

N° 1287.

**BELGIQUE
ET ROYAUME-UNI**

Echange de notes portant acceptation du protocole signé à Kigoma, le 5 août 1924, relatif à la frontière de Tanganyika-Ruanda-Urundi. Bruxelles, le 17 mai 1926.

**BELGIUM
AND UNITED KINGDOM**

Exchange of Notes accepting the Protocol signed at Kigoma, August 5, 1924, relative to the Tanganyika - Ruanda - Urundi Frontier. Brussels, May 17, 1926.

N^o 1287. — ÉCHANGE DE NOTES ENTRE LES GOUVERNEMENTS BELGE ET BRITANNIQUE, PORTANT ACCEPTATION DU PROTOCOLE SIGNÉ A KIGOMA LE 5 AOUT 1924, RELATIF A LA FRONTIÈRE DE TANGANYIKA-RUANDA-URUNDI. BRUXELLES, LE 17 MAI 1926.

Textes officiels anglais et français communiqués par le Ministère des Affaires étrangères de Sa Majesté britannique et par le ministre des Affaires étrangères de Belgique. L'enregistrement de cet échange de notes a eu lieu le 1^{er} septembre 1926.

I.

No. 126
(188/7/1926)

BRUSSELS, May 17, 1926.

MONSIEUR LE MINISTRE,

I have the honour, under instructions from his Majesty's Principal Secretary of State for Foreign Affairs, to convey to Your Excellency by the present note the formal acceptance by His Majesty's Government of the Protocol signed at Kigoma on August 5, 1924, with its accompanying maps, as defining the boundary between Tanganyika Territory and the Belgian mandated territory of Ruanda-Urundi.

I am at the same time instructed to draw the attention of the Belgian Government to paragraph 51 of the Protocol in question and to invite them to agree that, notwithstanding the new boundary in Lake Tanganyika which is defined by the said paragraph, all customary rights of fishing and passage exercised by natives living on either side of it should be preserved; but that, at the same time, even with regard to the rights of fishing and passage, the respective Governments should preserve their common law rights and should not, for instance, be debarred from levying a fishing tax on all persons alike who use their territorial waters.

I should be grateful if Your Excellency would be good enough to confirm to me that the Belgian Government are in agreement with His Majesty's Government with regard to the arrangements indicated in the preceding paragraph.

I avail myself of this opportunity, Monsieur le Ministre, to renew to Your Excellency the assurance of my highest consideration.

(Signed) George GRAHAME.

His Excellency
Monsieur Emile VANDERVELDE,
Minister for Foreign Affairs.

No. 1287. — EXCHANGE OF NOTES BETWEEN THE BELGIAN AND BRITISH GOVERNMENTS, ACCEPTING THE PROTOCOL SIGNED AT KIGOMA, AUGUST 5, 1924, RELATIVE TO THE TANGANYIKA-RUANDA-URUNDI FRONTIER. BRUSSELS, MAY 17, 1926.

English and French official texts communicated by His Britannic Majesty's Foreign Office and by the Belgian Minister for Foreign Affairs. The registration of this Exchange of Notes took place September 1, 1926.

¹ TRADUCTIONS. — TRANSLATIONS.

I.

N^o 126.
(188/7/1926)

BRUXELLES, le 17 mai 1926.

MONSIEUR LE MINISTRE,

J'ai l'honneur, d'ordre du principal secrétaire d'Etat de Sa Majesté pour les Affaires étrangères, de notifier à Votre Excellence par la présente note, que le Gouvernement de Sa Majesté britannique approuve le protocole signé à Kigoma le 5 août 1924, ainsi que les cartes qui y sont jointes, documents qui définissent la frontière entre le territoire du Tanganyika et le Territoire du Ruanda-Urundi placés sous le mandat belge.

Je suis en même temps chargé d'attirer l'attention du Gouvernement belge sur le paragraphe 51 du protocole en question et de l'inviter à admettre que, nonobstant la nouvelle frontière qui passe par le lac Tanganyika, telle qu'elle est décrite audit paragraphe, tous les droits coutumiers de pêche et de passage dont bénéficient les indigènes vivant de part et d'autre, seront maintenus, mais que cette disposition ne fera pas obstacle à ce que, même en ce qui concerne ces droits de pêche et de passage, les gouvernements respectifs conservent leurs pouvoirs de droit commun. Il ne leur sera donc pas interdit, par exemple, de percevoir des taxes sur les pêches à charge de toutes les personnes, quelles qu'elles soient, qui pêcheront dans leurs eaux territoriales.

Je serais très reconnaissant à Votre Excellence de bien vouloir me confirmer que le Gouvernement belge est d'accord avec le Gouvernement de Sa Majesté britannique en ce qui concerne les arrangements spécifiés au paragraphe précédent.

Je saisis cette occasion, Monsieur le Ministre, de renouveler à Votre Excellence, les assurances de ma très haute considération.

(Signé) George GRAHAME.

Son Excellence
Monsieur Emile Vandervelde,
Ministre des Affaires étrangères.

¹ Traduit par le Secrétariat de la Société des Nations.

¹ Translated by the Secretariat of the League of Nations.

II.

MINISTRY OF FOREIGN AFFAIRS,
DEPARTMENT P.
COLONIAL AFFAIRS SECTION
Nos. 253/452.800.

BRUSSELS, *May 17, 1926.*

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of your letter of to-day's date, in which you are good enough to inform the Royal Government that His Britannic Majesty's Government accepts the Protocol signed at Kigoma on August 5, 1924, with its accompanying maps, as defining the boundary between Tanganyika Territory and the Belgian mandated territory of Ruanda-Urundi.

The Belgian Government also approves these documents.

At the same time you draw the attention of the Belgian Government to paragraph 51 of the Protocol in question and invite them to agree that, notwithstanding the new boundary in Lake Tanganyika which is defined by the said paragraph, all customary rights of fishing and passage exercised by natives living on either side of it should be preserved; but that at the same time, even with regard to the rights of fishing and passage, the respective Governments should preserve their common law rights and should not, for instance, be debarred from levying a fishing tax on all persons alike who use their territorial waters.

The Belgian Government has the honour to confirm to your Excellency that they are in agreement with His Britannic Majesty's Government with regard to these arrangements.

I have the honour to be, etc.

(Signed) VANDERVELDE.

To His Excellency
The Rt. Hon. Sir George Grahame,
Ambassador of His Britannic Majesty
at Brussels.

PROTOCOL.

In the year One Thousand Nine Hundred and Twenty Four on the fifth day of the month of August.

The undersigned,

A. H. WHITE, Administrative Officer of the Tanganyika Territory, Commissioner of the Government of His Britannic Majesty, and H. P. Rowe, of the Survey Department of the Tanganyika Territory, Assistant Commissioner of the Government of His Britannic Majesty;

F. GENDARME, Lieutenant Colonel de La Force Publique, Commissioner of the Government of His Majesty the King of the Belgians, and H. PIEREN, Major de La Force Publique, Assistant Commissioner of the Government of His Majesty the King of the Belgians;

Commissioned by their respective Governments to carry out on the ground the demarcation of the frontier between the British and Belgian Mandated Territories for East Africa, in accordance with the decisions of the League of Nations conferring respectively on Great Britain and Belgium their Mandate on the Tanganyika Territory and the Territories of Ruanda and Urundi, have agreed to adopt, subject to ratification, the frontier line shown on the Map attached to the present Protocol.

This line corresponds to the following description :

(1) B.P. No. I, situated on the Eastern shore of Lake Tanganyika, at about 13 feet (4 metres) from the water's edge and at the outlet of the Ndyakalika Ravine ; thence up the thalweg of this Ravine to B.P. No. II, situated at its head.

(2) The crest of the spur to B.P. No. III, situated on the summit of Lusoro Hill.

(3) The crest of the spur to B.P. No. IV, situated on the summit of Nyangongo Hill.

(4) The crest of the spur to B.P. No. V, situated on the summit of Nganda Hill.

(5) The crest of the spur to B.P. No. VI, situated on the North West end of Mugombe Hill.

(6) A straight line measuring 217 feet (66 metres) in a N.E. direction cutting across the head of the valley of the Nyabitaka River to B.P. No. VII situated at the source of the Sesakuya Stream.

(7) Down the thalweg of the Sesakuya Stream to its junction with the Mukelezi River ; thence up the thalweg of the Mukelezi River to B.P. No. VIII, situated at its source in Mugombe Hill.

(8) A ridge in an E.S.E. direction to B.P. No. IX. situated at the lowest point of the col separating the River Mutambala to the South and the River Nyamugali to the North.

(9) Down the thalweg of the Nyamugali River to its junction with the Mubarazi River ; thence up the thalweg of this latter River to B.P. No. X, situated at the head of its Eastern Source and at the lowest point of the col joining Muharara Hill to the South and Materwa Hill to the North.

(10) Down the thalweg of the Ndiherehi Stream to its junction with the Kiyagira River ; thence down the thalweg of this latter River to its junction with the Shuza River ; thence up the thalweg of this latter River to the junction of the Nyanvuvu River ; thence up the thalweg of this latter River to the junction of the Kasuno Stream (which forms the Northern Branch of the Nyanvuvu River) ; thence up the thalweg of the Kasuno Stream to B.P. No. XI, situated at its head.

(11) Along the edge of the escarpment forming the pan of the Shuza River Valley in a Northerly direction in straight lines joining B.P. No. XI, XII, XIII, XIV, XV, XVI, XVII, XVIII, XIX and XX, which last is situated on the Nyamurongozi Col and at the Southernmost Source of the Malagarasi River.

(12) Down the Malagarasi River to the junction of the Lumpungu River ; thence up this latter River to the junction of the Mukarasi Stream ; thence up the thalweg of this latter Stream to B.P. No. XXI, situated at the source of its Eastern Arm (also known as the Mikungwe).

(13) A straight line in a N.E. direction to B.P. No. XXII, situated on the crest of the Watershed separating the Mukarasi and the Kumbizi (Katungura) Rivers.

(14) A straight line in a N.E. direction to B.P. No. XXIII situated in the Kumbizi (Katungura) Depression.

(15) Down the thalweg of the Kumbizi (Katungura) to its junction with the Lugusi River ; up the thalweg of the Lugusi River to the confluence of the Kabuyenge River ; up the thalweg of the Kabuyenge River to B.P. No. XXIV, situated at the source of its Western Arm (also known as the Mushagasha).

(16) A straight line to B.P. No. XXV, situated on a prominent rock.

(17) A straight line to B.P. No. XXVI, also situated on a prominent rock.

(18) A straight line to B.P. No. XXVII, situated at the Head of the Mumigomera River.

(19) Down the thalweg of Mumigomera River to its junction with the Lumpungu River ; up the Lumpungu River to the confluence of the Lusekera River ; up the thalweg of this latter River to B.P. No. XXVIII, situated at its N.E. Source.

(20) A straight line in a N.E. direction to B.P. No. XXIX, situated on the crest of a watershed.

(21) A straight line in a N.E. direction to B.P. No. XXX, situated on the right bank of the Kidobogoro (Akagondo) Stream continuing in this same straight line for a distance of about 120 feet (37 metres) to the thalweg of this latter Stream.

(22) Down the thalweg of the Kidobogoro (Akagondo) Stream to its junction with the Ruwiti River ; down the thalweg of the Ruwiti River to the confluence of the Kisuma River ; up the thalweg of this latter River to the confluence of the Mwivumba Stream ; up the thalweg of the Mwivumba Stream (generally dry) in a N. direction to B.P. No. XXXI, situated at its Source on a narrow col in Lugarama Hill.

(23) Down the thalweg of the Nyakibereko Valley in a N.N.E. direction to its junction with the Kashinga River ; down the thalweg of the Kashinga River to its junction with the Mkomero River ; up the thalweg of this latter River to B.P. No. XXXII, situated at the head of its N.E. Arm.

(24) A straight line in a N.W. direction to B.P. No. XXXIII, situated on Rwanganiro Col.

(25) A straight line in a N.W. direction and marked by a direction pillar to B.P. No. XXXIV, situated at the head of the Kamiranzovu River.

(26) Down the thalweg of the Kamiranzovo River to its junction with the Nyamuyumbu River ; up the thalweg of the Nyabuyumbu River to the confluence of the Akayeke Stream ; up the thalweg of this latter Stream to B.P. No. XXXV; situated at its head.

(27) A straight line in a N.E. direction to B.P. No. XXXVI, situated in the Ngwa Col.

(28) A straight line in a N.E. direction to B.P. No. XXXVII, situated at the head of the S.E. arm of the Ngwa River.

(29) Down the thalweg of the Ngwa River, subsequently called the Kigenda, to its junction with the Mweruzi River ; down the thalweg of this latter River to the confluence of the Kahumo River ; up the thalweg of the Kahumo River, following its southern bed, to the confluence of the Mukisuma River ; up the thalweg of this latter River to the confluence of the Mukaroba River ; up the thalweg of this latter River to the confluence of the Muruhona Stream ; up the thalweg of this latter Stream to B.P. No. XXXVIII, situated on a rock at its source.

(30) A straight line in a N.W. direction to B.P. No. XXXIX, situated on a rock on a crest of the Nyamisana Range.

(31) A straight line in a N.W. direction to B.P. No. XL, situated at the head of the Mururama Valley ; down the thalweg of this latter Valley to the Mutubiri River ; down the thalweg of this latter River subsequently called Nyakondo and Kingoro to its junction with the Luteitavi River ; down the thalweg of this latter River subsequently called Magarule, Mkagogo (Migogo) to its junction with the Ruvuvu River ; down the thalweg of this latter River to the confluence of the Ichisanye (Chizanye) ; up the thalweg of this latter River to the confluence of the Murusenyé River ; up the thalweg of this latter

River subsequently taking the names of Nyabitare (Mubitare) to the confluence of the Mukana River ; up the thalweg of this latter River to B.P. No. LIX, situated at the head of the Mukina Valley.

(32) A straight line in an E.N.E. direction and marked by a direction pillar to B.P. No. XLII, situated on the Ridge of Ntaretare.

(33) A straight line in a N.N.W. direction to B.P. No. XLIII, situated on the same Ridge.

(34) A straight line in a N.N.E. direction and marked by a direction pillar to B.P. No. XLIV.

(35) A straight line in a N.E. direction to B.P. No. XLV.

(36) A straight line in an E. direction to B.P. No. XLVI, situated on a rocky prominence of Kikomero Hill.

(37) A straight line in a N.E. direction and marked by a direction pillar to B.P. No. XLVII, situated on the S.E. slope of Karambi Hill.

(38) A straight line in a N.E. direction to B.P. No. XLVIII, situated on the Eastern slope of the same Hill.

(39) A straight line in a N.W. direction to B.P. No. XLIX, situated on the same Hill.

(40) A straight line in a N. direction and marked by a direction pillar to B.P. No. L, situated on Lumandali Hill.

(41) A straight line a N.N.E. direction to B.P. No. LI situated on Lumandali Ridge.

(42) A straight line in a N.N.E. direction and marked by a direction pillar to B.P. No. LII, situated on the same Ridge.

(43) A straight line in a N. Direction to B.P. No. LIII situated on the E. extremity of Kinyami Hill.

(44) A straight line in a N.N.E. direction and marked by a direction pillar to B.P. No. LIV situated in the col joining Kinyami and Bwashishi Hills.

(45) A straight line in a N.E. direction to B.P. No. LV, situated on the S.E. slope of Bwashishi Hill.

(46) A straight line in a N.N.E. direction to B.P. No. LVI, situated on the E. slope of the same Hill.

(47) A straight line in a N.N.E. direction to B.P. No. LVII, situated on the N.E. slope of the same Hill.

(48) A straight line in a N.N.E. direction and marked by a direction pillar to B.P. No. LVIII, situated in the head of the S.W. arm of the Mwibu River.

(49) Down the thalweg of the Mwibu River to its junction with the Kagera River.

(50) From this point down the Kagera River to the Uganda Frontier, the two Governments agree that the midstream of this latter River shall be accepted as the Boundary between the Tanganyika Territory and Ruanda.

The Course of the Kagera River will be subsequently surveyed by the Belgian Section and the midstream line provisionally fixed. This line will be submitted for acceptance to the two interested Governments who will then, if necessary, appoint local representatives to make the final arrangements.

(51) By Common agreement it is suggested that our respective Governments consider the Boundary in the Waters of Lake Tanganyika to be the parallel due West from Boundary Pillar No. I to the point of intersection with the North and South Median Line of the Lake.

Should the description of the frontier given above not agree exactly with the line shown on the map attached to the present Protocol, it is distinctly understood that the Boundary as shown on the map is authoritative.

Signed at Kigoma on the day, month, and year as given above, in two originals in English and French.

*The Commissioners of the Government
of His Britannic Majesty :*

(Signed) Alex. H. WHITE.

(Signed) H. P. ROWE.

*The Commissioners of the Government
of His Majesty the King of the Belgians :*

(Signed) F. GENDARME.

(Signed) H. PIEREN.
