

N° 4257.

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GRANDE-BRETAGNE  
ET IRLANDE DU NORD  
ET FRANCE

Convention relative à l'abolition du régime capitulaire au Maroc et à Zanzibar, avec annexe, protocole de signature et procès-verbal, signés à Londres, le 29 juillet 1937, et échanges de notes y relatifs de la même date.

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GREAT BRITAIN  
AND NORTHERN IRELAND  
AND FRANCE

Convention for the Abolition of Capitulations in Morocco and Zanzibar, with Annex, Protocol of Signature and Minute, signed at London, July 29th, 1937, and Exchanges of Notes relating thereto of the same Date.

No. 4257. — CONVENTION<sup>1</sup> BETWEEN GREAT BRITAIN AND NORTHERN IRELAND AND FRANCE FOR THE ABOLITION OF CAPITULATIONS IN MOROCCO AND ZANZIBAR. SIGNED AT LONDON, JULY 29TH, 1937.

*French and English official texts communicated by the Minister for Foreign Affairs of the French Republic and by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Convention took place January 8th, 1938.*

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and THE PRESIDENT OF THE FRENCH REPUBLIC, acting in his own name and on behalf of His MAJESTY THE SULTAN OF MOROCCO ;

Whereas the present special régime applicable in the French Zone of the Shereefian Empire to British consuls, nationals, and institutions is no longer in accordance with the present state of that zone ;

And whereas His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, in view of the convention<sup>2</sup> signed at Montreux on the 8th day of May, 1937, relating to the abolition of the Capitulations in Egypt, desires to give effect as regards the French Zone of Morocco to the Declaration<sup>3</sup> of the 8th April, 1904, relating to Egypt and Morocco ;

And whereas both High Contracting Parties are also desirous of modifying certain treaties applicable to Zanzibar so as to render them more in conformity with existing conditions ;

Have accordingly decided to conclude a Convention for this purpose and have appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA (hereinafter referred to as His Majesty The King) :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

The Right Honourable Anthony EDEN, M.C., M.P., His Majesty's Principal Secretary of State for Foreign Affairs ;

THE PRESIDENT OF THE FRENCH REPUBLIC :

His Excellency Monsieur Charles CORBIN, Ambassador Extraordinary and Plenipotentiary of the French Republic in London ;

Who, having deposited their full powers, found in good and due form, have agreed as follows :

*Article I.*

His Majesty The King renounces all rights and privileges of a capitulatory character in the French Zone of the Shereefian Empire.

<sup>1</sup> The exchange of ratifications took place at Paris, December 1st, 1937. Came into force January 1st, 1938.

<sup>2</sup> Vol. CLXXXII, page 37, of this Series.

<sup>3</sup> *British and Foreign State Papers*, Vol. 97, page 39.

*Article 2.*

British subjects, British-protected persons and British companies in the French Zone of the Shereefian Empire shall be subject to the jurisdiction of the same tribunals as French citizens and French companies.

In their recourse to such tribunals British subjects, British-protected persons and British companies shall be subject to the same conditions as French citizens and French companies.

After the expiry of ten years from the date of the coming into force of the present Convention, the provisions of the second paragraph of this Article cannot be invoked, unless the subjects of His Majesty the Sultan of Morocco and companies duly incorporated under the law of the French Zone of the Shereefian Empire enjoy in the United Kingdom the treatment of the most-favoured nation as regards the matter referred to in that paragraph.

*Article 3.*

In respect of matters occurring before the entry into force of the present Convention, laws and regulations of the French Zone of the Shereefian Empire shall only be applied to British subjects, British-protected persons, British companies and British ships in cases where in accordance with the existing practice such laws and regulations were then applicable to them.

Duties and taxes, however, payable under legislation, enacted less than one year before the date of the entry into force of the present Convention and not yet made applicable by regulations of the British consular authorities, may be recovered from British subjects, British-protected persons and British companies.

British subjects, British-protected persons and British companies shall not be sued in the courts of the French Zone for taxation or duties of any kind which became due more than two years before the coming into force of this Convention.

*Article 4.*

The British courts at present exercising jurisdiction in the French Zone of the Shereefian Empire shall continue to deal with the cases regularly instituted before them before the entry into force of the present Convention until these cases are finally completed.

Decisions, given by the said courts within the limits of their jurisdiction and which are final, shall be recognised as having the force of *res judicata* by the authorities of the French Zone of the Shereefian Empire. Certificates given by the British consular officers to the effect that the said decisions are final will be accepted.

His Majesty The King undertakes to retain in Morocco all the judicial records of the British consular courts. These records shall be made available to the tribunals of the French Zone of the Shereefian Empire wherever these tribunals require them for the purpose of cases within their jurisdiction. Certified copies of these records will be furnished on request to the said tribunals, the competent authorities of the zone and to any other properly interested party.

*Article 5.*

Subject to the provisions of paragraphs 2 and 3 below, no person owing allegiance to His Majesty the Sultan of Morocco can claim in the French Zone of the Shereefian Empire the protection of His Majesty The King.

Natives of the French Zone of the Shereefian Empire, who at the date of the entry into force of the present Convention enjoy British protection, either as employees of a British consulate or as *semsars*, shall for the remainder of their life be justiciable by the French tribunals of the Shereefian Empire except as regards matters coming within the jurisdiction of the Moslem or Jewish religious courts. A list of these persons shall be drawn up within six months of the coming into force of the present Convention by agreement between the French Residency-General and the British Consulate-General at Rabat. This list shall include the wives and minor children of these persons living under

the same roof, and the provisions of this paragraph shall apply in the case of the wives during the lifetime of their husbands, and in the case of the children until the death of their fathers or until their majority, whichever happens earliest.

The persons enumerated in the Annex to the present Convention shall also enjoy the benefit of the provisions of paragraph 2 above.

*Article 6.*

The British post offices in the French Zone of the Shereefian Empire will be closed at the date which shall be notified to the Residency-General at Rabat by the British Consulate-General and in any case not later than thirty days after the entry into force of the present Convention.

*Article 7.*

British subjects, British-protected persons and British companies will enjoy in the French Zone of the Shereefian Empire the same personal and private rights (*droits privés*) as French citizens and French companies. They shall have the same guarantees for the protection of person and property.

*Article 8.*

British subjects and British-protected persons shall not be subject in the French Zone of the Shereefian Empire to any compulsory personal military service nor to any tax or payment in lieu of such service.

After the expiry of ten years from the date of the entry into force of the present Convention, the provisions of the present Article cannot be invoked unless the subjects of His Majesty the Sultan of Morocco enjoy in the United Kingdom the treatment of the most-favoured nation as regards the matter referred to in this Article.

*Article 9.*

Extracts from "casier judiciaire" shall be delivered to British subjects and British-protected persons resident in the French Zone of Morocco in the same conditions as to French citizens. In order to enable the competent authorities of the zone to deliver such extracts, the British consular authorities in the zone will supply to these authorities certificates as regards convictions, if any, pronounced by the British consular courts in Morocco.

*Article 10.*

His Majesty The King shall have the right to maintain consulates at any place in the French Zone of the Shereefian Empire where British consulates are at present established. The establishment of new consulates at other places in the said zone shall be subject to the agreement of the Governments of both High Contracting Parties.

British consular officers in the French Zone shall enjoy privileges and immunities not less favourable than those accorded to British consular officers in France or to the consular officers of any other Power in Morocco.

Neither this Article nor Article 20 of the General Treaty signed at Tangier on the 9th December 1856<sup>1</sup>, on behalf of Her late Majesty The Queen of the United Kingdom of Great Britain and Ireland and His late Majesty the Sultan of Morocco and Fez, shall, however, entitle His Majesty The King to claim jurisdictional privileges accorded on the basis of existing treaties concluded by His Majesty the Sultan of Morocco and the United States of America.

<sup>1</sup> *British and Foreign State Papers*, Vol. 46, page 176.

*Article 11.*

British schools of every grade shall continue to enjoy in the French Zone, especially in regard to the teaching of English, the same liberty as hitherto. They will be subject to the laws relating to State control which are applicable to all European schools in the French Zone.

*Article 12.*

Article 4, paragraph 1, of the General Treaty signed at Tangier on the 9th December, 1856, does not affect the right of the authorities of the French Zone of the Shereefian Empire to regulate admittance and immigration into the territory or to expel persons for reasons of police or public order or to apply immigration regulations, provided that there is no discrimination against British subjects or British-protected persons.

Nevertheless, British subjects and British-protected persons who have been resident in the French Zone of Morocco for more than five years shall not be expelled unless :

(a) They have committed a crime or offence punishable with more than three months' imprisonment ;

(b) They have been guilty of conduct prejudicial to public safety, public order, good morals or public health ;

(c) They are in such a state of indigence as to be a burden to the State.

The provisions of paragraph 2 of this Article may be terminated at any time after the expiry of twenty years from the date of the coming into force of this Convention by six months' notice.

*Article 13.*

The powers conferred on British consular officers in the French Zone of the Shereefian Empire in matter of the estates of deceased persons by Article 18 of the General Treaty signed at Tangier on the 9th December, 1856, are maintained.

Any disputes arising as regards the estates referred to in the said Article shall be determined by the competent tribunals of the said zone in conformity with the provisions of laws of general application.

The provisions of this Article may be terminated at any time after the expiry of twenty years from the date of the entry into force of the present Convention by a six months' notice.

*Article 14.*

The High Contracting Parties agree that the French decree of the 8th November, 1921, relating to French nationality in the French Zone of the Shereefian Empire, and the Dahir of the same date, relating to Moroccan nationality, are not applicable to British subjects or protected persons born before the date of the entry into force of the present Convention.

If the French or Moroccan Governments should enact measures which would result in conferring French or Moroccan nationality by reason of birth or residence in the French Zone of the Shereefian Empire in any case where the above-mentioned decree would not have conferred French nationality, British subjects and protected persons affected by these enactments shall be freed from French or Moroccan nationality if they make a request to this effect in the year which follows their majority.

*Article 15.*

The subjects of His Majesty the Sultan of Morocco and Moroccan vessels shall enjoy the same rights as French citizens and French ships in the United Kingdom of Great Britain and Northern Ireland, British colonies and in territories under the protection of His Majesty The King, and in mandated territories administered by the Government of the United Kingdom.

The expression " Moroccan vessels " means ships duly registered as such in a port of the French Zone of the Shereefian Empire.

*Article 16.*

The provisions of all earlier Acts, treaties and conventions which are contrary to the preceding provisions of the present Convention are abrogated as between the High Contracting Parties so far as the French Zone of the Shereefian Empire is concerned.

Articles 13 and 20 of the general Treaty signed at Tangier on the 9th December, 1856, cannot be invoked by His Majesty The King to claim the jurisdictional privileges enjoyed by the United States of America under treaties at present in force.

His Majesty The King renounces all rights in the French Zone of the Shereefian Empire under the Convention of Madrid of 1880<sup>1</sup>.

*Article 17.*

The French Republic renounces all rights and privileges of a capitulatory character in the territories of His Highness the Sultan of Zanzibar.

*Article 18.*

French nationals (citizens, subjects and protected persons) and French companies shall be subject in the territories of the Sultan of Zanzibar to the jurisdiction of the same courts as British subjects and British companies.

In their recourse to such courts French nationals and French companies shall be subject to the same conditions as British subjects and British companies for so long as British subjects, British-protected persons and British companies enjoy in the French Zone of the Shereefian Empire the benefit of paragraph 2 of Article 2 of the present Convention.

*Article 19.*

French nationals (citizens, subjects and protected persons) and French companies will enjoy in the territories of His Highness the Sultan of Zanzibar the same rights as those accorded in the French Zone of the Shereefian Empire to British subjects, British-protected persons and British companies under Articles 7, 8 and 12 above and subject to the same conditions.

*Article 20.*

French Consuls in the territories of His Highness the Sultan of Zanzibar shall enjoy privileges and immunities not less favourable than those accorded to French consular officers in the United Kingdom or those accorded to the consuls of any other Power in the territories of His Highness the Sultan of Zanzibar.

Neither Article 2 nor Article 5 of the treaty signed at Zanzibar on the 17th November, 1844<sup>2</sup>, with His Highness the Sultan of Muscat and dependencies shall entitle the French Republic to claim in the territories of His Highness the Sultan of Zanzibar jurisdictional privileges or personal privileges for French consuls or French nationals on the basis of privileges claimed or granted to other Powers in virtue of existing treaties concluded by His Highness the Sultan of Muscat.

*Article 21.*

French schools shall continue to enjoy in the territories of the Sultan of Zanzibar the same freedom as in the past, particularly in regard to the teaching of French. They shall be subject to the laws relating to State control which are applicable to all European schools.

*Article 22.*

The powers reserved by the Government of the French Republic as regards estates of deceased nationals for the benefit of French consuls in the territories of His Highness the Sultan of Zanzibar by the letter of the 13th May, 1904<sup>3</sup>, shall be maintained.

<sup>1</sup> *British and Foreign State Papers*, Vol. 71, page 639.

<sup>2</sup> *British and Foreign State Papers*, Vol. 35, page 1011.

<sup>3</sup> *British and Foreign State Papers*, Vol. 99, page 357.

All disputes that may arise as regards such estates shall be determined in the territories of His Highness the Sultan of Zanzibar by the competent tribunals in accordance with the provisions of laws of general application. French consuls shall not in any matter be cited before a native court in this capacity as administrator or liquidator of the estate of a French national.

The provisions of the present Article may be terminated at any time after the expiry of twenty years from the date of the entry into force of the present Convention by six months' notice.

*Article 23.*

The following provisions of the Treaty signed at Zanzibar on the 17th November, 1844, with His Highness the Sultan of Muscat and dependencies, namely, Articles 3, 4, 6, 7, 8 and 9, are abrogated so far as the territories of His Highness the Sultan of Zanzibar are concerned.

*Article 24.*

For the purposes of this Convention the expression "British companies" means any company duly incorporated under the law of any territory under the sovereignty of His Majesty The King or of any territory under his protection, suzerainty or mandate, and the expression "British ships" means any ship duly registered in any of the above-mentioned territories.

The expression "French companies" means any company duly incorporated under the law of France or any French colony, protectorate or territory under mandate, and the expression "French ships" means any ship duly registered in any of the above-mentioned territories.

The expression "subject of His Majesty the Sultan of Morocco" only includes those of His Majesty's subjects who enjoy French diplomatic protection abroad.

The expression "territories of His Highness the Sultan of Zanzibar" means the territories referred to in the notes exchanged on the 13th and 18th May, 1904, between the Government of the United Kingdom and the Government of the French Republic.

*Article 25.*

Any dispute between the High Contracting Parties relating to the interpretation or application of the provisions of the present Convention, which they are unable to settle by diplomatic means, shall, on the application of one of them, be submitted to the Permanent Court of International Justice unless the High Contracting Parties agree on another method of settlement.

*Article 26.*

The present Convention shall be ratified.

The instruments of ratification shall be exchanged at Paris.

The present Convention shall enter into force one calendar month after the date of the exchange of ratifications.

In faith whereof the above-named Plenipotentiaries have signed the present Convention.

Done this 29th day of July, 1937, at London, in duplicate, in English and French, both texts being equally authentic.

Anthony EDEN.

Charles CORBIN.

## ANNEX.

(See Article 5, paragraph 3.)

Hadj el Mehdi ben el Arbi el Menebhi.  
 Si Jaafar ben Hadj el Mehdi el Menebhi.  
 Si Abdelmajid ben Hadj el Mehdi el Menebhi.  
 Si Hamsa ben Hadj el Mehdi el Menebhi.  
 Si Mohammed (or Larbi) ben Hadj el Mehdi el Menebhi.  
 Si Mokhtar ben Hadj el Mehdi el Menebhi.  
 Si Ahmed ben Hadj el Mehdi el Menebhi.  
 Si Mohammed ben Hadj el Mehdi el Menebhi.  
 Si Abdelqader ben Hadj el Mehdi el Menebhi.  
 Si Abbas ben Hadj el Mehdi el Menebhi.  
 Si Abdelkerim ben Hadj el Mehdi el Menebhi.  
 Si Abdellatif ben Hadj el Mehdi el Menebhi.

Omar bel Hadj Hassan el Hadjoui, supernumerary Consular employee, Fez.  
 Ahmed el Doukali (Hamed bel Hadj Mohammed bel Abbas Doukali), supernumerary Consular employee, Casablanca.  
 Sid Abderrahman bel Hadj el Mehdi el Menebhi, supernumerary Consular employee, Tangier.  
 Akhamlish, Mulai Ali, semsar in the employment of Adolfo Benvenuto, Tangier.  
 Anidjar, Amram P., semsar in the employment of Juan Dassoy, Tangier.  
 Anidjar, David, semsar in the employment of J. W. Biggs, London.  
 Azagury, Elias S., semsar in the employment of Stewart Bros. and Co., Glasgow.  
 Benchimol, Jacob M., semsar in the employment of Seegar Bros. and Co., Manchester.  
 Benlolo, Leon, semsar in the employment of Samuel Sadler and Co., London.  
 Bensadon, Joseph M., semsar in the employment of Isaac Abensur, Tangier.  
 Bensimhon, Simon, semsar in the employment of Isaac de J. Nahon, Tangier.  
 Cohen, Haim, semsar in the employment of Spruce Manufacturing Co., Ltd., Manchester.  
 Cohen, Isaac Abraham, semsar in the employment of Alexander Arias, Tangier.  
 Cohen, Isaac Joseph, semsar in the employment of S. Arditti Bros., Manchester.  
 Cohen, Jacob Jonas, semsar in the employment of Stewart Bros. and Co., Glasgow.  
 Cohen, Joseph Semtob, semsar in the employment of Lough Bros., Ltd., London.  
 Cohen, Simon J., semsar in the employment of Maurice Cohen and Co., London.  
 Cohen, Solomon Isaac, semsar in the employment of Kessler and Co., Ltd., Manchester.  
 Daoudi, Thami, semsar in the employment of C. E. Gerahty, Tangier.  
 Dukali, Kassim, semsar in the employment of Waring and Gillow, London.  
 Laredo, Isaac, semsar in the employment of Harrison and Crosfield, Ltd., London.  
 Levy, Abram M., semsar in the employment of Robert Baelis and Co., London.  
 Medina, Afraim H., semsar in the employment of Mrs. Zohra Gabay, Tangier.  
 Nahon, Isaac M., semsar in the employment of Moxon's Agencies, Tangier.  
 Nahon, Leon H., semsar in the employment of José D. Cavilla, Tangier.  
 Pariente, Joseph J., semsar in the employment of E. T. Daniels and Wise, London.

## PROTOCOL OF SIGNATURE.

At the moment of signing the Convention of this day's date the undersigned, being duly authorised to this effect :

i. Declare that it is the intention of both Governments that ratifications shall be exchanged at such date as to enable the Convention to come into force on the 1st day of January, 1938 ;



2. Declare, with reference to Article 7, that the present Convention in no way affects the treaties in force under which in the French Zone of the Shereefian Empire :

(a) British subjects, British-protected persons and British companies enjoy equality of treatment with French citizens and French companies in the matter of rights concerning movable and immovable property, mining rights, the exercise of professions, commerce, business and industry ;

(b) British ships enjoy equality of treatment with French ships ;

(c) British subjects, British-protected persons and British companies enjoy equality of treatment in matters of taxation with French citizens and French companies ;

3. Declare, with reference to Article 19, that the present Convention in no way affects the treaties in force under which, in the territories of His Highness the Sultan of Zanzibar, French nationals and French companies enjoy the equality of treatment with British subjects and British companies in regard to the matters specified as in paragraph 2 above ;

4. Declare that the effect of Articles 1 and 16 of the Convention is :

(a) As regards the General Treaty signed at Tangier on the 9th December, 1856 to abrogate in so far as they are still in force Articles 2, 3, 4 (except the first and last sentences), 5 to 12, 14, 17 and 18 (except in so far as the provisions of this Article are maintained by Article 13 of the Convention) ; and (b) as regards the Act of Algeciras to involve the renunciation by His Majesty the King of the right to rely upon Articles 1 to 50, 54 to 65, 70, 71, all provisions of Article 72 after the word " permit," 75, 76, 80, 97, 101, 102, 104, 113 to 119 ; further, in Article 81 the words " by the competent consular authority " must be deemed to be omitted and in Article 91 the word " competent " must henceforth be substituted for the word " consular " ;

5. Declare that, in view of the fact that some of the provisions in the instruments referred to in paragraph 4 above were not considered in the course of the present negotiations, it is understood that the present Convention in no way affects the question whether the provisions of these two instruments, which are not specifically mentioned in paragraph 4 above, are still in force or have become obsolete, and the respective points of view of the two High Contracting Parties are entirely reserved as regards the continuance in force of these provisions, and the present Convention cannot be invoked in this respect.

Done this 29th day of July, 1937, at London, in duplicate, in English and French, both texts being equally authentic.

Anthony EDEN.

Charles CORBIN.

#### MINUTE.

*French and English official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of this Minute took place February 8th, 1938.*

The two Delegations desire to record in a Minute certain conclusions which were reached in the course of the negotiations relating to the abolition of rights of a capitulatory character in the French Zone of the Shereefian Empire.

These conclusions are as follows :

(1) Upon the promulgation of the projected Arrêtés Viziriels, referred to in the Note of the 26th April, 1937, from the Residency-General at Rabat to His Majesty's

Consul-General at that city, which will modify the Arrêtés Viziriels of 1933 so as to allow motor-transport enterprises in the French Zone of the Shereefian Empire to insure their vehicles and their employees with different companies, His Majesty's Government will forthwith cause a King's Regulation to be made applying to British subjects, British-protected persons and British companies, the provisions of the legislation governing transport in the French Zone of the Shereefian Empire.

They will also, upon the promulgation in the French Zone of the projected legislation regarding the insurance of motor vehicles, at once cause a King's Regulation to be made applying this legislation to British subjects, et cetera, subject to such reservations as have already been agreed upon.

It is possible that the point arising on Article 17 (g) of the projected Vizerial decree on insurance of motor vehicles may have to be the subject of further discussion, but there should be no difficulty in settling this point long before January 1938.

(2) With reference to paragraph 2 of Article 5, the terms of which are limited to natives of the French Zone of the Shereefian Empire, the United Kingdom Delegation requested that, when the list provided for in this paragraph is drawn up, the British Consulate-General should be permitted to include in it about 10 semsars and consular employees at present resident in the Spanish Zone on the grounds that these persons are at present subject to the British consular court if they engage in litigation in the French Zone, and, further, that it would be illogical if in the future by reason of a similar agreement with the Spanish Government they should be subject to the Spanish courts in the Spanish Zone, that they should be subject to the native courts in the French Zone.

The French Delegation took note of this request and explained that it was a point on which they had at present no instructions from their Government, and that there was not at this stage of the negotiations time to obtain such instructions. They, nevertheless, undertook to recommend this request for the favourable consideration of the French authorities when discussions took place with regard to the drawing up of the list.

(3) With reference to Article 7, the two Delegations wish to place on record that a copy of the Dahir of the 12th August, 1913, which at present regulates the status of French citizens and of foreign nationals in the French Zone of the Shereefian Empire was produced and note was taken thereof by the United Kingdom Delegation.

(4) With reference to paragraph 2 of the Protocol of Signature, it was agreed by both Delegations that the existence and duration of the rights referred to in this paragraph should not be deemed to be affected in any way by any abrogation of the Commercial Treaty<sup>1</sup> signed at Tangier in 1856 or by its replacement by another commercial treaty of a non-permanent character.

(5) It is understood that, during the commercial negotiations envisaged in the letters with regard to the Commercial Treaty of 1856 the question of the "Règlement sur les douanes" in the French Zone may be included as one of the matters to be discussed.

C. HOWARD SMITH.  
CORDIER.

FOREIGN OFFICE, *the 29th day of July, 1937.*

<sup>1</sup> *British and Foreign State Papers*, Vol. 46, page 188.

## ÉCHANGES DE NOTES

## EXCHANGES OF NOTES.

*Textes officiels français et anglais communiqués par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement de ces échanges de notes a eu lieu le 8 février 1938.*

*French and English official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration of these Exchanges of Notes took place February 8th, 1938.*

## I.

## I.

M. CORBIN A M. EDEN.

M. CORBIN TO MR. EDEN.

AMBASSADE DE FRANCE  
EN ANGLETERRE.

FRENCH EMBASSY.

LONDRES, le 29 juillet 1937.

LONDON, July 29th, 1937.

MONSIEUR LE SECRÉTAIRE D'ÉTAT,

SIR,

Au moment de procéder à la signature de la convention relative à l'abolition des droits de caractère capitulaire dans la zone française de l'Empire chérifien Votre Excellence a exprimé le désir de connaître le régime qui sera appliqué dans cette zone aux missionnaires britanniques.

At the moment of proceeding to signature of the Convention for the abolition of rights of a capitulatory character in the French Zone of the Shereefian Empire, your Excellency expressed the desire to be informed as to the régime which will be applied in this zone to British missionaries.

J'ai l'honneur de vous faire savoir que le Gouvernement français m'a autorisé à porter à la connaissance du Gouvernement britannique que les missions britanniques, autres que les missions catholiques, bénéficieront, pour leurs établissements anciens ou futurs, dans la zone française de l'Empire chérifien, du même traitement que les missions françaises. Les missions catholiques britanniques jouiront du traitement accordé aux missions catholiques de la nation la plus favorisée à l'exception des missions catholiques françaises.

I have the honour to inform you that the French Government has authorised me to state that British missionaries, both those established there at present and those that may come in the future, other than Roman Catholic missionaries, will enjoy in the French Zone of the Shereefian Empire the same treatment as French missionaries. British Roman Catholic missionaries will enjoy the same treatment as that accorded to Roman Catholic missionaries of the most-favoured nation other than French Roman Catholic missionaries.

Veuillez agréer, etc.

I have, etc.

Ch. CORBIN.

Ch. CORBIN.

<sup>1</sup> Traduction du Foreign Office de Sa Majesté britannique.

<sup>1</sup> Translation of His Britannic Majesty's Foreign Office.

## II.

MR. EDEN TO M. CORBIN.

FOREIGN OFFICE.

LONDON, *July 29th*, 1937.

YOUR EXCELLENCY,

I have to acknowledge the receipt of your letter of this day's date relating to British missionaries in the French Zone of the Shereefian Empire and to state that His Majesty's Government in the United Kingdom are in agreement with the terms of this letter.

I have, etc.

Anthony EDEN.

## III.

M. CORBIN A M. EDEN.

AMBASSADE DE FRANCE  
EN ANGLETERRE.LONDRES, *le 29 juillet* 1937.

MONSIEUR LE SECRÉTAIRE D'ÉTAT,

Au moment de procéder à la signature de la convention relative à l'abolition des droits de caractère capitulaire dans la zone française de l'Empire chérifien, j'ai l'honneur de porter à la connaissance de Votre Excellence que le Gouvernement français ne fera pas d'objection à ce que le consul général de Grande-Bretagne à Rabat intervienne auprès des autorités compétentes en faveur des personnes visées aux paragraphes deux et trois de l'article 5 de ladite convention.

Veuillez agréer, etc.

Ch. CORBIN.

## II.

<sup>1</sup> TRADUCTION. — TRANSLATION.

M. EDEN A M. CORBIN.

FOREIGN OFFICE.

LONDRES, *le 29 juillet* 1937.

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur d'accuser réception de votre lettre en date de ce jour, relative aux missionnaires britanniques de la zone française de l'Empire chérifien, et de porter à votre connaissance que le Gouvernement de Sa Majesté dans le Royaume-Uni est d'accord sur les termes de cette communication.

Veuillez agréer, etc.

Anthony EDEN.

## III.

<sup>2</sup> TRADUCTION. — TRANSLATION.

M. CORBIN TO MR. EDEN.

FRENCH EMBASSY.

LONDON, *July 29th*, 1937.

SIR,

At the moment of the signing of the Convention relating to the abolition of rights of a capitulatory character in the French Zone of the Shereefian Empire, I have to inform your Excellency that the French Government will raise no objection to representations by the British consul-general at Rabat with the competent authorities in favour of the persons covered by paragraphs 2 and 3 of Article 5 of the said Convention.

I have, etc.

Ch. CORBIN.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

<sup>2</sup> Traduction du Foreign Office de Sa Majesté britannique.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>2</sup> Translation of His Britannic Majesty's Foreign Office.

## IV.

MR. EDEN TO M. CORBIN.

FOREIGN OFFICE.

LONDON, *July 29th, 1937.*

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your Excellency's note of this day's date relating to the persons covered by paragraphs 2 and 3 of Article 5 of the Convention relating to the abolition of rights of capitulatory character in the French Zone of the Shereefian Empire, and to state that His Majesty's Government in the United Kingdom are in agreement with the terms of this letter.

I have, etc.

Anthony EDEN.

## IV.

<sup>1</sup> TRADUCTION. — TRANSLATION.

M. EDEN A M. CORBIN.

FOREIGN OFFICE.

LONDRES, *le 29 juillet 1937.*

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur d'accuser réception de la note de Votre Excellence en date de ce jour, relative aux personnes visées aux paragraphes 2 et 3 de l'article 5 de la convention relative à l'abolition des droits de caractère capitulaire dans la zone française de l'Empire chérifien, et de porter à votre connaissance que le Gouvernement de Sa Majesté dans le Royaume-Uni est d'accord sur les termes de cette communication.

Veuillez agréer, etc.

Anthony EDEN.

## V.

MR. EDEN TO M. CORBIN.

FOREIGN OFFICE.

LONDON, *July 29th, 1937.*

YOUR EXCELLENCY,

There have been disputes in the past as regards the application to the immovable property of British subjects, British-protected persons and British companies in the French Zone of the Shereefian Empire of protectorate legislation relating to expropriation, or the imposition of servitudes, for reasons of public utility and as regards the compensation payable therefor. Since it is the desire of both Governments that all these disputes shall be settled or provision made for their settlement at the

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

## V.

<sup>1</sup> TRADUCTION. — TRANSLATION.

M. EDEN A M. CORBIN.

FOREIGN OFFICE.

LONDRES, *le 29 juillet 1937.*

MONSIEUR L'AMBASSADEUR,

Il s'est élevé, dans le passé, des différends au sujet de l'application aux biens immobiliers des sujets, protégés et sociétés britanniques dans la zone française de l'Empire chérifien de la législation du protectorat relative à l'expropriation, ou de l'imposition de servitudes pour des raisons d'utilité publique et au sujet des indemnités dues de ce fait. Etant donné que les deux gouvernements désirent que tous ces différends soient réglés ou que des dispositions soient prises pour leur règlement au moment où les sujets, protégés

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

moment when British subjects, British-protected persons and companies in the zone cease to be subject to a special judicial régime, it has therefore been agreed that within two months of the date of this note His Majesty's Consul-General at Rabat shall present a list to the Shereefian authorities of all the cases of this kind which His Majesty's Government in the United Kingdom consider should be settled. In the two months following receipt of the list the Consul-General and the Protectorate authorities will settle as many of these cases as possible by agreement between them.

If there are any cases which cannot be settled in this way, it has been agreed that they shall be referred to M. Cordier, First President of the Court of Appeal at Rabat, to give his opinion as regards the amount of compensation which is due as a matter of equity on the understanding that the Government of the French Republic and His Majesty's Government in the United Kingdom agree to accept this opinion as final.

I have, etc.

Anthony EDEN.

VI.

M. CORBIN A M. EDEN.

AMBASSADE DE FRANCE  
EN ANGLETERRE.

LONDRES, le 29 juillet 1937.

MONSIEUR LE SECRÉTAIRE D'ÉTAT,

J'ai l'honneur d'accuser réception à Votre Excellence de sa lettre en date de ce jour, relative au règlement de certaines questions d'expropriation intéressant des sujets, protégés et sociétés britanniques dans la zone française de l'Empire chérifien.

Je m'empresse de faire savoir à Votre Excellence que le Gouvernement français est d'accord sur les termes de cette communication.

Veuillez agréer, etc.

Ch. CORBIN.

et sociétés britanniques dans ladite zone cesseront d'être soumis à un régime judiciaire spécial, il a été convenu que dans les deux mois qui suivront la date de la présente note, le consul général de Sa Majesté à Rabat présentera aux autorités chérifiennes une liste de toutes les affaires de ce genre qui, de l'avis du Gouvernement de Sa Majesté dans le Royaume-Uni, appellent un règlement. Dans les deux mois qui suivront le reçu de la liste, le consul général et les autorités du protectorat régleront, d'un commun accord, un nombre aussi grand que possible de ces affaires.

Au cas où certaines de ces affaires ne pourraient être réglées de cette manière, il a été convenu qu'elles seraient soumises à M. Cordier, premier président de la Cour d'appel de Rabat, qui sera invité à faire connaître son avis sur le montant de l'indemnité équitablement due, étant entendu que le Gouvernement de la République française et le Gouvernement de Sa Majesté dans le Royaume-Uni conviennent de considérer cet avis comme définitif et sans appel.

Veuillez agréer, etc.

Anthony EDEN.

VI.

<sup>1</sup> TRADUCTION. — TRANSLATION.

M. CORBIN TO MR. EDEN.

FRENCH EMBASSY.

LONDON, July 29th, 1937.

SIR,

I have the honour to acknowledge the receipt of your Excellency's note of this day's date relating to the settlement of certain questions of expropriation affecting British subjects, British-protected persons and British companies in the French Zone of the Shereefian Empire, and to state that the French Government is in agreement with the terms of this note.

I have, etc.

Ch. CORBIN.

<sup>1</sup> Traduction du Foreign Office de Sa Majesté britannique.

<sup>1</sup> Translation of His Britannic Majesty's Foreign Office.

## VII.

M. CORBIN A M. EDEN.

AMBASSADE DE FRANCE  
EN ANGLETERRE.

LONDRES, le 29 juillet 1937.

MONSIEUR LE SECRÉTAIRE D'ÉTAT,

Au moment de procéder à la signature de la convention relative à l'abolition des droits de caractère capitulaire dans la zone française de l'Empire chérifien Votre Excellence a exprimé le désir de connaître le régime qui serait appliqué dans cette zone aux chambres de commerce britanniques.

J'ai l'honneur de vous faire savoir que le Gouvernement français m'a autorisé à porter à la connaissance du Gouvernement du Royaume-Uni que les chambres de commerce britanniques seront admises à exercer leur activité dans la zone française de l'Empire chérifien à condition de se conformer aux lois et règlements applicables aux associations. Ces chambres ne seront pas assimilées aux chambres consultatives françaises auxquelles sont conférés des droits de caractère politique. Il entre, par contre, dans les intentions du Gouvernement français qu'elles soient traitées de la même manière que les associations professionnelles françaises et qu'en particulier elles puissent dans les mêmes conditions que ces dernières présenter des vœux et des suggestions à l'administration française du protectorat.

Veuillez agréer, etc.

Ch. CORBIN.

## VII.

<sup>1</sup> TRADUCTION. — TRANSLATION.

M. CORBIN TO MR. EDEN.

FRENCH EMBASSY.

LONDON, July 29th, 1937.

SIR,

At the moment of the signature of the Convention for the abolition of rights of a capitulatory character in the French Zone of the Shereefian Empire, your Excellency expressed the desire to be informed with regard to the régime which would be applied in this zone to British Chambers of Commerce.

I have the honour to inform you that the French Government have authorised me to state that British Chambers of Commerce will be permitted to carry on their work in the French Zone of the Shereefian Empire on condition of conforming to the laws and regulations applicable to associations. These Chambers of Commerce will not be assimilated to the French consultative chambers on which rights of a political character are conferred. On the other hand, it is the intention of the French Government that they shall be treated in the same manner as French professional associations, and, in particular, that they shall be able to present to the French Administration of the Protectorate their wishes and suggestions in the same conditions as French professional associations.

I have, etc.

Ch. CORBIN.

<sup>1</sup> Traduction du Foreign Office de Sa Majesté britannique.<sup>1</sup> Translation of His Britannic Majesty's Foreign Office.

## VIII.

MR. EDEN TO M. CORBIN.

FOREIGN OFFICE.

LONDON, *July 29th, 1937.*

YOUR EXCELLENCY,

I have the honour to acknowledge the receipt of your Excellency's letter of this day's date relating to British Chambers of Commerce in the French Zone of the Shereefian Empire, and to state His Majesty's Government in the United Kingdom have taken note of the terms of this letter.

I have, etc.

Anthony EDEN.

## IX.

MR. EDEN TO M. CORBIN.

FOREIGN OFFICE.

LONDON, *July 29th, 1937.*

YOUR EXCELLENCY,

I have the honour to inform your Excellency that His Majesty's Government in the United Kingdom agree with the French Government in recognising that the conditions laid down in Article 14 of the Commercial Treaty of 1856 for the denunciation of that treaty no longer correspond with modern conditions, and being equally desirous of revising the said treaty, agree that it is opportune to begin negotiations for the purpose of establishing the commercial relations between Great Britain and Morocco on a new basis corresponding to the respective economic interests of the Contracting Parties.

<sup>1</sup> Translated by the Secretariat of the League of Nations, for information.

## VIII.

<sup>1</sup> TRADUCTION. — TRANSLATION.

M. EDEN A M. CORBIN.

FOREIGN OFFICE.

LONDRES, *le 29 juillet 1937.*

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur d'accuser réception de la lettre de Votre Excellence en date de ce jour relative aux chambres de commerce britanniques dans la zone française de l'Empire chérifien et de porter à votre connaissance que le Gouvernement de Sa Majesté dans le Royaume-Uni a pris acte des termes de cette communication.

Veuillez agréer, etc.

Anthony EDEN.

## IX.

<sup>1</sup> TRADUCTION. — TRANSLATION.

M. EDEN A M. CORBIN.

FOREIGN OFFICE.

LONDRES, *le 29 juillet 1937.*

MONSIEUR L'AMBASSADEUR,

J'ai l'honneur de porter à la connaissance de Votre Excellence que le Gouvernement de Sa Majesté dans le Royaume-Uni est d'accord avec le Gouvernement français pour reconnaître que les stipulations de l'article 14 du Traité de commerce de 1856, en ce qui concerne la dénonciation de ce traité, ont cessé de correspondre aux conditions actuelles et que, désireux comme lui de reviser ledit traité, il est également d'accord pour estimer opportun d'ouvrir des négociations à l'effet d'établir les relations commerciales entre la Grande-Bretagne et le Maroc sur des bases nouvelles correspondant aux intérêts économiques respectifs des Parties contractantes.

<sup>1</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.



The new commercial treaty shall be based upon the principles of reciprocity and shall replace the Commercial Treaty of 1856.

It is understood that the two Governments will endeavour to secure that such a treaty shall be concluded before the entry into force of the treaty relating to the abolition of capitulatory rights in the French Zone of the Shereefian Empire.

I have, etc.

Anthony EDEN.

X.

M. CORBIN A M. EDEN.

AMBASSADE DE FRANCE  
EN ANGLETERRE.

LONDRES, *le 29 juillet 1937.*

MONSIEUR LE SECRÉTAIRE D'ÉTAT,

J'ai l'honneur de porter à la connaissance de Votre Excellence que le Gouvernement de la République française est d'accord avec le Gouvernement de Sa Majesté dans le Royaume-Uni pour reconnaître que les stipulations de l'article 14 du Traité de commerce de 1856, en ce qui concerne la dénonciation de ce traité, ont cessé de correspondre aux conditions actuelles, et, désireux comme lui de reviser ledit traité, il est également d'accord pour estimer opportun d'ouvrir des négociations à l'effet d'établir les relations commerciales entre le Maroc et la Grande-Bretagne sur des bases nouvelles correspondant aux intérêts économiques respectifs des Parties contractantes.

Le nouveau traité de commerce sera basé sur le principe de la réciprocité et remplacera le Traité de commerce de 1856.

Il est entendu que les deux gouvernements s'efforceront de faire en sorte que ce nouveau traité puisse être conclu avant l'entrée en vigueur de la convention relative à l'abolition des droits de caractère capitulaire dans la zone française de l'Empire chérifien.

Veillez agréer, etc.

Ch. CORBIN.

Le nouveau traité de commerce sera fondé sur le principe de la réciprocité et remplacera le Traité de commerce de 1856.

Il est entendu que les deux gouvernements s'efforceront de faire en sorte que ce nouveau traité puisse être conclu avant l'entrée en vigueur de la convention relative à l'abolition des droits de caractère capitulaire dans la zone française de l'Empire chérifien.

Veillez agréer, etc.

Anthony EDEN.

X.

<sup>1</sup> TRADUCTION. — TRANSLATION.

M. CORBIN TO MR. EDEN.

FRENCH EMBASSY.

LONDON, *July 29th, 1937.*

SIR,

I have the honour to inform your Excellency that the Government of the French Republic agree with His Majesty's Government in the United Kingdom in recognising that the conditions laid down in Article 14 of the Commercial Treaty of 1856 for the denunciation of that treaty no longer correspond with modern conditions, and being equally desirous of revising the said treaty, agree that it is opportune to begin negotiations for the purpose of establishing the commercial relations between Great Britain and Morocco on a new basis corresponding to the respective economic interests of the Contracting Parties.

The new commercial treaty shall be based upon the principles of reciprocity and shall replace the Commercial Treaty of 1856.

It is understood that the two Governments will endeavour to secure that such a treaty shall be concluded before the entry into force of the treaty relating to the abolition of capitulatory rights in the French Zone of the Shereefian Empire.

I have, etc.

Ch. CORBIN.

<sup>1</sup> Traduction du Foreign Office de Sa Majesté britannique.

<sup>1</sup> Translation of His Britannic Majesty's Foreign Office.

XI.

MR. EDEN TO M. CORBIN <sup>1</sup>.

FOREIGN OFFICE.

LONDON, *July 29th*, 1937.

YOUR EXCELLENCY,

With reference to the Convention signed this day at London between His Majesty in respect of the United Kingdom and the President of the French Republic with regard to the termination of British extra-territorial rights in the French Zone of Morocco, I have the honour, on behalf of His Majesty's Government in Australia, to inform your Excellency that His Majesty's Government in Australia accept the provisions of the said Convention on the understanding that they claim under the Convention the same rights as His Majesty's Government in the United Kingdom.

I have, etc.

Anthony EDEN.

XI.

<sup>2</sup> TRADUCTION. — TRANSLATION.M. EDEN A M. CORBIN <sup>2</sup>.

FOREIGN OFFICE.

LONDRES, *le 29 juillet* 1937.

MONSIEUR L'AMBASSADEUR,

Me référant à la convention signée ce jour à Londres entre Sa Majesté pour le Royaume-Uni et le Président de la République française, concernant l'abolition des droits d'exterritorialité britanniques dans la zone française du Maroc, j'ai l'honneur, au nom du Gouvernement de Sa Majesté en Australie, de porter à la connaissance de Votre Excellence que le Gouvernement de Sa Majesté en Australie accepte les dispositions de ladite convention, étant entendu qu'il revendique, aux termes de la convention, les mêmes droits que le Gouvernement de Sa Majesté dans le Royaume-Uni.

Veuillez agréer, etc.

Anthony EDEN.

<sup>1</sup> Extra-territorial rights in the French Zone of Morocco have also been renounced by the Governments of Canada, New Zealand, the Union of South Africa, Ireland and India under similar conditions.

<sup>2</sup> Translated by the Secretariat of the League      <sup>2</sup> Traduit par le Secrétariat de la Société des Nations, à titre d'information.

<sup>3</sup> Les Gouvernements du Canada, de la Nouvelle-Zélande, de l'Union Sud-Africaine, de l'Irlande et de l'Inde ont également renoncé, aux mêmes conditions, à leurs droits d'exterritorialité dans la zone française du Maroc.