

1926

XF: 8030  
30 NOV 1926

E. AFRICA  
C0533/363

XF: 8030  
30 NOV 1926

From  
CENTRAL OFFICE

Date  
November 1926.

"CONVENTIONAL BASIN OF THE CONGO"

CLOSED  
UNTIL  


Previous paper	(Minutes within)	
<del>                    </del>		
Subsequent paper 17075/27		
Africa	30	
M. Allen	1/2	
W. Green	1/12	
YEA	<input checked="" type="checkbox"/>	
S. S. Wilson		

NOT TO BE TURNED INSIDE OUT.

~~XCTA~~ seen by  
Mr. [unclear]  
noted. 27/9/79  
[unclear]

Pl. note that - 27/9/79

this paper etc.

S/S minute of 7/7

shd. be brought to

the notice of whoever

is appointed as

Secretary to the

Commission who is

to go to Africa

this winter

50687

Ph Seel

Su Adams

Mr Shirkard

have seen

S. of S. <sup>mount</sup>

8/7/27

CP

1) COLONIAL OFFICE --- Novr. 1926. Minutes etc and S/O letter from Major H.C. Thornton enclosing copy note by Mr. Grogan on proposed new agreement relating to fiscal limitations of territories within the CONVENTIONAL BASIN OF THE CONGO, imposed by the General Act of Berlin.

Sir C. Stedman.

Please see attached

letter & minutes. If you

agree, I will try to get it up

EA, seen by Mr. Allen

Mr. Green & noted for

bringing up on 1st June

427.

S. Green.

18/11/26.

Registers 11226

Sir Wilson

Rather as a matter of historical accuracy,

attach - marked A - two extracts showing that this proposal did not originate with Major Grogan. I put it forward long before the Conference, & was authorized to try & get the Committee which defied the Convention (revising the Berlin & Brussels Acts) to adopt it. The second extract shows what happened. This ~~was~~ no doubt appears in full in the Procès Verbaux of the Committee which are on record.

1) MR GREEN and MR ALLEN to see

2) TO BE BROUGHT UP ON 1st June 1927.

I agree as to registration.

C.S. 23.11.26

Sir C. Stedman.

Green. I shall explain to Prof B.

Let Mr. Bellamy see his return

Noted. Bring up on 1st June

S. Green

Mr. Holmes }  
Mr. Messing }

Per C. J. Dages

Please see Mr  
Dages' note at bottom  
marked A. Will you  
keep the paper?

gll  
15.11.

Li S. Wilson.

This is primarily a CO. matter  
& I think that it would be well  
concerned if the paper were kept in  
the CO. & arrangements made to  
submit S. of S. into a full brief  
before he goes to S. A.

GD 17/11/26

I will on reaching the  
top of it - will then  
by coming with Hensley, &  
bring a half hog over. The  
proposed I. is in Commission  
by which the problem is  
with for a lot on it.

Noted HSD 27/9 Jan 2/72

B U 12/11<sup>5</sup>

Sir S. Wilson.

A trade agreement was concluded between the Union and Kenya in General Smuts' time which could not be put into operation as it contravened the 'free trade' provisions of Article I of the Berlin Act. I do not know what views the present Union Government hold on the subject, but even if we were disposed to agree that we ought to be free from the shackles of Article I of the Berlin Act, I see no advantage in communicating the memorandum to the South African Delegation in the absence of any prospect of the change being found to be practicable.

There are, of course, many powers to be taken into account besides France, Portugal and Italy, and in Tanganyika the Mandate is an additional obstacle.

The boundaries of the Conventional Basin of the Congo certainly intersect political Boundaries rather absurdly, but this is a point of detail. I remember that I drew Lord Milner's attention to it myself at the time of the Peace Conference, but he had to be content with the status quo.

5/4/26

*v. P. P. J. note above. Sir S. Wilson's views may now be made.*  
S.P.P.  
5/12/26

*Office.*

*G.H.*

*9.11.26.*

*sm 8*

*larger table in upstairs with handwriting. Please let me by including by for 13<sup>th</sup>.*

(1) Extract from Memo. of August 28. 1918.

"Conventional Basin of the Congo"

I suggest that the opportunity might be taken to propose that this singular creation of the Berlin Act has served its turn and might be abolished. Its boundaries cut across a number of political boundaries in an arbitrary fashion:- which is not to be wondered at, because the "conventional basin" was defined before the political boundaries were laid down. It might be proposed that any arrangements for the future should be made to apply to specific territories: e.g. Belgian Congo, French Congo, British East Africa, Uganda, etc., etc., and not to the "conventional basin".

(Initialled) <sup>C</sup> E.S.  
August 28, 1918.

(2) Extract from letter reporting proceedings of the Drafting Committee for revision of Berlin & Brussels Act.

Article 1. The French were averse to any extension of the special régime of the Berlin Act and, although we should have liked to adjust the frontiers of the Conventional Basin so that they should include complete countries instead of arbitrarily cutting across them in some cases as at present, it was found impossible to arrive at any satisfactory arrangement and it seemed to be our best chance of getting the new Convention accepted by the other Powers to stick to the old one.

C.S.  
June 24. 1919.

Mr. B. Copies of the papers from which these extracts are in the Berlin Act

*in SD in news*

4, MILLBANK,

WESTMINSTER,

LONDON, S.W.1.

**PRIVATE.**

4th November 1926.

Dear S. of S.,

I have just been lunching with Grogan and he asked me whether I had any means of bringing the enclosed note to the notice of the South African Delegates.

The note was written at Lord Milner's request in Paris during the negotiations on the Versailles Treaty. You will remember that Lord Milner took Grogan with him to Paris to advise on East African questions generally. The note was shewn by Lord Milner to General Botha who was most interested in it, saw the point and promised to take the matter up. His subsequent illness and death, however, prevented ~~it~~ from going any further.

I thought the best thing was to bring it to your own notice.

*Yours ever,*  
H. C. Thwaites

*N.B.  
We always thought this a very  
good & sensible arrangement. It's  
principal suggestion (Russett  
Bramley) was adopted & had to be  
discarded later. J.D.*

The Rt. Hon. L.C.M.S. Amery M.P.,  
Colonial Office.

2

NOTE on the proposed new agreement relating to the  
fiscal limitations of territories within the  
Conventional Basin of the Congo, imposed by  
the General Act of Berlin.

I understand that the proposed new agreement allows each territory within the Basin power to impose unlimited duties on imports, provided that such duties are not differential.

The boundaries of the Conventional Basin of the Congo intersect the following territories:- French Gaboon, Cameroon, French Ubangi, Egyptian Sudan, Abyssinia, Italian Somaliland, Portuguese East Africa, Northern Rhodesia and Portuguese Angola. The only territories entirely included are the Belgian Congo, British East Africa, Uganda, German East Africa and Nyassaland.

This means that the intersected territories are in part fiscally free and in part fiscally limited, which is absurd.

The territorially interested Powers, namely, France, Great Britain, Italy and Portugal, are therefore equally concerned in acquiring the right to differential fiscal treatment as between their included territories and their contiguous excluded territories.

It is a matter of urgent importance that the British zone (comprising Uganda, British East Africa, German East Africa, Nyassaland and the portion of Northern Rhodesia included in the Conventional Basin) should be free to affiliate fiscally either to the British Soudan or to the South African Customs Union. The latter is, in fact, a matter of imminent practical politics.

British East Africa through the Economic Commission is advocating preferential treatment of Imperial trade. The proposed new agreement would preclude this. If, however, for the purpose of this agreement, the whole Empire, including British Middle Africa is not to be considered as one fiscal unit, there should at least be provision whereby the continuous British East African territory stretching from the Cape to Cairo should

be held

be held to be one fiscal unit for the purpose of this agreement.

France, Portugal and Italy must necessarily endorse this principle since otherwise they cannot conveniently develop the French Congo, Angola, Mozambique and Italian Somaliland.

If the principle can be secured there must be provision for seaborne trade between the ports of the fiscal units concerned since in the present stage there are practically no longitudinal systems of overland transportation.

(Signed) Ewart S. Grogan.

15/5/19.