

# Anglo-German Treaty [Heligoland-Zanzibar Treaty] (July 1, 1890)

## Abstract

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This treaty temporarily settled colonial disputes between Germany and Great Britain. It recognized Tanganyika as a German colony; in return, the Germans abstained from further encroaching into British Kenya. The agreement ceded Heligoland, an island off the coast of Schleswig-Holstein in the North Sea, to Germany. Because the treaty appeared to abandon German colonial claims to much of east Africa, it unleashed a storm of nationalist protest at home.

## Source

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The undersigned:

Chancellor and General of the Infantry von Caprivi,

Legation Councilor at the Foreign Office Dr. Krauel,

Her Britannic Majesty's Ambassador Extraordinaire and Plenipotentiary Sir Edward Baldwin Malet,

Chief of the African Department of Her Majesty's Foreign Office Sir Henry Percy,

have, on behalf of their respective governments, reached the following agreement after deliberating on various issues pertaining to the colonial interests of Germany and Great Britain:

### Article I

In East Africa, Germany's sphere of influence is demarcated thus:

1. To the north by the line that commences on the northern bank of the mouth of the Uмба River, runs directly to Lake Jipe and, after passing along the eastern shore and around the northern shore of that lake, crosses the Lumi River and bisects the territories of Taveta and Chaga. Skirting the northern slope of the Kilimanjaro range, this line continues to the point on the eastern shore of Lake Victoria Nyanza that is intersected by the 1st degree of south latitude. It crosses the lake on this parallel and follows it to the border of the Congo Free State, where it terminates. It is understood, though, that the German sphere of interest on the western side of the aforementioned lake does not include Mount Mfumbiro. Should it turn out that this mountain lies to the south of the aforementioned parallel of latitude, the line of demarcation shall be drawn so as to exclude the mountain from the German sphere of interest; but the line shall nonetheless terminate at the previously described point.

2. To the south by the line that starts on the coast of the northern border of Mozambique Province and follows the course of the Rovuma River to the point where the Messinge flows into the Rovuma. From here the line runs westward on the parallel of latitude to the shore of Lake Nyasa. Turning north, it continues along the eastern, northern, and western shores of the lake until it reaches the northern bank of the mouth of the Songwe River. It then continues up that river to its intersection point with the 33rd degree of east longitude. The line continues along the river until its closest point with the border of the geographical Congo Basin as described in Article I of the Berlin Conference and marked on the map appended to its ninth protocol. From here the line runs directly to the previously described border,

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follows this to the point of intersection with the 32nd degree of east longitude, turns and continues directly to the meeting point of the northern and southern branches of the Kilambo River. It follows that river until it enters Lake Tanganyika.

The course of the planned border has been specified in accordance with the map of the Nyasa Tanganyika Plateau that was officially drawn up for the British government in 1889.

3. To the west by the line that coincides with the border of the Congo Free State between the mouth of the Kilambo River and the 1st degree of south latitude.

In Southwest Africa, Great Britain's sphere of influence is demarcated thus:

1. To the south by the aforementioned line running from the mouth of the Umba River to the point on the border of the Congo Free State intersected by the 1st degree of south latitude. It includes Mount Mfumbiro.

2. To the north by the line that, beginning on the shore of the northern bank of the Juba River, runs along this bank and traces the border of the area reserved for Italian influence in Gallaland and Abyssinia. It extends to the Egyptian borders.

3. To the west by the Congo Free State and by the western watershed of the Upper Nile Basin.

#### Article II

To implement the demarcation line as described in the previous article, Germany shall withdraw from its protectorate over Witu in favor of Great Britain. Great Britain agrees to recognize the sovereignty of the Sultan of Witu over the area extending from Kipini to the point opposite the Island of Kweihiu defined as the border in 1887.

Furthermore, Germany shall give up its protectorate over the coastal area bordering on Witu and extending to Kismayo. It shall also renounce its claims both to the territories on the mainland north of the Tana River and to the islands of Patta and Manda.

#### Article III

In Southwest Africa, Germany's sphere of influence is demarcated thus:

1. To the south by the line that commences at the mouth of the Orange River and continues up its northern bank to its intersection point with the 20th degree of east longitude.

2. To the east by the line that commences at the aforementioned point and follows the 20th degree of east longitude to its intersection point with the 22nd degree of south latitude. The line then traces this degree of latitude eastward to its intersection with the 21st degree of east longitude, follows this degree of longitude northward to its intersection with the 18th degree of south latitude, runs along this degree of latitude eastward to its intersection with the Chobe River. Here it descends the thalweg of the main channel until it meets the Zambezi, where it ends.

It is understood that under this arrangement Germany shall be granted free access from its protectorate to the Zambezi by means of a strip of land not less than twenty English miles wide at any point.

Great Britain's sphere of influence is bounded to the west and northwest by the previously described line and includes Lake Ngami.

The course of the planned border has been specified in general accordance with the map officially

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prepared for the British government in 1889.

The fixing of the southern border of the British territory of Walvis Bay shall be subject to arbitration unless both powers reach a border agreement within two years after the signing of this treaty. Both powers agree that, as long as the border issue is unresolved, not only passage but the transport of goods through the disputed territory shall be free for subjects of both powers. They also agree that their subjects shall be treated equally in every respect in this territory. No duty shall be levied on goods in transit and the territory shall be deemed neutral until such time as this issue is resolved.

#### Article IV

In West Africa:

1. The border between the German protectorate of Togo and Great Britain's Gold Coast Colony begins at the border mark determined by both powers' commissioners during negotiations on July 14 and 28, 1869. It extends northward to the parallel circle at 6° 10' north latitude. From there it traces this degree of latitude westward to the left bank of the Aka River and ascends along the thalweg to the parallel of latitude at 6° 20' north latitude. It follows this degree of latitude westward to the right bank of the Dchawe or Shavoe River and runs along this bank to the parallel of latitude defined by the intersection of the Deine River and the Volta. It then traces this degree of latitude westward to the Volta. Here it ascends the left bank of the Volta to the neutral zone agreed upon in the Treaty of 1888 that starts at the junction of the Dakka River and the Volta.

Both parties agree upon conclusion of this treaty to withdraw all their civil servants and employees from the territory that is assigned to the other by the borders defined above.

2. After it has been satisfactorily proven to both governments that no river exists on the Gulf of Guinea corresponding to the river that is marked on maps as the Rio del Rey and mentioned in the Treaty of 1885, a provisional borderline shall be adopted between the German territory of Cameroon and the adjoining British territory. This borderline shall start at the head of the Rio del Rey Creek and run directly to the point at roughly 9° 8' of east longitude marked as "Rapids" on the British Admiralty map.

#### Article V

It is understood that treaties or agreements concluded by, or for the benefit of, one of the two powers in the areas north of the Benue River shall not interfere with the other power's right to engage in trade, freely and without duties, on routes to and from the shores of Lake Chad. Both powers are obliged to report to each other all agreements that they reach in the territories between the Benue and Lake Chad.

#### Article VI

Any correction of the demarcation lines described in Articles I to IV that becomes necessary due to local requirements may be undertaken by agreement between the two powers.

It is understood, in particular, that commissioners will meet as soon as possible to undertake such a correction with regard to the borders described in Article IV.

#### Article VII

The two powers agree that they shall not interfere in the sphere of influence assigned the other by Articles I to IV. They shall not, in the other's sphere of influence, make acquisitions, sign treaties, accept sovereign rights or protectorates, or prevent the other from expanding its influence.

It is understood that companies or individuals subject to one power shall not be permitted to exercise

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sovereign rights in the sphere of influence assigned the other, except with the consent of the latter.

#### Article VIII

Both powers agree to apply the provisions of the first five articles of the General Act of the 1885 Berlin Conference in all areas of their territories located within the free trade zone described in this Act and to which its first five articles are applicable on the day of the conclusion of the present treaty. According to these provisions, trade is free; shipping is free on lakes, rivers, canals and their ports for both flags; unequal treatment as regards transport or coastal trade is prohibited; goods of either origin shall not be subject to taxes other than those raised to cover trade-related outlays, unequal treatment excluded. Transit duty may not be levied, and monopolies and privileged commercial treatment may not be granted.

The subjects of both powers have the right to settle freely in either power's territories, provided that these are located in the free trade zone.

It is understood, in particular, that, in accordance with these provisions, the transport of goods by both sides shall not be subject to any obstacles or transit duties between Lake Nyasa and the Congo Free State, between Lake Nyasa and Lake Tanganyika, on Lake Tanganyika, and between this lake and the northern border of both spheres of influence.

#### Article IX

Trading concessions, mining concessions, and property rights that companies or private persons subject to one power have acquired within the sphere of interest assigned the other shall be recognized by this latter power insofar as their validity is satisfactorily proven. It is understood that concessions shall be pursued in accordance with valid local laws and regulations.

#### Article X

The missionaries of both powers shall enjoy full protection in all territories in Africa that belong to one of the two powers or are in its sphere of influence. Religious tolerance, freedom of all forms of worship, and freedom of religious instruction shall be ensured.

#### Article XI

Great Britain shall bring to bear her full influence on the Sultan of Zanzibar to facilitate an amicable agreement by which the Sultan unconditionally cedes to Germany the Island of Mafia and his territories on the mainland (including dependencies) that are referred to in the existing concessions of the German East Africa Company. It is understood that His Highness shall receive fair compensation for the loss of revenue resulting from this cessation.

Germany agrees to recognize the British protectorate over the remaining territories of the Sultan of Zanzibar, including the islands of Zanzibar and Pemba. Germany will also recognize the British protectorate over the territories of the Sultan of Witu and the adjacent territory extending to Kismayo, from which the German protectorate will be withdrawn. It is understood that, if the cessation of the German coast has not been made before Great Britain assumes its protectorate over Zanzibar, Her Majesty's government, upon establishment of said protectorate, shall use all its influence to induce the Sultan to make the cessation as soon as possible in return for fair compensation.

#### Article XII

1. Pending approval by the British parliament, Her British Majesty shall grant sovereignty over the Island

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of Heligoland and all its facilities to His Majesty the German Kaiser.

2. The German government shall grant natives of the ceded territory the right to choose British citizenship by a declaration to be made by themselves or, in the case of underage children, by their parents or guardians before January 1, 1892.

3. Natives of the ceded territory and their children born before the day on which this treaty is signed shall be exempt from compulsory military service in the German army and navy.

4. The currently valid local laws and practices will remain unchanged wherever possible.

5. The German government agrees not to raise, until January 1, 1910, the customs tariffs currently in force in the ceded territory.

6. All property rights acquired by individuals or existing corporations in Heligoland under the British government shall remain intact. Any obligations linked to these shall pass to His Majesty the Emperor of Germany. The term "property rights" includes Lloyd's signaling rights.

7. The rights of British fishermen shall remain unaffected, including the right to anchor in all weather, take on provisions and water, make repairs, transship goods, sell fish, land and dry nets.

Berlin, July 1, 1890

von Caprivi

R. Krauel

Edward B. Malet

H. Percy Anderson

Source: Das Staatsarchiv, *Sammlung der offiziellen Aktenstücke zur Geschichte der Gegenwart*. Leipzig, Verlag von Duncker & Humblot, 1891, vol. 51, p. 151.

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