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'Arms Traffic at Muskat'

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About this record

Memorandum, written by the Political Department of the India Office 15 February 1911, describing the position of Muskat [Muscat] where the export of arms to India and Persia has been prohibited since 1898, but were the import of arms into Muskat and their export to any other country remains unprohibited. The memorandum has been divided under the following headings:

- Sultan's Commercial Treaties
- Prohibition of Arms Traffic in Persian Gulf
- State of Traffic at Muskat
- Effect on the Indian Frontier
- Negotiations with France
- French share of Traffic
- Question of Territorial Concessions in India
- Question of Extradition

- Pondicherry-Cuddalore (Tiruppappuliyar) Railway
- Question of Compensation

Included within some of the headings are tables showing the numbers of rifles being imported into Muskat and the value of Imports of Arms and Ammunitions into Muskat for the periods 1906-1907, 1907-1908, 1908-1909, and 1909-1910.

Appendices

- Appendix I: Treaty of Amity and Commerce between the United States of America and Muskat, signed 21 September 1833
- Appendix II: Treaty of Commerce between France and Muskat, signed 17 November 1844
- Appendix III: Anglo-French Declaration respecting the Independence of Muskat and Zanzibar, signed at Persia, 10 March 1862.

There are three copies of the memorandum contained within the file.

'Arms Traffic at Muskat' [1r] (1/6)

B182

Arms Traffic at Muskat.

1. **Sultan's Commercial Treaties.**—The situation at Muskat is governed by the fact that the Sultan has commercial treaties with the United States (1833), France (1844), and Great Britain (1891*), the terms of which require amendment before he can place special restrictions on the trade in arms to and from his territory. There is also a Dutch "Commercial Declaration" of 1877, which merely provides for reciprocal "most-favoured-nation" treatment between the two countries. The American, French, and British treaties [see Appendices] provide expressly for the unrestricted import and export of all kinds of merchandise (with certain specified exceptions). The Sultan's international position is further regulated by the joint Anglo-French Declaration of 1862 by which the two Governments undertook reciprocally to respect His Highness's independence, which it should also be our object to get rid of.

2. **Prohibition of Arms Traffic in Persian Gulf.**—Elsewhere on the Persian Gulf littoral a general prohibition of the arms traffic is in force. The import of arms into Persia was prohibited by a Decree of 1881 (re-affirmed by a law of 1900). In 1897 the Persian Government authorised British ships to seize and confiscate arms destined for Persian ports. Agreements prohibiting the trade in their respective territories, and conferring powers of search, &c., on British ships, were concluded with Bahrein (1898), Koweit (1900), and the Trucial Chiefs (1902).

The import of arms into Turkey is also prohibited. In 1898 the Sultan of Muskat agreed to prohibit the export of arms from Muskat to India and Persia (where the import of arms was illegal), and empowered British ships to act on his behalf in enforcing this prohibition. But (1) the import of arms into Muskat, and (2) their export except to the two specified countries, remain unprohibited.

3. **State of the Traffic at Muskat.**—The result has been to make Muskat the principal emporium of arms for the whole Middle East, rifles and ammunition being imported thither from Europe in large quantities, and thence distributed throughout the Gulf littoral. The bulk of these arms are smuggled across from Muskat to the coast of Persian Mekran, whence they are taken up country by Afghan caravans and ultimately reach the tribesmen of Afghanistan and the North-Western Frontier of India. The Persian authorities have shown themselves quite incapable of checking the traffic in Persian territory. The following tables illustrate the extent of the import trade at Muskat:—

I.—*Rifles imported into Muskat.*

	1906-07.	1907-08.	1908-09.
Of Belgian manufacture	- 24,196	45,370	43,280
„ French „	- 3,725	6,280	4,230
„ English „	- 17,006	30,800	25,600
„ German „	- —	5,230	6,550
„ Roumanian „	- —	—	6,160
Total	- 44,927	87,680	85,820

S. 53.

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'Arms Traffic at Muskat' [1v] (2/6)

2

II.—Value of Imports of Arms and Ammunition into Muskat.

Country of Origin.	1906-07.	1907-08.	1908-09.	1909-10.
	£	£	£	£
Belgium - - - - -	54,016	141,020	114,694	35,246
France - - - - -	5,995	26,343	19,914	15,389
United Kingdom - - - - -	52,327	101,432	82,017	23,785
Germany - - - - -	—	10,255	10,842	21,442
Roumania - - - - -	—	—	10,177	8,000
Total - - - - -	112,338	279,050	237,644	103,862

4. **Effect on the Indian Frontier.**—The wholesale arming of tribesmen with modern weapons (to which the Muskat trade has led) has produced grave results on the North-West Frontier of India, where, in the opinion of the Government of India, a situation has arisen "which has upset the balance of power, and constitutes a serious menace to the maintenance of peace." Upwards of a quarter of a million sterling has been spent in preventive measures, which, while reducing the extent of the traffic, as shown by the figures given above, have proved that, until it is checked at the source, *i.e.*, Muskat, the evil cannot be coped with effectively except at a prohibitive cost.

5. **Negotiations with France.**—His Majesty's Government have more than once attempted, by diplomatic means, to obtain a "free hand" at Muskat for the suppression of the arms traffic. At the Brussels Arms Conference of 1908-09 both the Dutch and American delegates expressed their readiness to forego their treaty rights in this respect, provided the other treaty powers did the same. But negotiations between Great Britain and France, with the object of obtaining a similar concession from the latter, broke down, and the Conference separated on the 31st December 1909 without any settlement being reached in regard to Muskat.

Proposals for a temporary prohibition of the import of arms into Muskat, pending the permanent settlement of the question, were made to the French Government in April 1910, but, so far, they have been without result.

6. **French share of Traffic.**—It may be observed that France's share in the import trade in arms and ammunition has been inconsiderable; but the distributing trade at Muskat itself is, or was, largely in the hands of local French dealers. The most important of these dealers, M. Goguyer, who died in October 1909, was understood to have powerful interests at his back, which made it difficult for the French Government to interfere with him.

The effect of the naval blockade, which has been in operation since January 1910, has been that within the last few months the other firms have closed their doors, and that of Goguyer alone survives.

7. **Question of Territorial Concessions in India.**—As regards the *quid pro quo* to be offered by His Majesty's Government in return for the renunciation by France of her rights under the Treaty of 1844 and the Declaration of 1862, the Government of India are prepared to cede to France territory in the neighbourhood of Pondicherry covering an area of 138 square miles, with a population of 195,000, yielding an annual revenue of about 2¼ lakhs (18,333*l.*), on condition that the other French settlements in India (including Chandernagore), which cover about 88 square miles, and have a population of 99,000, are ceded to Great Britain.

They deprecate, however, the cession to France of any territory in India except as part of an exchange which would include the surrender to Great Britain of Chandernagore (a dangerous centre of sedition) and the scattered *loges* (in which the French have no territorial rights, and the value of which, at 20 years' purchase, has been put at Rs. 85,000 = 5,666*l.*).

It should be added that the question of an exchange of territory in India between Great Britain and France was raised in 1857, the proposal being then made that France should cede all her Indian possessions, except

'Arms Traffic at Muskat' [2r] (3/6)

3

Pondicherry and Karikal, in return for an increase of French territory round Pondicherry. Negotiations on this subject, after dragging on for some years, seem to have died a natural death. The area which it was proposed to cede cannot now be identified.

8. **Question of Extradition.**—In any negotiations with France advantage might be taken of the desire, which the French Government are understood to entertain, for a modification of the present extradition arrangements, under which the authorities of the French Settlements in India are bound to surrender to the British authorities any French citizen whose extradition is demanded for offences committed in British territory, on the mere production of the warrant of arrest (Article 9 of the Extradition Treaty of 1815, and 16 of the Treaty of 1876).

This question has not been formally raised by the French Government, but a pledge was given by M. Pichon in the French Senate on 8th July 1909 that he would approach the British Government in the matter.

9. **Pondicherry-Cuddalore (Tiruppappuliyur) Railway.**—The French have for some years been anxious to build a railway connecting these two places, but the Madras Government have objected to their proposals, which involved construction and working under French regulations of a line which must traverse British territory (though only for $\frac{1}{4}$ mile) and be connected with the British Indian railway system. It is possible that there is material for a deal here.

10. **Question of Compensation.**—As has already been pointed out, the French manufacturing interest in the Muskat trade is not large.

As regards the question of paying compensation for losses consequent upon the prohibition of the traffic, the Government of India recently (30th January 1911) expressed the view that "provided arrangements are made under which Sultan can prohibit imports, it would be cheaper to buy up all stocks of arms at the market price than to maintain blockade which would be necessary if the export of existing stocks is to be prevented. This is the only form of direct compensation which should be entertained. If we begin discussing compensation to traders or manufacturers or loss of prospective profits we should be embarking on a very large question in connection with which Muskat and British dealers, and even German and Belgian manufacturers, might clamour for equal treatment. We should adopt argument that although shipment has been legal destination of arms has been notoriously illicit, and that both dealers and manufacturers who have already made such heavy profits are deserving of no sympathy. As regards agreement which Sultan is believed to have entered into with certain of the dealers authorising them to import arms for a specified term of years, I think we could refuse to recognise them and leave persons concerned to get what redress they can from the Sultan."

The firm of Goguyer, as has been said above, is the only French firm now left at Muskat. But, as was stated in Sir R. Ritchie's letter to the Foreign Office, dated the 3rd February 1911, recent customs returns show that there has been a marked increase in shipments of arms to Muskat; and it is to be feared that, if negotiations are protracted, and especially if the idea gets abroad that His Majesty's Government are likely to pay direct compensation, the market will be flooded with arms, &c., which we may find ourselves obliged to purchase. It was therefore suggested that the date on which negotiations with France are resumed should be fixed as the latest limit of time beyond which His Majesty's Government will not recognise any imports into Muskat in any assessment of compensation that may be necessary.

Political Department, India Office,
15th February 1911.

APPENDICES.

APPENDIX I.

(Treaty with United States, 1833.)

Treaty of Amity and Commerce between the United States of America and Muskat, signed 21st September 1833.

Article 2.—The citizens of the United States shall have free liberty to enter all the ports of His Majesty Syud Sued Bin Sultan with their cargoes of whatever kind the said cargoes may consist, and they shall have liberty to sell the same to any of the subjects of the Sultan, or others who may wish to purchase the same, for any produce or manufactures of the Kingdom or other articles that may be found there. No price shall be fixed by the Sultan or his officers on the articles to be sold by the merchants of the United States, or the merchandise they may wish to buy; but the trade shall be free on both sides to sell or buy, or exchange, on the terms and for the prices the owners may think fit; and whenever the said citizens of the United States may think fit to depart, they shall be at liberty to do so; and if any officer of the Sultan shall contravene this Article he shall be severely punished. It is understood and agreed, however, that the articles of muskets, powder, and ball can only be sold to the Government in the Island of Zanzibar, but in all other ports of the Sultan the said munitions of war may be freely sold without any restriction whatever to the highest bidder.

APPENDIX II.

(Treaty with France, 1844.)

Treaty of Commerce between France and Muskat, signed 17th November 1844.

Article 2.—The subjects of Syud Sued Bin Sultan, the Sultan of Muskat, shall be at liberty to enter, reside in, trade with, and pass with their merchandise, through France; and the French shall, in like manner, have similar liberty with regard to the territories of Syud Sued Bin Sultan, the Sultan of Muskat. The subjects of both the Governments shall have all the privileges which are or may be conceded by the respective Governments to the subjects of the most favoured nations.

Article 11.—No vessel shall be prohibited from importing into, or exporting from, the territories of the Sultan of Muskat any kind of merchandise. The trade shall be perfectly free in the said territories, subject to the above-mentioned duty [*i.e.*, 5 per cent.] and to no other. The French shall be at liberty to buy and sell from whomsoever and to whomsoever they choose; but they shall not trade in the articles of ivory and gum copal on that part of the East Coast of Africa from the port of Tongate, situated in 5½ degrees of south latitude, to the port of Culva, lying in 9 degrees south of the equator, both ports inclusive. But if the English or Americans, or any other Christian nation, should carry on this trade, the French shall, in like manner, be at liberty to do so.

'Arms Traffic at Muskat' [3r] (5/6)

5

APPENDIX III

(Anglo-French Declaration, 1862.)

Anglo-French Declaration respecting the Independence of Muskat and Zanzibar, signed at Paris, 10th March 1862.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French, taking into consideration the importance of maintaining the independence of His Highness the Sultan of Muskat and of His Highness the Sultan of Zanzibar, have thought it right to engage reciprocally to respect the independence of these Sovereigns.

The undersigned, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary at the Court of France, and the Minister for Foreign Affairs of His Majesty the Emperor of the French, being furnished with the necessary powers, hereby declare in consequence that their said Majesties take reciprocally that engagement.

Witness whereof, &c.,

(Signed)

COWLEY.

DE THOUVENAL.

'Arms Traffic at Muskat' [3v] (6/6)

