

N° 4592.

---

GRANDE-BRETAGNE  
ET IRLANDE DU NORD  
ET INDE ET MASCATE

Traité d'amitié, de commerce et de navigation.  
Signé à Mascate, le 5 février 1939.

*Textes officiels anglais et arabe communiqués par le secrétaire d'Etat aux Affaires étrangères de Sa Majesté en Grande-Bretagne. L'enregistrement a eu lieu le 7 juin 1939.*

---

GREAT BRITAIN  
AND NORTHERN IRELAND  
AND INDIA AND MUSCAT

Treaty of Friendship, Commerce and Navigation.  
Signed at Muscat, February 5th, 1939.

*English and Arabic official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain. The registration took place June 7th, 1939.*

No. 4592. — TREATY <sup>1</sup> OF FRIENDSHIP, COMMERCE AND NAVIGATION BETWEEN GREAT BRITAIN AND NORTHERN IRELAND AND INDIA AND MUSCAT. SIGNED AT MUSCAT, FEBRUARY 5TH, 1939.

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA, and SULTAN SAIYID SAID BIN TAIMUR BIN FAISAL, SULTAN OF MUSCAT AND OMAN AND DEPENDENCIES,

Desiring to confirm and strengthen the friendly relations which now subsist between them and to promote and extend their commercial relations by the conclusion of a new Treaty to replace the Treaty<sup>2</sup> of Friendship, Commerce and Navigation signed at Muscat on the 19th March, 1891, which terminates on the 11th February, 1939,

Have accordingly appointed as their Plenipotentiaries :

HIS MAJESTY THE KING OF GREAT BRITAIN, IRELAND AND THE BRITISH DOMINIONS BEYOND THE SEAS, EMPEROR OF INDIA (hereinafter referred to as His Majesty) :

FOR GREAT BRITAIN AND NORTHERN IRELAND :

Lieut.-Colonel Sir Trenchard Craven William FOWLE, K.C.I.E., C.B.E., Political Resident in the Persian Gulf ;

FOR INDIA :

Lieut.-Colonel Sir Trenchard Craven William FOWLE, K.C.I.E., C.B.E., Political Resident in the Persian Gulf ;

THE SULTAN OF MUSCAT AND OMAN AND DEPENDENCIES (hereinafter referred to as the Sultan), in person :

Who have agreed as follows :

*Article 1.*

For the purposes of the present Treaty :

(i) The term " territories of His Majesty " or " territories of the one (or the other) High Contracting Party " in relation to His Majesty shall mean the United Kingdom of Great Britain and Northern Ireland and India, and any territories to which the present Treaty applies by reason of extensions under Article 19 or accessions under Article 20 ; and the term " territories of the Sultan " or " territories of the one (or the other) High Contracting Party " in relation to the Sultan shall mean Oman and its Dependencies.

<sup>1</sup> Came into force February 11th, 1939.

<sup>2</sup> *British and Foreign State Papers*, Vol. 93, page 11. See also Vol. V, page 59 ; Vol. VIII, page 261 ; Vol. X, page 459 ; Vol. XVII, page 163 ; Vol. XXV, page 387 ; Vol. XXXV, page 233 ; Vol. LVII, page 13 ; Vol. LXIV, page 397 ; Vol. LXXXIII, page 440 ; Vol. XCVI, page 194 ; Vol. C, page 224 ; Vol. CVII, page 499 ; Vol. CXXX, page 444 ; Vol. CXXXVIII, page 440 ; Vol. CLVI, page 201 ; Vol. CLX, page 343 ; Vol. CLXVIII, page 230 ; Vol. CLXXXI, page 365 ; and Vol. CLXXXIX, page 459, of this Series.

<sup>1</sup> Entré en vigueur le 11 février 1939.

<sup>2</sup> DE MARTENS, *Nouveau Recueil général de Traités*, deuxième série, tome XVIII, page 636. Voir aussi vol. V, page 59 ; vol. VIII, page 261 ; vol. X, page 459 ; vol. XVII, page 163 ; vol. XXV, page 387 ; vol. XXXV, page 233 ; vol. LVII, page 13 ; vol. LXIV, page 397 ; vol. LXXXIII, page 440 ; vol. XCVI, page 194 ; vol. C, page 224 ; vol. CVII, page 499 ; vol. CXXX, page 444 ; vol. CXXXVIII, page 440 ; vol. CLVI, page 201 ; vol. CLX, page 343 ; vol. CLXVIII, page 230 ; vol. CLXXXI, page 365 ; et vol. CLXXXIX, page 459, de ce recueil.

(ii) The term "nationals of His Majesty" or "nationals of the one (or the other) High Contracting Party" in relation to His Majesty shall mean all subjects of His Majesty and all persons under his protection, wherever domiciled, except nationals of Koweit, Bahrein, Qatar, Abu Dhabi, Dibai, Sharjah, Ajman, Umm-al-Qaiwain, Ras-al-Khaimah and Kalba and, for the purposes of Articles 13, 14 and 15, nationals of the States of the Aden Protectorate and nationals of Zanzibar of Omani origin who own property in Oman; and the term "nationals of the Sultan" or "nationals of the one (or the other) High Contracting Party" in relation to the Sultan shall mean all the Sultan's subjects, wherever domiciled. For the purposes of Articles 2, 3, 4, 5, 6, 13, 14 and 15 the word "nationals" shall be deemed to include corporate bodies created under the law of the territories of the High Contracting Party concerned.

(iii) The term "British vessels" or "vessels of one (or the other) High Contracting Party" in relation to His Majesty shall mean all ships registered under the law of any part of the British Commonwealth of Nations, including any territory under the sovereignty, protection, suzerainty or mandate of His Majesty except Koweit, Bahrein, Qatar, Abu Dhabi, Dibai, Sharjah, Ajman, Umm-al-Qaiwain, Ras-al-Khaimah and Kalba; and the term "Omani vessels" or "vessels of one (or the other) High Contracting Party" in relation to the Sultan shall mean all ships registered by the Omani Government and entitled to fly the flag of the Sultan.

(iv) The term "British aircraft" or "aircraft of one (or the other) High Contracting Party" in relation to His Majesty shall mean all aircraft registered under the law of any part of the British Commonwealth of Nations, including any territory under the sovereignty, protection, suzerainty or mandate of His Majesty except Koweit, Bahrein, Qatar, Abu Dhabi, Dibai, Sharjah, Ajman, Umm-al-Qaiwain, Ras-al-Khaimah and Kalba; and the term "Omani aircraft" or "aircraft of one (or the other) High Contracting Party" in relation to the Sultan shall mean all aircraft registered by the Omani Government.

(v) The term "foreign country" shall mean in relation to His Majesty any country or territory not under the sovereignty, protection, suzerainty or mandate of His Majesty, and, in relation to the Sultan, any country or territory not being a part of the territories of the Sultan.

#### *Article 2.*

(1) There shall be perfect freedom of commerce and navigation between the territories of the High Contracting Parties. Each High Contracting Party shall allow the nationals of the other to enter all ports, creeks and rivers with their vessels and cargoes, also to travel, reside and pursue commerce and trade, whether wholesale or retail, in his territories provided, as regards nationals of the Sultan, that they satisfy and observe the conditions and regulations applicable in the territory of His Majesty in question to the entry, travel, residence and departure of all foreigners, and provided that nationals of His Majesty satisfy and observe the conditions applicable in the territories of the Sultan in regard to the entry of foreigners and that, in proceeding from the place where they reside in the territories of the Sultan to another place in his territories where foreign subjects do not already reside, they shall, before doing so, notify in writing the local Omani authorities of the place where they reside, and such authorities shall inform them whether the intended destination is suitable for them to travel to or not; if the authorities in question notify the said nationals in writing that the intended destination is unsuitable, and if the said nationals persist in travelling to their destination, or if they should fail to notify the local authorities of their intended movements, they will proceed at their own risk. Further, subject to the provisions of Article 9, each High Contracting Party shall allow in his territories the nationals of the other, whether personally or by agent, freely to bargain for, buy, barter and sell goods, articles of import or local production, whether intended for local sale, use or consumption, or for export.

(2) Should the Sultan wish to establish any monopoly in any part of his territory such monopoly will be arranged in such a way that it will not be detrimental to the trade in which nationals of His Majesty are at the time occupied in that part of his territory.

*Article 3.*

(1) Nationals of His Majesty shall enjoy throughout the territories of the Sultan with respect to commerce, shipping and the exercise of trade all the rights, privileges, immunities, advantages and protection, of whatsoever nature, enjoyed by the nationals of the Sultan or the nationals of any other foreign country.

(2) They shall not be liable to taxes, duties, imposts, restrictions or obligations of any description whatever, other or more onerous than those to which the nationals of the Sultan or the nationals of any other foreign country are subjected.

(3) In all that relates to navigation and the treatment of shipping, the Sultan undertakes to treat British vessels not less favourably in any respect than Omani vessels or the vessels of any other foreign country. The provisions of this Article relating to vessels apply also to the passengers and cargoes carried therein.

*Article 4.*

Nationals of His Majesty shall be permitted in the territories of the Sultan to hire or to acquire, by gift, purchase, intestate succession, will, or any other legal manner, land, houses, and property of every description, whether movable or immovable, to possess the same, and freely to dispose thereof by sale, barter, donation or otherwise on the same conditions in respect of immovable property as are or may be established with regard to the nationals of the most-favoured foreign country, and in respect of movable property as are or may be established with regard to the nationals of the Sultan or the nationals of the most-favoured foreign country.

*Article 5.*

(1) Articles produced or manufactured in the territories of His Majesty imported into the territories of the Sultan, from whatever place arriving, shall not be subjected to duties or charges other or higher than those paid on the like articles produced or manufactured in any other foreign country.

(2) No other or higher duties or charges shall be imposed in the territories of the Sultan on the exportation of any article to the territories of His Majesty than such as are payable on the exportation of the like article to any other foreign country.

(3) The import duties leviable in the territories of the Sultan on goods produced or manufactured in the territories of His Majesty and on goods imported by nationals of His Majesty shall be paid at the port or other place in the Sultan's territories where the goods are first imported, and on payment thereof such goods shall thereafter be exempt within the said territories from all other Customs duties.

(4) Customs duties shall not be levied in the territories of the Sultan on goods produced or manufactured in the territories of His Majesty or imported by nationals of His Majesty in the following cases, namely :

(a) On goods which, being destined and manifested for a foreign country, are transhipped from one vessel or aircraft to another in any of the ports or airports of the Sultan or which have been for this purpose provisionally landed and deposited in any of the Sultan's Custom-houses to await the arrival of a vessel or aircraft in which to be reshipped abroad ; but goods so landed shall only be exempted if the consignee or his agent shall have, on the arrival of the vessel or aircraft, handed over the said goods to be kept under Customs seal, and declared them as landed for transshipment, designating at the same time the foreign place of destination, and if within a period not exceeding three months after their first landing the said goods are actually shipped for the said foreign country as originally declared and without having in the interval changed owners, and if all Customs charges are paid before they are reshipped.

(b) On goods which, not being destined and manifested for the territories of the Sultan, have been inadvertently landed, provided that such goods are left in the custody

of the Customs authorities and are reshipped for a destination abroad within two months of being so landed, and that all Customs charges are paid before the goods are reshipped.

(c) On coal, fuel and oil, Naval and Air Force provisions and stores and fittings, the property of His Majesty, landed in the territories of the Sultan for the use of the ships of His Majesty's Naval Forces and the aircraft of his Air Forces ; duty shall, however, be payable if any of the goods thus exempted are sold or otherwise disposed of in the local markets.

(d) On goods transhipped or landed pending the repair of damage caused to the vessel or aircraft by stress of weather or disasters at sea or in the air, provided the cargo so discharged shall be left in the custody of the Customs authorities and be reshipped abroad within a period of three months from the date of the original landing and that all Customs charges have been paid.

(5) In the cases referred to in paragraph (4) above Customs formalities in respect of landing, examination, clearance and shipment of goods are to be observed.

(6) All goods remaining uncleared in the Sultan's Custom-houses after four months from the date of their original landing shall be disposed of by the Sultan's Customs authorities by a public auction after notifying the steamer or aircraft agents concerned. Their sale proceeds, after payment of the auctioneering charges, Customs duty and charges, shall be kept in deposit for a period of one year and refunded to the owner if the claim is established during this period, after which no claim shall be entertained.

(7) In this Article the words "Customs charges" shall mean charges other than Customs duties and may include landing, transit, weighing, wharfage or ground rent, supervision and overtime fees, it being understood that all such fees will be assessed on a reasonable scale.

#### Article 6.

(1) All Customs duties leviable in the territories of the Sultan shall be paid in cash and not in kind.

(2) The value of the goods on which duty is to be levied shall be fixed according to their market price following the normal usage of trade in Muscat.

(3) The Sultan's Government shall have the right to fix the valuations for Customs purposes of any descriptions of goods for any period, provided such valuations are fixed by a tariff board appointed by the Sultan, consisting of equal numbers of the Sultan's nationals and nationals of His Majesty representing the merchant community, and presided over by the Director of the Sultan's Customs.

(4) In the event of any dispute arising between a national of His Majesty and the Custom-house authorities regarding the value of any goods, this shall be determined by reference to two experts, each party nominating one, and the value so ascertained shall be decisive. Should, however, these experts not be able to agree, they shall choose an umpire, whose decision is to be considered as final.

#### Article 7.

The Sultan's Government has the right to charge all vessels entering any of the ports in the Sultan's dominions with shipping, tonnage, or harbour dues, to be administered under the control of a special board appointed by the Sultan for the improvement of the harbour and construction and maintenance of lighthouses, etc.

#### Article 8.

Internal duties, taxes or fees levied within the territories of either High Contracting Party for the benefit of the State, or of organs of local or municipal government, on or in connection with goods produced or manufactured in the territories of the other Party, shall not be other or greater than the duties, taxes or fees levied in similar circumstances on or in connection with goods of national or any other origin.

*Article 9.*

(1) No prohibition or restriction shall be imposed or maintained on the importation into the territories of the Sultan of any article, from whatever place arriving, produced or manufactured in the territories of His Majesty which shall not equally extend to the importation of the like articles produced or manufactured in any other foreign country.

(2) No prohibition or restriction shall be imposed or maintained on the exportation of any article from the territories of the Sultan to the territories of His Majesty which shall not equally extend to the exportation of the like articles to any other foreign country.

(3) Exceptions to the general rule laid down in the foregoing paragraphs may be made only in the case of :

- (a) Prohibitions or restrictions imposed in the interests of public security ;
- (b) Prohibitions or restrictions regarding traffic in arms, ammunition and implements of war, or, in exceptional circumstances, all other military supplies ;
- (c) Prohibitions or restrictions imposed for the protection of public health ;
- (d) Prohibitions or restrictions imposed for the protection of animals or plants, including protection against diseases, degeneration or extinction, as well as measures taken against harmful seeds, plants and animals.

*Article 10.*

The Sultan engages by the present Treaty to provide and give orders to his officials that the movement of goods in transit shall not be obstructed or delayed in a vexatious manner by unnecessary Customs formalities and regulations, and that every facility will be given for their transport.

*Article 11.*

Either of the two High Contracting Parties may appoint Consuls to reside in the territories of the other, subject to the consent and approval of the other as regards the persons so appointed and the places at which they reside. Such Consuls shall at all times be accorded in the country in which they reside treatment and privileges not less favourable than Consuls of the most-favoured foreign country. Each of the High Contracting Parties further agrees to permit his own nationals to be appointed to Consular Offices by the other Contracting Party, provided always that the person so appointed shall not begin to act without the previous approbation of the High Contracting Party whose national he may be.

*Article 12.*

(1) British vessels or aircraft coming to the territories of the Sultan, in distress, shall receive from the local authorities all possible necessary aid to enable them to revictual and refit so as to proceed on their voyage or journey.

(2) Should a British vessel or aircraft be wrecked off the coast of or in the Sultan's territories, the authorities of the Sultan shall render all possible assistance to save the vessel or aircraft, its cargo and those on board ; they shall also give all possible aid and protection to persons saved, and shall assist them in reaching the nearest British Consulate ; they shall further take every possible care that such vessel and all parts thereof, and all furniture and appurtenances belonging thereto, and all goods and merchandise saved therefrom, including any which may have been cast into the sea, or the proceeds thereof, if sold, as well as all papers found on board such stranded or wrecked vessel, shall be given up to the owners of such vessel, goods, merchandise, etc., or to their agents when claimed by them or to the British Consul.

(3) The Sultan's authorities shall further see that the British Consulate is as soon as possible informed of such disaster having occurred.

(4) Should a British vessel or aircraft, wrecked off the coast of or in the Sultan's territories, be plundered, the authorities of the Sultan shall, as soon as they come to know thereof, render prompt assistance and take all possible measures to pursue and punish the robbers and recover the stolen property.

(5) Likewise, should a vessel or aircraft of the Sultan, or of one of his nationals, enter a port in His Majesty's territories in distress, or be wrecked off the coast of or in His Majesty's territories, the like help and assistance shall be rendered by the authorities of those territories.

*Article 13.*

(1) The Consular authorities of His Majesty in the territories of the Sultan shall, subject to any right of appeal which His Majesty may provide, try and determine :

- (i) All criminal charges against nationals of His Majesty ;
- (ii) All civil suits in which nationals of His Majesty are defendants ;
- (iii) All bankruptcy cases in which the bankrupt or the person whom it is sought to make bankrupt is a national of His Majesty ;
- (iv) All proceedings connected with administration of the estate of a deceased national of His Majesty ;
- (v) All questions of personal status where the person whose status is in question is a national of His Majesty, always provided that where such person is a Moslem the Consular authorities may remit the case for decision by a Moslem religious court of the Sultan on such conditions as they may determine and shall so remit the case if any other party to the proceedings is a national of the Sultan.

(2) All criminal or civil cases in which a national of His Majesty is complainant or plaintiff and the accused or defendant is a national of the Sultan or a national of a third country shall be tried and determined by the courts of the Sultan. The national of His Majesty shall have a right of appeal to the Sultan, in accordance with the procedure prescribed in the Omani courts, against any decision given against him in any such case if the Consul of His Majesty shall so request. If the Sultan should be absent the appellants may, if he so desires, ask that his appeal may be heard by the Sultan's representative.

(3) A national of His Majesty shall not be arrested nor his property seized, nor his house, office, warehouse or other premises occupied by him entered and searched without his consent, by an officer of the Sultan save under an order signed by the Consul of His Majesty, and any national of His Majesty arrested and any property of a national of His Majesty seized shall be placed in the custody of the Consul of His Majesty ; always provided that, in case of necessity for the prevention of breaches of the peace or a breach of a law or regulation of the Sultan which has been made applicable to nationals of His Majesty under Article 15, the authorities of the Sultan may without such an order arrest a national of His Majesty or take charge of his property or enter and search his house, office, warehouse or other premises occupied by him, but in this case the proceeding shall be at once reported, and the person arrested and any property seized handed over without delay, to the Consul of His Majesty.

*Article 14.*

In the exercise of their respective jurisdictions under paragraphs (1) and (2) of Article 13, the authorities of the Sultan and the Consular authorities of His Majesty shall afford every possible aid and facility for satisfaction of the rightful claims of the nationals of one High Contracting Party against nationals of the other.

*Article 15.*

The Consular authorities of His Majesty will, at the request of the Sultan, apply in the exercise of their jurisdiction under Article 13 all laws and regulations of the Sultan which it is desirable to apply to nationals of His Majesty in the territories of the Sultan, including, in particular, laws and regulations imposing taxation or duties and police and municipal regulations.

*Article 16.*

(1) The provisions of Articles 13, 14 and 15 shall apply to nationals of the Sultan or of another foreign country who are in the regular service of the Consul of His Majesty as if they were nationals of His Majesty, provided that, if any such person should be charged with a crime, the Consul will allow the charge to be tried by the authorities of the Sultan.

(2) No criminal or civil proceedings shall be taken before the Consular authorities of His Majesty against any national of His Majesty in the service of the Sultan unless notice of the proceedings has been previously given to the Sultan or his representative.

*Article 17.*

Nationals of the two High Contracting Parties shall, within the territories of each other, enjoy freedom of conscience and religious toleration, the free and public exercise of all forms of religion, provided that such exercise does not wound or outrage the religious susceptibilities of the country in which it is proposed to be practised, and the right to build edifices for religious worship in places specified for the purpose by local authorities. Nothing shall be done by either High Contracting Party that may disturb existing places of worship belonging to nationals of the other.

*Article 18.*

All the provisions of the present Treaty providing for the grant of the treatment accorded to the most-favoured foreign country shall be interpreted as meaning that such treatment shall be accorded immediately and unconditionally.

*Article 19.*

(1) His Majesty may through his Consular Officer at Muscat give notice of his desire that the present Treaty shall extend to any of his colonies, overseas territories or protectorates, or to any mandated territory in respect of which the mandate is exercised by his Government in the United Kingdom, or to any of the States under his protection, except Koweit, Bahrein, Qatar, Abu Dhabi, Dibai, Sharjah, Ajman, Umm-al-Qaiwain, Ras-al-Khaimah and Kalba, and the Treaty shall be extended to any territory specified in such notice as from the date thereof.

(2) After the expiry of a period of two years from the coming into force of the present Treaty either High Contracting Party may, by giving twelve months' notice, terminate the application of the present Treaty to any territory to which it has been extended under the provisions of the preceding paragraph.

*Article 20.*

(1) The High Contracting Parties agree that His Majesty may by notification given through his Consular Officer at Muscat accede to the present Treaty in respect of any Member of the British Commonwealth of Nations whose Government may desire that such accession should be effected. Any such accession shall take effect as from the date of notification thereof.

(2) After the expiry of a period of two years from the coming into force of the present Treaty either High Contracting Party may, by giving twelve months' notice, terminate the Treaty as regards any country in respect of which notification of accession has been given under paragraph (1) of this Article.

(3) Any notification made under paragraph (1) of this Article may include any dependency or mandated territory administered by the Government of the country in respect of which notification of accession is given, and any notice given under paragraph (2) of this Article shall be applicable to any such dependency or mandated territory which was included in such notification of accession.

*Article 21.*

(1) So long as in any territory referred to in Articles 19 and 20 to which the provisions of the present Treaty are not applicable, either by virtue of accession under Article 20 or by notice of extension under Article 19, goods produced or manufactured in the territories of the Sultan are accorded treatment as favourable as that accorded to goods produced or manufactured in any other foreign country, goods produced or manufactured in such territory shall likewise enjoy in the territories of the Sultan treatment as favourable as that accorded to goods produced or manufactured in any other foreign country.

(2) Goods, the produce or manufacture of Palestine (including Transjordan), shall not be debarred from the benefits of this Article by reason only of any special Customs privileges which



may be accorded in Palestine to goods the produce or manufacture of any State the territory of which in 1914 was wholly included in Asiatic Turkey or Arabia.

*Article 22.*

(1) The present Treaty has been executed in quadruplicate, two copies being written in English and two in Arabic. These are understood to be of similar import and signification ; in the event, however, of doubt hereafter arising as to the proper interpretation of the English or Arabic text of one or other of the Treaty stipulations, the English text shall be considered decisive.

(2) The present Treaty shall be ratified, and ratifications shall be exchanged at Muscat. It shall come into force on the 11th day of February, 1939, if ratifications have been exchanged before that date, or if they have not then been exchanged on the date of exchange of ratifications.

*Article 23.*

(1) The present Treaty shall remain in force for a period of 12 years from the date of its entry into force. Unless one of the High Contracting Parties shall have given to the other notice of termination one year before the expiry of this period, the present Treaty shall remain in force until the expiry of one year from the date on which such notice shall have been given.

(2) A notice given under this Article shall not affect the operation of the Treaty as between the territories of the Sultan and any country or territory in respect of which notification of accession has been given under Article 20. It shall, however, apply to any territory to which notification of extension has been given under Article 19.

In witness whereof Lt.-Col. Sir Trenchard Craven William Fowle, K.C.I.E., C.B.E., on behalf of His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India, and Sultan Saiyid Said bin Taimur bin Faisal, Sultan of Muscat and Oman and Dependencies, on his own behalf, have signed the same and affixed thereto their respective seals.

Done at Muscat, this fifth day of February, 1939, corresponding to the fifteenth zilhejah of the year 1357 Hejira.

For Great Britain and Northern Ireland :

(L. S.) T. C. FOWLE.

For India :

(L. S.) T. C. FOWLE.

For Muscat and Oman and Dependencies :

(L. S.) [Signature of Sultan of Muscat.]

N° 4592. — TEXTE ARABE. — ARABIC TEXT.

لما كان جلالة ملك بريطانيا العظمى وايرلندا والممالك  
الانكليزية فيما وراء البحار وامبراطور الهند، والسلطان السيد  
سعيد بن تيمور بن فيصل سلطان مسقط وعمان وملحقاتها  
راغبين ان يؤكدوا وبوثقا علايق الصداقة الموجودة الآن بينهما  
وان يزيدا توسيع علايق التجارة بينهما بابرام معاهدة  
جديدة عوضا عن معاهدة الصداقة والتجارة والملاحة التي  
كانت قد امضيت بمسقط في يوم ناسعة عشر مارش سنة  
الف وثمانماية واحدى وتسعين، التي تنتهى في يوم الحادى  
عشر من فبرورى سنة الف وتسعمائة وتسعة وثلاثين، فينسا  
عليه قد عينا بصفة مفوضيهما -

جلالة ملك بريطانيا العظمى وايرلندا والممالك الانكليزية  
فيما وراء البحار وامبراطور الهند (الذى يشار اليه فيما يلى  
جلالة الملك)

لفنتت ككل سر طرنجارد كرافن وليم فاوول، كما سي اى اى،  
سي بي اى، المقيم السياسى بالخليج الفارسى، من قبيل  
بريطانيا العظمى وشمالى ايرلندا  
لفنتت ككل سر طرنجارد كرافن وليم فاوول، كما سي اى اى،  
سي بي اى، المقيم السياسى بالخليج الفارسى، من قبيل  
الهند

سلطان مسقط وعمان وملحقاتها (الذى يشار اليه فيما  
يلى السلطان) بنفسه شخصيا  
وقد اتفقا على ما يأتى -

TRADUCTION. — TRANSLATION.

N° 4592. — TRAITÉ D'AMITIÉ, DE COMMERCE ET DE NAVIGATION  
ENTRE LA GRANDE-BRETAGNE ET L'IRLANDE DU NORD ET  
L'INDE ET MASCATE. SIGNÉ A MASCATE, LE 5 FÉVRIER 1939.

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES, et LE SULTAN SAIIYID SAID BIN TAIMUR BIN FAISAL, SULTAN DE MASCATE ET D'OMAN ET DÉPENDANCES,

Désireux de confirmer et de renforcer les liens d'amitié qui les unissent actuellement et de développer et d'étendre leurs relations commerciales par la conclusion d'un nouveau traité destiné à remplacer le Traité d'amitié, de commerce et de navigation signé à Mascate le 19 mars 1891, qui vient à expiration le 11 février 1939,

Ont désigné à cet effet pour leurs plénipotentiaires :

SA MAJESTÉ LE ROI DE GRANDE-BRETAGNE, D'IRLANDE ET DES TERRITOIRES BRITANNIQUES AU DELÀ DES MERS, EMPEREUR DES INDES (ci-après désigné sous le titre de Sa Majesté) :

POUR LA GRANDE-BRETAGNE ET L'IRLANDE DU NORD :

Le lieutenant-colonel sir Trenchard Craven William FOWLE, K.C.I.E., C.B.E., résident politique dans le golfe Persique ;

POUR L'INDE :

Le lieutenant-colonel sir Trenchard Craven William FOWLE, K.C.I.E., C.B.E., résident politique dans le golfe Persique ;

LE SULTAN DE MASCATE ET D'OMAN ET DÉPENDANCES (ci-après désigné sous le titre de Sultan), en personne ;

Lesquels sont convenus des dispositions suivantes :

*Article premier.*

Aux fins du présent traité :

(i) Le terme « Territoires de Sa Majesté » ou « Territoires de l'une (ou de l'autre) Haute Partie contractante » lorsqu'il s'agit de Sa Majesté, désignera le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord ainsi que l'Inde et tous les territoires auxquels le présent traité s'applique en vertu des extensions prévues à l'article 19 ou des adhésions visées à l'article 20 ; le terme « Territoires du Sultan » ou « Territoires de l'une (ou de l'autre) Haute Partie contractante » lorsqu'il s'agit du Sultan, désignera Oman et ses dépendances.

(ii) Le terme « nationaux de Sa Majesté » ou « nationaux de l'une (ou de l'autre) Haute Partie contractante » lorsqu'il s'agit de Sa Majesté, désignera tous les sujets de Sa Majesté et toutes les personnes placées sous sa protection, quel que soit leur domicile, à l'exception des nationaux de Koweït, Bahrein, Qatar, Abu Dhabi, Dibai, Sharjah, Ajman, Umm-al-Qaiwain, Ras-al-Khaimah et Kalba, et aux fins des articles 13, 14 et 15, les ressortissants des Etats du Protectorat d'Aden et les ressortissants de Zanzibar originaires de l'Oman qui possèdent des biens dans le territoire d'Oman ; le terme « nationaux du Sultan » ou « nationaux de l'une (ou de l'autre) Haute Partie contractante » lorsqu'il s'agit du Sultan, désignera tous les sujets du Sultan, quel que soit leur domicile. Aux fins des articles 2, 3, 4, 5, 6, 13, 14 et 15, le terme « nationaux » sera considéré comme visant également les organes créés en vertu de la loi des territoires de la Haute Partie contractante intéressée.

(iii) Le terme « navires britanniques » ou « navires de l'une (ou de l'autre) Haute Partie contractante » lorsqu'il s'agit de Sa Majesté, désignera tous les navires immatriculés