

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND (ON THEIR OWN
BEHALF AND ON BEHALF OF THE FEDERATION
OF RHODESIA AND NYASALAND)**

**and
PORTUGAL**

Agreement (with annexes) with regard to the Northern Rhodesia-Angola Frontier. Signed at Lisbon, on 18 November 1954

Agreement (with exchange of notes) with regard to certain Angolan and Northern Rhodesian Natives living on the Kwando River. Signed at Lisbon, on 18 November 1954

Official texts: English and Portuguese.

Registered by the United Kingdom of Great Britain and Northern Ireland on 26 May 1955.

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD (EN SON NOM ET
AU NOM DE LA FÉDÉRATION DE LA RHODÉSIE
ET DU NYASSALAND)**

**et
PORTUGAL**

Accord (avec annexes) relatif à la frontière entre la Rhodésie du Nord et l'Angola. Signé à Lisbonne, le 18 novembre 1954

Accord (avec échange de notes) relatif à certains indigènes de l'Angola et de la Rhodésie du Nord riverains du Kwando. Signé à Lisbonne, le 18 novembre 1954

Textes officiels anglais et portugais.

Enregistrés par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 26 mai 1955.

No. 2841. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (ON THEIR OWN BEHALF AND ON BEHALF OF THE GOVERNMENT OF THE FEDERATION OF RHODESIA AND NYASALAND) AND THE GOVERNMENT OF PORTUGAL WITH REGARD TO THE NORTHERN RHODESIA-ANGOLA FRONTIER. SIGNED AT LISBON, ON 18 NOVEMBER 1954

Whereas Article 4 of the Treaty signed at Lisbon on the 11th of June, 1891,² between Great Britain and Portugal, concluded for the purpose of settling definitely the boundaries of their respective spheres of influence in Africa, provided as follows :—

It is agreed that the western line of division separating the British from the Portuguese sphere of influence in Central Africa shall follow the centre of the channel of the Upper Zambesi, starting from the Katima Rapids up to the point where it reaches the territory of the Barotse Kingdom.

That territory shall remain within the British sphere; its limits to the westward, which will constitute the boundary between the British and Portuguese spheres of influence, being decided by a Joint Anglo-Portuguese Commission, which shall have power, in case of difference of opinion, to appoint an Umpire.

And whereas by a declaration signed at London on the 12th of August, 1903,³ the Government of the United Kingdom and the Portuguese Government submitted to the arbitration of His Majesty the King of Italy the question as to what were, within the meaning of the above quoted Article of the Treaty of 1891, the limits of the territory of the Barotse Kingdom and agreed that for the purpose of the arbitration the expression "territory of the Barotse Kingdom" should mean the territory over which the King of the Barotse was paramount ruler on the 11th of June, 1891;

And whereas by an Award given at Rome on the 30th of May, 1905,⁴ His Majesty the King of Italy decided that the western frontier of the territory of the Barotse Kingdom on the 11th of June, 1891, was as follows :—

La ligne droite joignant les Rapides de Katima, sur le Zambèze, au village Andara, sur l'Okovango, jusqu'au point où elle rencontre la rivière Kwando;

¹ Came into force on 18 November 1954, as from the date of signature, in accordance with article 3.

² De Martens, *Nouveau Recueil général de Traités*, deuxième série, tome XVIII, p. 185.

³ De Martens, *Nouveau Recueil général de Traités*, troisième série, tome I, p. 67.

⁴ United Kingdom : "Africa No. 5 (1905)," Cd. 2584.

Le bord oriental du lit des hautes eaux du Kwando, jusqu'au point d'intersection avec le 22^e méridien Est de Greenwich;

Le 22^e méridien Est de Greenwich jusqu'au point d'intersection avec le 13^e parallèle;

Le 13^e parallèle jusqu'au point d'intersection avec le 24^e méridien Est de Greenwich;

Le 24^e méridien Est de Greenwich jusqu'à la frontière de l'État Indépendant du Congo.

And whereas difficulties were still encountered in the delimitation of the boundary owing to a difference of opinion as regards the interpretation of the expression "le bord oriental du lit des hautes eaux du Kwando" in the above-mentioned Award, the Portuguese Government contending that this expression meant the line on the east bank of the River Kwando reached by the waters of the river in the times of normal flood, and adducing in support of their view its entire agreement with the definition of "hautes eaux" adopted by writers who are authorities on river hydraulics and the Government of the United Kingdom considering that the expression meant the upper waters of the River Kwando at their normal level and adducing in support of their view the necessity of certain tribes of the Barotse Kingdom to make use of the waters of the River Kwando in the dry season.

Now, therefore, the Government of the United Kingdom of Great Britain and Northern Ireland, on their own behalf and on behalf of the Government of the Federation of Rhodesia and Nyasaland, and the Government of the Portuguese Republic;

Having determined to conclude this day an agreement whereby arrangements are made to permit and to facilitate the temporary residence of certain tribes of the Barotse Kingdom in Angola and of certain natives of Angola in Northern Rhodesia;

And desiring to settle by agreement the difficulties of interpretation of the Award of the 30th of May, 1905;

Have agreed as follows :—

Article 1

1. The portion of the boundary described in the Award as "Le bord oriental du lit des hautes eaux du Kwando, jusqu'au point d'intersection avec le 22^e méridien Est de Greenwich" shall follow the normal limit of the waters of the River Kwando on its Eastern side when the river is in flood, a line which in general can be considered as following the edge of the woods or the so-called "tree-line."

2. For the purposes of this Article and since the true "tree-line" is too winding and raises problems of continuity it shall be replaced by an agreed

line which shall so far as possible follow the real edge of the woods eliminating only the more pronounced salients and re-entrants. None of the segments of this line should, however, cut the principal valley of the River Kwando at times of normal flood.

3. The point where a straight line between the Katima Rapids on the Zambesi and the village of Andara on the Okovango meets the Kwando River referred to in the first paragraph of the Award of the King of Italy is agreed to be the point marked by Provisional Beacon No. 9 erected by the Representatives of the Governments of the Union of South Africa, Northern Rhodesia and the Portuguese Republic appointed to demarcate the boundary between the Union of South Africa, Northern Rhodesia and Angola and more particularly described in paragraph 7 of the agreement signed by the said Representatives on the 16th of August, 1931, and Schedule B thereto the terms of which are given in the First Annex¹ to the present Agreement.

4. It is agreed that the "point d'intersection" referred to in paragraph 1 of this Article shall be Beacon No. 37, the position of which was agreed upon in accordance with the Exchange of Notes of the 3rd day of November, 1925,² between the British Ambassador in Lisbon and the Portuguese Minister for Foreign Affairs, the terms of which appear in the Second Annex² to the present Agreement.

Article 2

1. For the demarcation of the boundary as laid down in the preceding Article there shall be a Joint Commission consisting of one Commissioner and one Deputy Commissioner to be appointed by each of the Governments of the Federation of Rhodesia and Nyasaland and Portugal.

2. The Commissioners and Deputy Commissioners shall meet, not earlier than six months nor later than eighteen months after this Agreement is signed, at Beacon No. 9 and, after their respective Credentials have been examined and found in due form, shall there draw up and sign a *procès-verbal* to the effect that the Joint Commission for the demarcation of the boundary is thus constituted.

3. The Joint Commission shall proceed to establish the whole of the boundary described in Article 1 of the present Agreement by such methods as may appear to them most suitable.

4. A permanent beacon shall be erected upon the site of Provisional Beacon No. 9, and as many intermediate beacons or marks shall be erected between this beacon and Beacon No. 37 as shall be deemed by the Joint Commission to be necessary to determine the exact position of this section of the boundary line throughout its length.

¹ See p. 274 of this volume.

² See p. 278 of this volume.

5. The geographical co-ordinates of each beacon or mark shall be accurately determined and a circumstantial report shall be drawn up describing the nature of the construction of the beacon or mark and its position in relation to topographical features in the neighbourhood.

6. The Joint Commission shall draw up and sign in duplicate in English and Portuguese a general report which shall describe the whole of the section of the boundary demarcated and incorporate the reports referred to in the preceding paragraph. There shall also be annexed to the general report of the Joint Commission a map, which shall likewise be signed in duplicate by the Commissioners, showing the position of each beacon or mark.

7. Subject to the approval of the two contracting Governments (to be placed on record by an Exchange of Notes) the general report of the Joint Commission shall be regarded as definitely establishing the boundary as described in Article 1.

8. An account shall be kept by the Joint Commission of all expenditure incurred in the work of constructing the boundary beacons and marks, and the expenditure thus incurred shall be defrayed in equal portions by the contracting Governments. The salaries, emoluments and expenses of subsistence of the respective Commissioners, Deputy Commissioners and their staffs, shall, however, be borne by the Governments of the Federation of Rhodesia and Nyasaland and Portugal respectively. The maintenance of the boundary line and beacons and of any clearing considered necessary by the Commission shall be undertaken jointly by the contracting Governments who shall share equally the expenses of the same.

Article 3

The present Agreement shall enter into force immediately.

IN WITNESS WHEREOF the representatives of the Government of the United Kingdom and the Portuguese Government being duly authorised thereto, have signed this Agreement; and the representative of the United Kingdom, having been so requested by the Government of the Federation of Rhodesia and Nyasaland, has also signed in signification of that Government's concurrence in this Agreement.

DONE in triplicate at Lisbon on the eighteenth day of the month of November, 1954, in the English and Portuguese languages, both texts being equally authoritative.

For the Government of the United Kingdom :

N. RONALD

For the Government of the Federation of Rhodesia and Nyasaland :

N. RONALD

For the Portuguese Government :

Paulo CUNHA

FIRST ANNEX

(Extract from an Agreement signed on the 16th August, 1931, by Representatives of the Governments of the Union of South Africa, Northern Rhodesia and Angola appointed to demarcate the boundaries between these territories.)

(7) The representatives of the Governments of the Republic of Portugal and of Northern Rhodesia are unable to agree as to the point of intersection of the Kwando or Mashi River on its eastern side by the boundary as described in section (1) hereof. Two provisional beacons have therefore been erected. Each consists of an iron auger driven 1.4 metres into the ground, and directly over this on a cement concrete base is placed a cement concrete block 0.458 metres high and 0.457 metres in diameter. One of these beacons is marked No. 24 in the schedule forming annexure "A" hereto, and its position is described therein. The other marked is No. 9 in the schedule forming annexure "B" hereto, and its position is described therein. The former indicates the point claimed by the representative of the Government of Northern Rhodesia as being the point of intersection of the Kwando or Mashi River contemplated by the arbitral award referred to in the first paragraph of the preamble to this document, and the latter indicates the point claimed by the representatives of the Government of the Republic of Portugal as being the point of such intersection. The representatives of these two Governments will refer this matter to their respective Governments for determination.

The beacon adopted by the said Government as being the correct point of intersection of the Kwando or Mashi River by the boundary described in Section (1) hereof shall constitute the southern terminal point of the boundary between Angola and Northern Rhodesia, and shall be known as the Triune point. The Government of the Union of South Africa shall be notified of the decision come to.

Signed at Provisional Beacon No. 9 near the Kwando or Mashi River on the sixteenth day of August, 1931.

H. P. SMIT	}	Representing the Government of the Union of South Africa
A. G. LANDESBERG		
Luís DE MENEZES LIAL	}	Representing the Government of the Republic of Portugal
Jorge DE CASTILHO		
Arthur DO CANTO		
C. R. RENNIE		Representing the Government of Northern Rhodesia

SCHEDULE "A" (*Extract*)

A provisional beacon number "24" has been placed on the left bank of the Kwando or Mashi River, 5.4 metres from the edge of the bank, and 3,790.96 metres west of the provisional beacon numbered "9" in schedule "B", and its geographical co-ordinates are East Longitude 23° 24' 01.15" and South Latitude 17° 38' 41.06".

SCHEDULE "B"

DESIGNATION AND POSITION OF BEACONS ON THE BOUNDARY OF THE CAPRIVI ZIPFEL AND
NORTHERN RHODESIA

<i>Designation or Number</i>	<i>Distance from previous Beacons Metres</i>	<i>Geographical Co-ordinates</i>		<i>Situation</i>
		<i>East Longitude</i>	<i>South Latitude</i>	
Eastern Ter- minal or No.				
1 ...	...	24° 14' 50.04"	17° 28' 29.28"	On the right bank of the Zambesi River at Katima Mulilo.
2 ...	11,000.95	...	...	In the bush.
3 ...	11,001.34	...	...	In the bush.
4 ...	11,001.39	...	...	In the bush.
5 ...	11,000.94	...	...	In the bush.
6 ...	10,180.54	...	...	In a Mulapa.
7 ...	10,880.58	...	...	In the bush.
8 ...	10,941.57	...	...	In the bush.

In addition to the above, a provisional beacon numbered "9," has been placed on the boundary of the Caprivi Zipfel, but on the eastern edge of the valley of the Kwando or Mashu River, at a distance of 12,041.36 metres west of beacon No. 8 above, and 3,790.96 metres east of the provisional beacon numbered 24 in schedule "A," and its Geographical Co-ordinates are East Longitude 23° 26' 07.28" and South Latitude 17° 38' 16.03".

E. K. TREGOLD
Land Surveyor

SECOND ANNEX

EXCHANGE OF NOTES

I

His Britannic Majesty's Ambassador at Lisbon to the Portuguese Minister for Foreign Affairs
HIS BRITANNIC MAJESTY'S EMBASSY

Lisbon, November 3rd, 1925

Your Excellency,

His Britannic Majesty's Government have received the original version, in the English and Portuguese texts, of the Protocol, with its accompanying map, which was signed at Cape Town on March 5th 1915¹ by the Commissioners appointed by our respective Governments to carry out, in accordance with the arbitration award of His Majesty the King of Italy, the delimitation of the frontier between the Portuguese colony of Angola and Rhodesia, from the intersection of the 24th meridian east of Greenwich and the Congo-Zambesi watershed to the intersection of the 22nd meridian east of Greenwich and the "bord oriental du lit des hautes eaux du Kwando (Cuando)."

I have the honour to inform your Excellency that I am authorised by His Britannic Majesty's Government to confirm on their behalf this Protocol as set forth in the accompanying printed copy and map, duly certified by me, and to state that they would be glad to receive a similar assurance on the part of the Portuguese Government.

It is understood that with a view to exact conformity between the map and Article 41 of the Protocol, the boundary pillar marked "M. 1" on the map is to be regarded as marked "L. 25 M. 1" referred to in the said Article 41.

The present Note and your Excellency's reply in identic terms, will constitute the Agreement between the British and Portuguese Governments in the matter.

I avail, &c.

Lancelot D. CARNEGIE

II

The Portuguese Minister for Foreign Affairs to His Britannic Majesty's Ambassador at Lisbon

[PORTUGUESE TEXT — TEXTE PORTUGAIS]

[TRANSLATION² — TRADUCTION³]

MINISTÉRIO DOS NEGÓCIOS ESTRANGEIROS

MINISTRY FOR FOREIGN AFFAIRS

Lisboa, 3 de Novembro de 1925

Lisbon, November 3, 1925

Senhor Embaixador :

O Governo da República Portuguesa recebeu o texto original, em português e inglês, do Protocolo e respectivo mapa

The Government of the Portuguese Republic have received the original text, in Portuguese and English, of the Protocol

¹ League of Nations, *Treaty Series*, Vol. XLVII, p. 379.

² Translation by the Government of the United Kingdom.

³ Traduction du Gouvernement du Royaume-Uni.

anexo, que foi assinado na Cidade do Cabo da Boa Esperança em 5 de Março de 1915 pelos commissarios nomeados pelos nossos respectivos Governos para procederem, de acôrdo com a sentença arbitral de Sua Majestade o Rei de Itália, à demarcação da fronteira entre a Colonia Portuguesa de Angola e a Rodésia, desde o ponto de encontro do meridiano 24º leste de Greenwich com a divisoria de aguas Congo—Zambeze até ao ponto de encontro do meridiano 22º leste de Greenwich com “le bord oriental du lit des hautes eaux du Kwando (Cuando).”

Tenho a honra de comunicar a V.Ex^a. que o Governo da República Portuguesa confirma, por sua parte, o referido Protocolo tal como se encontra na copia impressa e reprodução do respectiva mapa que estão anexas a esta nota e por mim devidamente autenticadas, e estimaria receber igual confirmação por parte do Governo de Sua Majestade Britanica.

Fica entendido que, a fim de manter uma exacta concordancia entre o mapa e o artigo 41 do Protocolo, o marco de fronteira designado no mapa como “M. 1.” é o marco “L.25M.1.” a que se refere o citado artigo 41.

A presente nota e a resposta de V.Ex^a. em identicos termos constituirão o acôrdo entre os Governos Português e Britanico sobre o assunto.

Aproveito, &c.

Vasco BORGES

with its respective map annexed, which was signed at the City of the Cape of Good Hope on the 5th March, 1915, by the commissioners appointed by our respective Governments to carry out, in accordance with the arbitration award of His Majesty the King of Italy, the delimitation of the frontier between the Portuguese colony of Angola and Rhodesia, from the point of contact of the 24th meridian east of Greenwich with the line of division of the waters Congo—Zambesi to the point of contact of the 22nd meridian east of Greenwich with “le bord oriental du lit des hautes eaux du Kwando (Cuando).”

I have the honour to inform your Excellency that the Government of the Portuguese Republic confirm, on their part, the said Protocol as set forth in the printed copy and reproduction of the respective map which are annexed to this Note and are duly certified by me, and would be glad to receive a similar confirmation on the part of His Majesty's Government.

It is understood that, in order to maintain exact conformity between the map and article 41 of the Protocol, the boundary pillar marked “M. 1” on the map is the boundary pillar “L.25-M. 1” which is referred to in the said article 41.

The present note and your Excellency's reply in identic terms will constitute the agreement between the Portuguese and British Governments on the subject.

I avail, &c.

Vasco BORGES

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND (ON THEIR OWN BEHALF AND ON BEHALF OF THE GOVERNMENT OF THE FEDERATION OF RHODESIA AND NYASALAND) AND THE GOVERNMENT OF PORTUGAL WITH REGARD TO CERTAIN ANGOLAN AND NORTHERN RHODESIAN NATIVES LIVING ON THE KWANDO RIVER. SIGNED AT LISBON, ON 18 NOVEMBER 1954

The Government of the United Kingdom of Great Britain and Northern Ireland, on their own behalf and on behalf of the Government of the Federation of Rhodesia and Nyasaland, and the Government of the Portuguese Republic;

Having determined to conclude this day an agreement for the purpose of settling the principles to be followed in the demarcation of the frontier between Northern Rhodesia and Angola in accordance with the Award concerning the western frontier of the territory of the Barotse Kingdom given at Rome on the 30th of May, 1905, by His Majesty the King of Italy,² and

Desiring at the same time to make arrangements so as to permit the temporary residence of certain tribes of the Barotse Kingdom in Angola and of certain natives of Angola in Northern Rhodesia and to grant the facilities desirable for this purpose,

Have agreed as follows :

Article 1

The natives of authorised Barotse villages (as defined in this Article) shall be accorded the following facilities in Portuguese territory :

1. The natives of villages in the Barotse Kingdom of Northern Rhodesia situated in the Senanga and Sesheke districts between the Zambesi and the Kwando rivers shall always be permitted to camp in temporary settlements on the left bank of the Kwando river in Portuguese territory during every dry season for as long as adequate water is unobtainable within the Northern Rhodesia border. It is understood that the dry season normally extends from July to December, the months corresponding respectively to the last rains of one year and the first of the following year. The District Commissioners of the Senanga

¹ Came into force on 18 November 1954, as from the date of signature, in accordance with article 5.

² United Kingdom : " Africa No. 5 (1905) " Cd. 2584.

and Sesheke Districts shall before July in every year communicate to the officials to be designated for the purpose by the Portuguese Government a list of the villages whose inhabitants wish to camp on the Kwando with an indication of the approximate number of natives who will move into Portuguese territory, and of the heads of cattle which will accompany them. This permission only extends to the natives of the villages which have been included in the list for the year.

2. The natives of authorised Barotse villages, while camping in accordance with sub-paragraph 1 above, will be allowed—

- (a) to fish, not more than is necessary for their own consumption during the season, it being understood that they may not employ for this purpose methods which alter the banks or the course of the water,
- (b) to graze their cattle,
- (c) to cultivate crops and to make gardens to feed themselves during the season, it being understood that for this purpose they will not be permitted to cross the frontier and undertake the harvesting of agricultural products after they have returned to their own territory, and
- (d) to have access to water for themselves and their cattle.

They shall be forbidden to carry out the burning of woods without the previous consent of the authorities.

3. None of the natives of the authorised Barotse villages while camping in accordance with sub-paragraph 1 above will be liable for Portuguese taxation; provided that any native, who is found not to have returned to Northern Rhodesia by the 1st of January shall become liable to such taxation as the Portuguese authorities may demand. This exemption shall not apply to the payment of taxes due as a result of the exercise of commerce or industry, including those which have the nature of customs, nor to the payment of forestry taxes and others of a similar nature.

4. Subject to the provisions of the previous sub-paragraph, the natives of authorised Barotse villages, while camping in accordance with sub-paragraph 1 above shall be subject to the laws for the time being in force in Angola.

Article 2

The natives of authorised Angolan villages (as defined in this Article) shall be accorded the following facilities in Northern Rhodesia :—

1. The natives of Angola living in villages on the left bank of the Kwando river shall always be permitted to camp in temporary settlements in Northern Rhodesian territory within 4 miles of the boundary, during every wet season for so long as the plain of Kwando is flooded. It is understood that the wet season normally extends from December to June. The local authorities of

Angola shall provide every year before the month of December to an official to be designated for this purpose by the Government of the Federation of Rhodesia and Nyasaland, lists of the villages whose people desire to camp in Northern Rhodesian territory during the rainy season. The Angolan authorities competent to draw up and transmit the lists referred to above shall be indicated by the Portuguese Government in communications to be made to the British Government, the first of which shall take place at the time of signature of the present Agreement.¹ Other communications shall be made when these are necessitated by reason of the alteration of the names of the positions held or of the areas superintended, by the above authorities.

2. The natives of authorised Angolan villages while camping in accordance with sub-paragraph 1 will be allowed—

- (a) to graze their cattle,
- (b) to cultivate crops and to make gardens to feed themselves during the season, it being understood that for this purpose they will not be permitted to cross the frontier and undertake the harvesting of agricultural products after they have returned to their own territory, and
- (c) to cut such timber as is necessary for their personal use.

They shall be forbidden to carry out the burning of woods without the previous consent of the authorities.

3. None of the natives of authorised Angolan villages while camping in accordance with sub-paragraph 1 will be liable for taxation; provided that any native who is found not to have returned to Angola by the 1st of July shall become liable to such taxation as the Federal or Northern Rhodesian authorities may demand. This exemption shall not apply to the payment of taxes due as a result of the exercise of commerce or industry, including those which have the nature of customs, nor to the payment of forestry taxes and others of a similar nature.

4. Subject to the provisions of the previous sub-paragraph, the natives of authorised Angolan villages, while camping in accordance with sub-paragraph 1 above, shall be subject to the laws for the time being in force in Northern Rhodesia.

Article 3

(a) Upon the request in writing by one Contracting Government to the other, any difference or dispute about the interpretation or application of the present Agreement shall be referred to two arbitrators, one to be appointed by each Contracting Government within one month after the date of receipt of any such request.

¹ See note III, p. 289 of this volume.

(b) The two arbitrators shall give their decision within four months of the date on which they are appointed. If they cannot agree on a decision regarding the settlement of the difference or dispute within that time-limit, they shall refer the difference or dispute to a third arbitrator appointed by them, who shall himself decide it within four months from the date on which he is appointed. If the two arbitrators are unable to agree on the appointment of the third arbitrator, he shall be appointed by a third Power designated by the Contracting Governments.

(c) The decision of the two arbitrators or the third arbitrator if appointed, shall be final and binding on the Contracting Governments.

Article 4

At any time after the 1st of January, 1964, upon the request in writing by one Contracting Government to the other, discussions shall take place between the Contracting Governments for the purpose of modifying or revising the present Agreement.

Article 5

The present Agreement shall enter into force immediately.

IN WITNESS WHEREOF the representatives of the Government of the United Kingdom and of the Portuguese Government being duly authorised thereto, have signed this Agreement; and the representative of the United Kingdom, having been so requested by the Government of the Federation of Rhodesia and Nyasaland, has also signed in signification of that Government's concurrence in this Agreement.

DONE in triplicate at Lisbon on the eighteenth day of the month of November, 1954, in the English and Portuguese languages, both texts being equally authoritative.

For the Government of the United Kingdom :
N. RONALD

For the Government of the Federation of Rhodesia and Nyasaland :
N. RONALD

For the Portuguese Government :
Paulo CUNHA

EXCHANGE OF NOTES

I

*Her Majesty's Ambassador at Lisbon to the Portuguese
Minister for Foreign Affairs*

BRITISH EMBASSY

Lisbon, November 18, 1954

Your Excellency,

I have the honour to refer to the Agreement signed to-day providing for the temporary residence of certain tribes of the Barotse Kingdom in Angola and of certain natives of Angola in Northern Rhodesia.

2. It is the understanding of the Government of the United Kingdom of Great Britain and Northern Ireland that the expression "forestry taxes and others of a similar nature" which is used in Articles I(3) and II(3) of the above Agreement refers only to payments and fees due for specific benefits such as the cutting of wood and not to taxes of a general nature.

3. I would be grateful if your Excellency would confirm that this is also the understanding of the Portuguese Government.

I avail, &c.

N. RONALD

II

*The Portuguese Minister for Foreign Affairs to Her Majesty's
Ambassador at Lisbon*

[PORTUGUESE TEXT - TEXTE PORTUGAIS]

[TRANSLATION¹ — TRADUCTION²]

Lisboa, 18 de Novembro de 1954

Senhor Embaixador,

Your Excellency,

Em resposta à nota de vossa Excelência desta data, respeitante ao alcance da expressão "taxas florestais ou outras análogas", contida nos artigos I (3) e II (3) do Acordo relativo a indígenas do Reino do Barotze e de

In reply to your Excellency's Note of to-day's date about the meaning of the expression "forestry taxes and others of a similar nature" contained in Articles I (3) and II (3) of the Agreement with regard to certain natives

¹ Translation by the Government of the United Kingdom.

² Traduction du Gouvernement du Royaume-Uni.

Angola vivendo na margem do Rio Cuando, assinado hoje, tenho a honra de informar vossa Excelência de que o Governo Português concorda com a interpretação que é dada pelo Governo do Reino Unido e Irlanda do Norte no sentido de que a mesma expressão se refere apenas a cobranças e taxas devidas pela fruição de determinadas regalias, tais como o corte de lenhas, e não a impostos de natureza geral.

Aproveito, &c.

Paulo CUNHA

of the Barotse Kingdom and of Angola resident in the region of the river Kwando, I have the honour to inform your Excellency that the Portuguese Government is in agreement with the interpretation of the Government of the United Kingdom of Great Britain and Northern Ireland that this phrase refers only to payments due for the enjoyment of specific benefits, such as the cutting of wood, and not to taxes of a general nature.

I avail, &c.

Paulo CUNHA

III

*The Portuguese Minister for Foreign Affairs to Her Majesty's
Ambassador at Lisbon*

[PORTUGUESE TEXT - TEXTE PORTUGAIS]

[TRANSLATION¹ — TRADUCTION²]

Lisboa, 18 de Novembro de 1954
Senhor Embaixador,

Em referência ao Acordo, assinado hoje, relativo a indígenas do Reino do Barotze e de Angola vivendo na região do Rio Cuando, tenho a honra de informar vossa Excelência, nos termos e para os fins do N.º 1 do Artigo II do citado Acordo, que a autoridade portuguesa incumbida de elaborar e transmitir às autoridades britânicas as listas das aldeias cujos habitantes desejam acampar em território da Rodésia do Norte durante a estação das chuvas é o Administrador da Circunscrição do Cuando, no distrito do Bié-Cuando-Cubango.

Aproveito, &c.

Paulo CUNHA

Your Excellency,

With reference to the Agreement signed to-day with regard to certain natives of the Barotse Kingdom and of Angola resident in the region of the river Kwando, I have the honour to inform your Excellency, in accordance with, and for the purposes of, Article II (1) of the above Agreement, that the Portuguese authority competent to draw up and transmit to the British authorities the lists of villages whose inhabitants wish to camp on the territory of Northern Rhodesia during the rainy season is the Administrator of the Circunscrição do Cuando in the district of Bié-Cuando-Cubango.

I avail, &c.

Paulo CUNHA

¹ Translation by the Government of the United Kingdom.

² Traduction du Gouvernement du Royaume-Uni.