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‘Memorandum by the Political Department, India Office, on treaties and agreements between the British Government and the various rulers and chiefs in Arabia and on the Persian Gulf.’

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About this record

The memorandum comprises summaries and précis of the treaties signed between the British Government and the Arab rulers and chiefs on the Arabian Peninsula and in the Persian Gulf. The first part of the memorandum, prepared by J P Gibson and dated 21 July 1927, provides overviews of the various treaties for: Koweit [Kuwait]; Bahrein [Bahrain] and the Trucial Coast; Qatar; Muscat; Mavia (in Yemen); and the Idrisi Treaties. The second part of the memorandum, prepared by David Taylor Monteath and dated 9 August 1926, offers a more detailed précis of most treaties: Koweit; Bahrein; El-Katr [Qatar]; the Trucial Coast; Oman (Muscat). A summary at the end of the précis condenses the key points common to all treaties.

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CONFIDENTIAL.

B. 387.

Memorandum by the Political Department, India Office, on Treaties and Agreements between the British Government and the various Rulers and Chiefs in Arabia and on the Persian Gulf.

Last year the question was considered of supplying Ibn Saud with copies of our engagements with the Arab Chiefs of the Persian Gulf as a means, alternative to that of a treaty provision, of protecting the Chiefs from the danger of Wahabi encroachments.⁴ It was, however, decided that the treaties in themselves did not demonstrate our relations with the Chiefs in a manner forcible enough to deter Ibn Saud from aspiring to get control of them. A clause was accordingly inserted in the treaty. (See P. 2585/26 and the useful précis thereon of the treaty position in regard to the Gulf Chiefs.) In the signed treaty Ibn Saud "undertakes to maintain friendly and peaceful relations with the territories of Koweit and Bahrein and with the Sheikhs of Qatar and the Oman coast, who are in special treaty relations with His Majesty's Government." So far as the Gulf Chiefs at any rate are concerned, there appears no objection in principle to complying with Ibn Saud's request for copies of the existing treaties, &c. But certain details require consideration. P. 3429/27.

Koweit.—The Foreign Office raise the question of the Bunder Shweikh lease agreements of 1907. This lease (and consequently the rent paid to the Sheikh) was terminated in 1922 in accordance with Article 3 of the agreement, but the agreement itself does not appear to have been abrogated, and presumably, therefore, the undertakings embodied in it are regarded as still binding, except in so far as they are affected by the termination of the lease. The importance of these undertakings is essentially limited to those in Articles 5 and 9, the former of which only confirms an undertaking given by the Sheikh in the 1899 Treaty. The latter contains an assurance by us that Koweit belongs to Sheikh Mubarak and his heirs and that its administration would remain under him and his heirs as at that time. Although the agreement has been kept secret hitherto, the dream of a Berlin-Bagdad railway is a thing of the past, and there would probably be no objection to communicating the text to Ibn Saud. But as most of the agreement has ceased to be operative in consequence of the termination of the lease, it might be sufficient to inform Ibn Saud that His Majesty's Government in 1907 gave the Sheikh the assurance contained in Article 9. P. 3465/22.

A threefold assurance was given to the Sheikh on the 3rd November 1914, including an assurance that "Koweit shall be recognised as an independent principality under British protection." See page 6 of Memo. B. 301. Presumably Ibn Saud should be informed of this also.

Bahrein and the Trucial Coast.—There is nothing to add to the treaties, &c., in Aitchison, which were communicated to the Turks.

Qatar.—The 1916 Treaty is, of course, still in force, and should be included with the other treaties, &c. It will be found on pages 4 to 6 of the brown volume on P. 3793/26.

Muscat.—The Foreign Office letter makes no reference to Oman. It was beyond the purview of the Turkish Government's legitimate interest, but the Muscat Treaties, as contained in Aitchison, should certainly be communicated to Ibn Saud, since Wahabi expansion in the Oman hinterland is still a danger as it was in the past. As pointed out in the Précis, Muscat is, in theory, fully independent, but the 1891 Agreement, at least, indicates the close relations between the Sultan and His Majesty's Government.

Mavia.—A memorandum is attached relating to the 1915 Treaty with this Sheikh, a Yemeni ruler beyond the Aden Protectorate border. For the reasons given by the Foreign Office it is needless to communicate this treaty to Ibn Saud.

The Idrisi Treaties.—Although these treaties were negotiated through the Government of India, the control of policy in south-west Arabia has now

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been in the hands of His Majesty's Government for several years, and it does not seem that this Office is required to express an opinion on the vexed question whether and how far the two treaties are to be regarded as still in force. The successive rulers in Asia in the post-war period cannot be said to have benefited much by the existence of the treaties. Of late, in the course of the Imam-Idrisi conflict and of the conversations with the Italian Government, the Colonial Office have at times regarded the 1915 Treaty as no longer operative, and have taken as limited a view as possible of the obligations assumed under the later treaty. But at other times they have seemed to consider the 1915 Treaty as still in force. British Red Sea policy has to some extent changed in outlook since the war-time period, in so far as commitments to Arab rulers are concerned. The circumstances now are different, when the Idrisi has accepted the overlordship of Ibn Saud, while his position and influence are greatly diminished since 1917. It is for His Majesty's Government to say whether they consider it necessary and desirable that one or both Idrisi treaties should be regarded (with the attendant obligations) as still in force, in order to ensure that no foreign Power establishes itself on the Farsan Islands—the essential object which the treaties were intended to secure, and which to some small extent is separately secured by the recent conversations with the Italian Government.

J. P. GIBSON.

21st July 1927.

Précis of the Treaties and Engagements between the British Government and the Chiefs of the Arabian Coast of the Persian Gulf.

KOWEIT.

P. 2585/26.

(a) *Agreement dated 23rd January 1899.*—The Sheikh pledged himself and his heirs and successors not to receive the Agent or Representative of any Power or Government at Koweit . . . without the previous sanction of the British Government . . . and not to cede, sell, lease or mortgage or give for occupation or for any other purpose any portion of his territory to the Government or subjects of any other Power, without the previous consent of His Majesty's Government.

(b) Letter from Lieut.-Colonel Meade, Political Resident in the Persian Gulf, to the Sheikh of Koweit, dated 23rd January 1899, accompanying (a).

The Sheikh was formally assured "of the good offices of the British Government towards you, your heirs and successors as long as you, your heirs and successors scrupulously and faithfully observe the conditions of the said bond (i.e. the agreement above)."

P. 4525/11.

NOTE.—In 1911 the text of the Agreement of 1899 was communicated to the Turkish Government. The text of Colonel Meade's accompanying letter was not similarly communicated; but the Turkish Government was told in Sir E. Grey's covering note that "His Majesty's Government have informed the Sheikh of Koweit that so long as he and his heirs and successors act up to their obligations under the Agreement, His Majesty's Government undertake to support them and accord them their good offices. His Majesty's Government reserve to themselves the right to interpret that term at their discretion." As to the point to which His Majesty's Government were in fact prepared to go, on occasion, in interpreting the term, reference is invited to Sir A. Hirtzel's note of 27th October 1911, and to the events of 1901 and 1902 alluded to there, when aggression by land by the Turks and later by Ibn Rashid was apprehended.

P. 1446/11.

(c) *Agreement of the Sheikh of Koweit, dated 24th May 1900*, to prohibit the importation of arms into, and their exportation from, Koweit.

(d) *Postal Agreement, dated 28th February 1904.*

(e) *Secret Agreement, dated 15th October 1907, for the lease of the Bunder Shweikh foreshore.*

In the fifth article of the two documents constituting the agreement the Sheikh reaffirmed his pledge not to cede, sell, &c. any Koweit territory

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to any foreign Government or foreign subject without His Majesty's Government's permission.

In the ninth, the British Government promised that "the town of Koweit and its boundaries belong to . . . the Sheikh of Koweit and to his heirs after him, and that all Sheikh Mubarak's arrangements in the matter of customs, &c., and all his arrangements at the present day shall remain in the hands of Sheikh Mubarak-as-Subah, ruler of Koweit, and his heirs after him . . ."

NOTE.—The lease, or rather the payment of rent for the Bunder Shweikh site, was terminated in 1922. It does not appear, however, that the Agreement was abrogated, and the reciprocal pledges, so far as they are not affected by other subsequent instruments, presumably remain binding.

(f) Letter dated 3rd November 1914 from the Political Resident to the Sheikh, in which the Sheikh was given, in return for his co-operation against the Turks, certain assurances, of which the third was that "Koweit shall be recognised as an independent principality under British protection."

(g) The undertakings given to Sheikh Mubarak were renewed in 1917 to his son Jabir, and again, on his accession, to the latter's successor, his brother Salim. To Salim, who proved troublesome, Government in 1918 offered to renew the assurances given to his predecessors, particularly that given in Article 9 of the Agreement of 1907, on condition of his good behaviour: (i.e. implied the threat to cancel on failure of good behaviour: the Sheikh took the hint).

(h) In a *Kharita* delivered on 19th July 1921 the Viceroy renewed to the present Sheikh, Ahmad al Jabir, nephew of Salim, the assurances given to the latter.

BAHREIN.

(a) In 1820 the Ruler of Bahrein subscribed to the general treaty with the Arab Chiefs of the Persian Gulf, which prescribed abstention from plunder and piracy by land and sea, from slave traffic, and from inter-tribal war, and peace with the British Government. (The adherence of Bahrein to this treaty gave the British Government a formal right to intervene, as it did in 1863, between Bahrein, Abu Dhabi and Katar, and again in 1867-9.)

Aitchison, Vol. XII, p. 172.

(b) In 1847 the Sheikh of Bahrein subscribed to an engagement for the abolition of slave trade in his ports and for the submission of Bahreini vessels to search by British cruisers for slaves, and to seizure if guilty, and in 1856 signed a further engagement for the better suppression of the slave trade.

Do., p. 178.
Do., p. 188.

(c) On the 31st May 1861 Sheikh Mahomed bin Khalifa signed on behalf of himself and his heirs and successors a "perpetual treaty of peace and friendship with the British Government."

Do., p. 189.

In Article 2 he agreed to abstain from maritime aggression, war, piracy and slavery by sea "so long as I receive the support of the British Government in the maintenance of the security of my own possessions against similar aggressions directed against them by the Chiefs and tribes of this Gulf."

In Article 3 he undertook to refer to the arbitration of the Political Resident cases of aggression **by sea** on Bahrein or Bahreinis and to refrain from retaliation without the Political Resident's assent. "And the British Resident engages that he will forthwith take the necessary steps for obtaining reparation for every injury . . . by sea upon Bahrein or . . . its dependencies."

(d) On 22nd December 1880 Sheikh Isa signed an agreement binding himself and his successors not to enter into negotiations with any State or Government other than the British without the consent of the British Government, and to prevent the establishment of diplomatic or consular agencies or coaling depôts, other than British, without the consent of the British Government.

Do., p. 162.

"This engagement does not apply to or affect the customary friendly correspondence with the local authorities of neighbouring States on business of minor importance."

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Aitchison, Vol.
XII, p. 163.

(e) On the 13th March 1892 Sheikh Isa signed a further agreement the first two articles of which reaffirmed his undertaking to abstain from relations with foreign Governments; in the third article he undertook "on no account to cede, sell, mortgage, or otherwise give for occupation any part of my territory save to the British Government."

Lorimer, p. 918.

NOTE.—As the result of the foregoing engagements, and as the outcome of various attempts, more or less open, by the Turkish Government from 1870 onwards to establish a claim to Turkish sovereignty over Bahrein, the Porte was definitely informed in 1892 that Bahrein was under the protection of the British Government.

From 1893 Bahrein in Turkish territory were afforded protection by British Consular authorities.

(f) In 1898 the Sheikh of Bahrein signed an agreement to prohibit the traffic in arms in Bahrein territory.

EL-KATR.

In 1868, as a result of hostilities initiated in Katr by the Sheikh of Bahrein in co-operation with the Sheikh of Abu Dhabi, and continued by a retaliatory attack on Bahrein by Katr, Sheikh Mahomed bin Thani executed an agreement to abstain from hostilities and to accept the arbitration of the Resident, particularly in disputes as to the tribute payable to the Sheikh of Bahrein, to whom the Sheikhs of Katr were then in some degree subordinated.

Shortly after, the Turks established themselves in Katr; and though the British authorities did not hesitate to have direct dealings with the Sheikhs of Katr, no written agreement was made with them.

In the course of the negotiations with the Turkish Government in 1913 it was agreed that the southern and eastern limit of "le Sandjuk Ottoman de Nedjd" should be a "une ligne partant du fond extrême du golfe faisant face à l'île de Zahnounie (i.e. the Bay of Salwa to the west of El Katr) qui ira directement au sud jusqu'au Ruba'-al-Khafi et séparera le Nedjd de la presqu'île de l'El-Katr." Further, it was agreed that "le Gouvernement de Sa Majesté Britannique—ne permettra pas au cheikh de Bahrein de s'immiscer dans les affaires intérieures d'el-Katr, de porter atteinte à l'autonomie de ce pays ou de l'annexer."

The separation of El-Katr from Nejd and its independence of Bahrein having been thus established (though not thereby given effect), the way was open for the conclusion of a *Treaty signed on 3rd November 1916* after the Turks had finally been expelled from El-Katr in the course of the war.

Articles I and II.

In this treaty the Sheikh takes note of, undertakes the obligations resulting from, and is promised the advantages accruing from the various engagements concluded by the Trucial Chiefs for the suppression of slave trade and piracy and the preservation of the maritime peace.

In Article III he undertakes to prohibit arms trade in Katr and to observe the arms traffic rules of the British Government.

In Articles IV and V he undertakes to have no relations with the Agent of any other Power without the consent of the British Government, or to cede land by lease, sale or gift or to grant monopolies, concessions or cable landing rights.

In Articles VII and VIII he undertakes to protect British residents and, if required, receive a British representative, and establish a British post and telegraph office.

In return the British Government undertakes in Articles X and XI to protect the Sheikh, his subjects and territory from all aggression **by sea**, and to grant their good offices should he or his subjects be assailed **by land** within the territories of Qatar; it being understood that this obligation only applies in the event of such aggression by land or by sea being unprovoked by the Sheikh or his subjects.

TRUCIAL COAST (Ras-ul-Kheimah, Abu Dhabi, Debai, Sharjah, Ajman, Um al Kawain).

In 1820 these chiefs signed the general treaty (see Bahrein (a)) prescribing perpetual abstention from plunder and piracy by land and sea,

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and from irregular (i.e. unproclaimed) war; registration of dhows; peace with the British Government; abstention from the carrying off or transport of slaves; free entry of their ships into British ports; "and if any shall attack them* the British Government shall take notice of it."

In 1838, 1839 and 1847 agreements were entered into by these Chiefs for the suppression of slave trade, and for the search and, if necessary, seizure by British warships of any of their vessels suspected of engaging in this trade.

In 1843 a Maritime Truce for ten years was signed by these Chiefs "being fully impressed with a sense of the evil consequences arising from our subjects and dependents being prevented from carrying on the pearl fishery without interruption on the banks, owing to the various feuds existing among ourselves." This Truce cancelled the right of the Chiefs, implied in the general Treaty of 1820, to wage regular war on each other. Under the Truce they agreed to refer disputes and cases of aggression to the decision of the Political Resident. In 1853 the Truce was renewed in perpetuity.

In 1892 exclusive agreements were signed by all the Trucial Chiefs, on behalf of themselves, their heirs and successors, that they will on no account enter into any agreement or correspondence with any Power other than the British Government; that without the consent of the British Government they will not consent to the residence in their territories of the agent of any other Government; and that they will on no account cede, sell, mortgage, or otherwise give for occupation, any part of their territories, save to the British Government.

In 1902 the Chiefs undertook to prohibit the importation of arms into, and their exportation from their territories.

OMAN (MUSCAT).

There are many treaties and engagements between the British Government and the rulers of Muscat, but, with the exceptions noted below, they are generally of the style executed with a ruler of unqualified independence. Moreover, the Sultan of Muscat has Commercial Treaties not only with the British Government but also with the United States of America (1833) and France (1844), by virtue of which both countries have at times maintained Consular representatives in Muscat, and a commercial declaration with Holland (1877).

Oman (Muscat) is, in theory, a fully independent State; and on 10th March 1862 England and France executed a declaration engaging reciprocally to respect the independence of the Sultan of Muscat (and the Sultan of Zanzibar). Nevertheless, the relations obtaining in practice between His Majesty's Government (or the Government of India) and Muscat very closely approach those between the Government of India and any Indian State.

The instruments which can be regarded as in some degree infringing the independence of Muscat are:—

(a) *Treaty of 1873 (Slave Trade)*, giving British warships the right to search and seize Muscat ships suspected of carrying slaves.

(b) *Article 7 of the Commercial Treaty of 1891*, which forbids the prohibition of the importation or exportation of any article, or the imposition of export duties, except with the consent of the British Government.

(c) *Agreement of 20th March 1891*, whereby the Sultan pledges himself, his heirs and successors never to cede, sell, mortgage or otherwise give for occupation his dominions save to the British Government.

(d) *Proclamation of 1898*, giving British (and Persian) war vessels the right of searching Muscat vessels for arms in Muscat waters.

In 1861, on the separation of Zanzibar from Muscat a payment of 40,000 crowns annually by the former to the latter was fixed by the Viceroy (Lord Canning) as fair compensation to Muscat. In 1873 the continued

* "Them" in the context appears to mean the ships of the signatory Chiefs; but it may mean the Chiefs.

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payment of this sum (which Zanzibar soon ceased to produce) was guaranteed to the Sultan of Muscat so long as he faithfully continued to observe his engagements and maintain friendship with the British Government. The subsidy was increased in 1911 to compensate the Sultan for the loss, consequent on the establishment of the warehouse régime, of his profits from the arms trade through Muscat.

SUMMARY.

1. The following are common to the engagements of all the above Arab States to the British Government:—

The undertaking not to cede, sell, mortgage, &c., any of their territory except to the British Government.

The undertaking to suppress slave trade, and the undertaking to prohibit the traffic of arms in their territories.

2. The following is common to all, except Muscat:—

The undertaking to have no negotiations with, or receive the representative of, any Power other than the British Government, except with the consent of the British Government.

3. The following is common to all except Koweit, and it is implied in the case of Koweit:—

The undertaking to maintain peace in perpetuity with the British Government.

4. To all, except Muscat, the British Government promises protection from aggression by sea, either explicitly or, as to the Trucial Chiefs, by implication.

5. To El-Katr the British Government promises also "good offices" in the case of aggression by land.

6. To Koweit the British Government undertakes unqualified "protection."

D. T. MONTEATH.

9th August 1926.