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**AGREEMENT**  
**between Great Britain and France,**  
**referring to Arbitration the Right of certain Muscat Dhows**  
**to fly the French flag.**  
**Signed at London, October 13, 1904**

Whereas the Government of His Britannic Majesty and that of the French Republic have thought it right, by the Declaration of the 10<sup>th</sup> March 1862, “to engage reciprocally to respect the independence” of His Highness the Sultan of Muscat;

And whereas difficulties as to the scope of that Declaration have arisen in relation to the issue, by the French Republic, to certain subjects of His Highness the Sultan of Muscat of papers authorizing them to fly the French flag, and also as to the nature of the privileges and immunities claimed by subjects of His Highness who are owners or masters of dhows and in possession of such papers or are members of the crew of such dhows and their families, especially as to the manner in which such privileges and immunities affect the jurisdiction of His Highness the Sultan over his said subjects:

The Undersigned, being duly authorized thereto by their respective Governments, hereby agree that these questions shall be determined by reference to arbitration, in accordance with the provisions of Article 1 of the Convention concluded between the two [67] countries on the 14<sup>th</sup> October last, and that the decision of The Hague Tribunal shall be final.

It is also hereby agreed as follows:

ARTICLE I.

Each of the High Contracting Parties shall nominate one Arbitrator, and these two Arbitrators shall together choose an Umpire; if they cannot agree within one month from the date of their appointment, the choice of an Umpire shall be entrusted to His Majesty the King of Italy. The Arbitrators and the Umpire shall not be subjects or citizens of either of the High Contracting Parties, and shall be chosen from among the members of The Hague Tribunal.

ARTICLE II.

Each of the High Contracting Parties shall, within three months from the signature of this Agreement, deliver to each member of the Tribunal hereby constituted, and to the other Party, a written or printed Case setting forth and arguing its claims, and a written or printed file containing the documents or any other evidence in writing or print on which it relies.

Within three months after the delivery of the above-mentioned Cases, each of the High Contracting Parties shall deliver to each member of the Tribunal, and to the other Party, a written or printed Counter-Case, with the documents which support it.

Within one month after the delivery of the Counter-Cases, each Party may deliver to each Arbitrator and to the other Party a written or printed argument in support of its contentions.

The time fixed by this Agreement for the delivery of the Case, Counter-Case, and Argument may be extended by the mutual consent of the High Contracting Parties.<sup>2</sup>

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<sup>1</sup> Page numbering in brackets refers to the text as it appears in THE HAGUE ARBITRATION CASES (Boston and London, Ginn and Company Publishers, 1915). Please note, the English language version was only published on uneven numbered pages in this text.

ARTICLE III.

The Tribunal will meet at The Hague within a fortnight of the delivery of the Arguments.

Each Party shall be represented by one Agent. [69]

The Tribunal may, if they shall deem further elucidation with regard to any point necessary, require from either Agent an oral or written statement, but in such case the other Party shall have the right to reply.

ARTICLE IV.

The decision of the Tribunal shall be rendered within thirty days of its meeting at The Hague or of the delivery of the statements which may have been supplied at its request, unless, on the request of the Tribunal, the Contracting Parties shall agree to extend the period.

ARTICLE V.

On all points not covered by this Agreement, the provisions of the Conventions of The Hague of the 29th July 1899, shall apply.

Done in duplicate at London, the 13<sup>th</sup> day of October, 1904.

(L. S.) LANSDOWNE

(L. S.) PAUL CAMBON

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<sup>2</sup> By agreement of January 13, 1905 the time for delivery was postponed to February 1, 1905, and by agreement of May 19, 1905 the date of the delivery was left to be fixed by the Arbitral Tribunal.