessary observations or representations to the Tangier administration.

At the same time the French Consul-General will also be reminded that the Port Commission instituted under article 41 is responsible, under the authority of the Committee of Control, for ensuring the observance of the régime of economic quality, to which Italian interests are fully entitled, and that in accordance with the terms of the port concession, this régime extends to the construction and maintenance as well as the exploitation of the port.

I have the honour to thank you for this communication, which I shall not fail to transmit to my Government.

I have, etc.

G. MANZONI.

II.

NOTES REGARDING THE APPOINTING OF OFFICIALS OF THE ADMINISTRATION  
OF THE TANGIER ZONE.

A. — NOTE FROM HIS EXCELLENCY MONSIEUR QUIÑONES DE LEON, SPANISH AMBASSADOR  
AT PARIS, TO HIS EXCELLENCY COUNT MANZONI, ITALIAN AMBASSADOR AT PARIS.

PARIS, *July 25, 1928.*

SIR,

You were good enough to express to me in the name of the Italian Government the desire that when vacancies occur in the personnel of the international administration of Tangier, a fair participation in the administration shall be henceforth assured to Italian nationals, and that the attention of the vice-presidents of the International Legislative Assembly, members of the recruiting committee set up under article 37 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, shall be respectively called to this point by the Consuls-General of Spain, France, Great Britain and Italy.

I have the honour to inform you that the Spanish Government will be glad to comply with this request.

I have, etc.

J. QUIÑONES DE LEON.

REPLY OF HIS EXCELLENCY COUNT MANZONI TO HIS EXCELLENCY  
MONSIEUR QUIÑONES DE LEON.

PARIS, *July 25, 1928.*

SIR,

You were good enough in a note of to-day's date to inform me that the Spanish Government would be happy to comply with the desire expressed by the Italian Government that when vacancies occur in the personnel of the international administration of Tangier, a fair participation in the

administration shall be henceforth assured to Italian nationals, and that the attention of the vice-presidents of the International Legislative Assembly, members of the recruiting committee set up under article 37 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, shall be respectively called to this point by the Consuls-General of Spain, France, Great Britain and Italy.

I have the honour to thank you for this communication, which I shall not fail to transmit to my Government.

I have, etc.

G. MANZONI.

B. — NOTE FROM HIS EXCELLENCY THE MARQUESS OF CREWE, HIS BRITANNIC MAJESTY'S AMBASSADOR AT PARIS, TO HIS EXCELLENCY COUNT MANZONI, ITALIAN AMBASSADOR AT PARIS.

PARIS, *July 25, 1928.*

SIR,

You were good enough to express to me in the name of the Italian Government the desire that when vacancies occur in the personnel of the international administration of Tangier, a fair participation in the administration shall be henceforth assured to Italian nationals, and that the attention of the vice-presidents of the International Legislative Assembly, members of the recruiting committee set up under article 37 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, shall be respectively called to this point by the Consuls-General of Spain, France, Great Britain and Italy.

I have the honour to inform you that His Majesty's Government will be glad to comply with this request.

I have, etc.

CREWE.

REPLY OF HIS EXCELLENCY COUNT MANZONI TO HIS EXCELLENCY THE  
MARQUESS OF CREWE.

PARIS, *July 25, 1928.*

SIR,

You were good enough in a note of to-day's date to inform me that the British Government would be happy to comply with the desire expressed by the Italian Government that when vacancies occur in the personnel of the international administration of Tangier, a fair participation in the administration shall be henceforth assured to Italian nationals, and that the attention of the vice-presidents of the International Legislative Assembly, members of the recruiting committee set up under article 37 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, shall be respectively called to this point by the Consuls-General of Spain, France, Great Britain and Italy.

I have the honour to thank you for this communication, which I shall not fail to transmit to my Government.

I have, etc.

G. MANZONI.

C. — NOTE FROM HIS EXCELLENCY MONSIEUR BERTHELOT, FRENCH AMBASSADOR, SECRETARY-GENERAL OF THE MINISTRY FOR FOREIGN AFFAIRS, TO HIS EXCELLENCY COUNT MANZONI, ITALIAN AMBASSADOR AT PARIS.

PARIS, *July 25, 1928.*

SIR,

You were good enough to express to me in the name of the Italian Government the desire that when vacancies occur in the personnel of the international administration of Tangier, a fair participation in the administration shall be henceforth assured to Italian nationals, and that the attention of the vice-presidents of the International Legislative Assembly, members of the recruiting committee set up under article 38 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, shall be respectively called to this point by the Consuls-General of Spain, France, Great Britain and Italy.

I have the honour to inform you that the French Government will be glad to comply with this request.

I have, etc.

BERTHELOT.

REPLY OF HIS EXCELLENCY COUNT MANZONI TO HIS EXCELLENCY  
MONSIEUR BERTHELOT.

PARIS, *July 25, 1928.*

SIR,

You were good enough in a note of to-day's date to inform me that the French Government would be happy to comply with the desire expressed by the Italian Government that when vacancies occur in the personnel of the international administration of Tangier, a fair participation in the administration shall be henceforth assured to Italian nationals, and that the attention of the vice-presidents of the International Legislative Assembly, members of the recruiting committee set up under article 37 of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, shall be respectively called to this point by the Consuls-General of Spain, France, Great Britain and Italy.

I have the honour to thank you for this communication, which I shall not fail to transmit to my Government.

I have, etc.

G. MANZONI.

FINAL PROTOCOL OF THE CONFERENCE RELATING TO CERTAIN MATTERS  
CONCERNING THE TANGIER STATUTE.

SPAIN and FRANCE having agreed on various developments and modifications of the régime in force in the Tangier Zone, THE GOVERNMENT OF HIS MAJESTY THE KING OF SPAIN, THE GOVERNMENT OF THE FRENCH REPUBLIC, HIS BRITANNIC MAJESTY'S GOVERNMENT IN GREAT BRITAIN, signatories of the Convention of the 18th December, 1923, relating to the organisation of the Statute of the Tangier Zone, have together agreed to make in common with THE GOVERNMENT OF HIS MAJESTY THE KING OF ITALY certain amendments to the said Convention, to the organic Shereefian Dahirs and to the Codes in force in the Zone, and to draw up certain provisions concerning the Zone and to recognise that THE ITALIAN GOVERNMENT becomes a contracting party to the said Convention as thus revised.

In these conditions the undersigned, duly authorised, met at a conference held in Paris at the Ministry for Foreign Affairs from the 20th March to the 16th July, 1928, in the course of which they have agreed to the provisions annexed hereto, which they have respectively signed this day.

The present Protocol done in four copies at Paris, the 25th July, 1928.

J. QUIÑONES DE LEON.  
BERTHELOT.  
CREWE.  
G. MANZONI.