

LIQUOR TRAFFIC IN AFRICA: REVISION OF DUTIES

Convention signed at Brussels November 3, 1906

Procès-verbal of deposit of ratifications open from February 9 to November 3, 1907

Senate advice and consent to adherence February 15, 1907

Declaration of adherence by the President of the United States February 19, 1907

Adherence of the United States deposited at Brussels May 11, 1907

Entered into force December 2, 1907

Proclaimed by the President of the United States December 2, 1907

Replaced by convention of September 10, 1919,¹ as between contracting parties to the later convention

35 Stat. 1912; Treaty Series 467

[TRANSLATION]

His Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire; His Majesty the King of the Belgians; His Majesty the King of Spain; His Majesty the King-Sovereign of the Independent State of the Congo; The President of the French Republic; His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India; His Majesty the King of Italy; Her Majesty the Queen of the Netherlands; His Majesty the King of Portugal and of the Algarves, etc. etc.; His Majesty the Emperor of All the Russias; and His Majesty the King of Sweden;

Wishing to provide for the execution of the clause in Article I of the Convention of June 8, 1899,² itself made in execution of Article XCII of the General Act of Brussels,³ and by virtue of which the import duties on spirits within certain regions of Africa were to be subjected to revision on the basis of results produced by the previous rates,

Have resolved to convene to that effect a Conference at Brussels and have named as their plenipotentiaries, to-wit:

His Majesty the Emperor of Germany, King of Prussia, in the name of the German Empire,

¹ TS 779, *post*, vol. 2.

² TS 389, *ante*, p. 226.

³ General act dated July 2, 1890 (TS 383), *ante*, p. 134.

Nicolas, Count of Wallwitz, His Actual Privy Counsellor, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Mr. William Göhring, His Actual Privy Counsellor of Legation;

His Majesty the King of the Belgians,

Mr. Leon Capelle, His Envoy Extraordinary and Minister Plenipotentiary, Director General of Commerce and Consulates at the Ministry of Foreign Affairs, and

Mr. J. Kebers, Director General of Customs and Excise of the Ministry of Finance and Public Works;

His Majesty the King of Spain,

Mr. Arturo de Baguer, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

His Majesty the King-Sovereign of the Independent State of the Congo,
Mr. Hubert Droogmans, Secretary General of the Department of Finance of the Independent State of the Congo, and

Mr. A. Mechelynck, Attorney-at-Law near the Court of Appeals of Ghent, Member of the House of Representatives of Belgium;

The President of the French Republic,

Mr. A. Gérard, Envoy Extraordinary and Minister Plenipotentiary of the French Republic near His Majesty the King of the Belgians;

His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India,

Sir Arthur Hardinge, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians, and

Mr. A. Walrond Clarke, Chief of the Department of Africa in the Foreign Office;

Mr. H. J. Read, Chief of the Department of East Africa in the Colonial Office;

His Majesty the King of Italy,

Lelio, Count Bonin Longare, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

Her Majesty the Queen of the Netherlands,

Jonkheer O. D. van der Staal de Piershil, Her Chamberlain, Her Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

His Majesty the King of Portugal and of the Algarves,

Carlos-Cyrillo Machado, Viscount de Santo-Thyrso, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians; and

Mr. Tomaz-Antonio Garcia Rosado, Lieutenant-Colonel on the General Staff, Member of His Council and His Honorary Artillery Officer;

His Majesty the Emperor of All the Russias,

Mr. N. de Giers, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

His Majesty the King of Sweden,

Gustave M. M. Baron Falkenberg, His Envoy Extraordinary and Minister Plenipotentiary near His Majesty the King of the Belgians;

Who, vested with powers in good and due form, have adopted the following provisions:

ARTICLE I

From the putting into operation of this Convention, the import duty on spirits shall be advanced throughout the zone wherein the prohibition régime contemplated in Article XCI of the General Act of Brussels does not exist, to the rate of 100 francs per hectolitre at 50 centesimal degrees.

It is however agreed in regard to Erythrea that the duty may be not more than 70 francs per hectolitre at 50 centesimal degrees, the excess being in a general and continuous way represented by the aggregate of other duties existing in that colony.

The import duty shall be proportionally increased for each degree above 50 centesimal degrees; it may be proportionally decreased for each degree below 50 centesimal degrees.

The Powers retain the right to maintain and advance the tax beyond the minimum fixed by this article in the regions where they now have that right.

ARTICLE II

As a consequence of Article XCIII of the General Act of Brussels, distilled beverages made within the regions contemplated in Article XCII of the said General Act and intended for consumption therein, shall be subjected to an excise duty.

This excise duty which the Powers engage to collect as far as practicable shall not be less than the minimum import duty fixed by article I of this Convention.

It is however agreed, in regard to Angola, that the Portuguese Government will be at liberty, with a view to effect the gradual and complete transformation of distilleries into sugar factories, to take out of the proceeds of the said 100 francs duty a sum of 30 francs which would be allowed to the producers on condition that they shall, under the Portuguese Government's supervision carry out the said transformation.

If the Portuguese Government should avail itself of this liberty, the number of distilleries in operation and the producing power of each should not

be greater than the number and power ascertained on the 31st of October, 1906.

ARTICLE III

The provisions of this Convention are established for a term of ten years.

At the expiration of that period, the import duty fixed by Article I shall be subject to revision on the basis of the results produced by the preceding rates.

Each one of the Contracting Powers will, however, be at liberty to move the revision of the duty at the expiration of the eighth year.

The Power availing itself of this liberty should give notice of its intention, six months before the said expiration, to the other Powers through the Belgian Government which would then undertake to call the Conference within the above stated term of six months.

ARTICLE IV

It is agreed that the Powers that have signed the General Act of Brussels or adhered thereto and are not represented at this Conference, retain the right of adhering to this Convention.

ARTICLE V

This Convention shall be ratified and the ratification shall be deposited at the Ministry of Foreign Affairs at Brussels with as little delay as possible and in no case shall the term exceed one year.

A certified copy of the procès-verbal of deposit shall be addressed by the Belgian Government to all the Powers concerned.

ARTICLE VI

This Convention shall go into effect in all the possessions of the Contracting Powers within the zone defined by Article XC of the General Act of Brussels on the thirtieth day after that on which the procès-verbal of deposit contemplated in the foregoing article shall have been closed.

From that date, the Convention relative to regulations affecting spirits in Africa, signed at Brussels on the 8th of June, 1899, shall cease and determine.

In witness whereof, the respective Plenipotentiaries have signed this Convention and affixed their seals thereto.

Done in a single copy at Brussels the third day of the month of November one thousand nine hundred and six.

[For Germany:]

GRAF VON WALLWITZ [SEAL]
GÖHRING [SEAL]

[For Belgium:]

CAPELLE [SEAL]
KEBERS [SEAL]

[For Spain:]

ARTURO DE BAGUER [SEAL]

[For the Independent State of
the Congo:]

H. DROOGMANS [SEAL]
A. MECHELYNCK [SEAL]

[For France:]

A. GÉRARD [SEAL]

[For the United Kingdom:]

ARTHUR H. HARDINGE [SEAL]

A. W. CLARKE [SEAL]

H. J. READ [SEAL]

[For Italy:]

BONIN [SEAL]

[For the Netherlands:]

VAN DER STAAL DE PIERSHIL [SEAL]

[For Portugal:]

SANTO THYRSO [SEAL]

GARCIA ROSADO [SEAL]

[For Russia:]

N. DE GIERS [SEAL]

[For Sweden:]

FALKENBERG [SEAL]