

TREATY BETWEEN FRANCE AND ANNAM, 1884*

(Signed at Hué, 6th June 1884.)

THE Government of the French Republic and that of His Majesty the King of Annam, wishing to prevent for the future the renewal of the difficulties which have recently occurred, and desirous of drawing closer their relations of friendship and good neighbourhood, have determined to conclude a Convention with that object, and have named as their Plenipotentiaries the following, that is to say: —

The President of the French Republic, M. JULES PATENOTRE, Officer of the National Order of the Legion of Honour, Minister Plenipotentiary and Envoy Extraordinary to His Majesty the Emperor of China;

And His Majesty the King of Annam, their Excellencies NGUYEN VAN THONG, First Regent, Minister of the Interior; THUAN-DUAT, Minister of Finance; and TON-THUAN-PHAN, in charge of Foreign Affairs, and provisional Minister of Public Works;

Who, having exchanged their respective full powers, which were found to be in due and proper form, have agreed upon the following Articles: —

ARTICLE I.

Annam recognises and accepts the Protectorate of France.

France shall represent Annam in all her foreign relations.

Annamites abroad shall be placed under the protection of France.

ARTICLE II.

A French military force shall permanently occupy Thuan-An. All the forts and military works on the River Hué shall be razed.

ARTICLE III.

The Annamite officials, from the Cochin China frontier to the frontier of the Province of Nin-Binh, shall continue to administer the provinces comprised within those limits, save in so far as regards the Customs, Public Works, and in general those Services which require a single head or the employment of European engineers or agents.

ARTICLE IV.

Within the above-mentioned limits, the Annamite Government shall declare the ports of Tourane and Xuan-Day, besides that of Qui-Nhon, to be open to the trade of all nations. Subject to previous agreement, other ports may be opened hereafter. The French

Government shall keep Agents in these places, who will be under the orders of its Resident at Hué.

ARTICLE V.

A Resident-General, representing the French Government, shall preside over the foreign relations of Annam and secure the regular exercise of the Protectorate, without interfering in the local administration of the provinces comprised within the limits fixed by ARTICLE III.

He shall reside in the citadel of Hué with a military escort.

The Resident-General shall have the right of private and personal audience of His Majesty the King of Annam.

ARTICLE VI.

In Tonquin, the Government of the Republic shall place Residents or Assistant Residents in those principal towns where their presence may be deemed advantageous. They shall be under the orders of the Resident-General.

They shall reside in the citadel, and, in all cases, within the precincts of the space reserved for the Mandarin; they shall be provided, when necessary, with a French or native escort.

ARTICLE VII.

The Residents shall avoid taking part in the details of the internal administration of the provinces. The native officials of every kind shall continue to govern and administer under their control; but they shall be dismissed at the request of the French authorities.

ARTICLE VIII.

French functionaries and officials of every grade shall not communicate with the Annamite authorities except through the medium of the Residents.

ARTICLE IX.

A telegraph line shall be established between Saigon and Hanoi, and shall be worked by French officials.

A portion of the rates shall be assigned to the Annamite Government, who shall grant in return the ground necessary for the stations.

ARTICLE X.

In Annam and in Tonquin, foreigners of every nationality shall be placed under the jurisdiction of France.

French authorities shall adjudicate on disputes of any kind which may arise between Annamites and foreigners, as also between foreigners.

ARTICLE XI.

In Annam proper, the Quan-Ho shall levy the old tax without the control of French officials, and on behalf of the Court of Hué.

In Tonquin, the Residents shall, with the concurrence of the Quan-Ho, concentrate the levy of the same tax, and shall superintend its collection and use. A Commission composed of French and Annamite Commissioners shall determine what sums shall be assigned to the various branches of the Administration and to the public service. The remainder shall be deposited in the treasury of the Court of Hué.

ARTICLE XII.

Throughout the kingdom, the reorganised Custom Houses shall be intrusted solely to French administrators. There shall only be maritime and frontier Custom Houses, which shall be established wherever the need for them may show itself.

No complaint shall be admitted in Customs questions on the subject of measures taken up to the present time by the military authorities.

The Laws and Regulations concerning indirect taxation, the Customs system and Tariff, and the sanitary system of Cochin China, shall be applicable to the territories of Annam and Tonquin.

ARTICLE XIII.

French citizens or subjects shall have the right, throughout the whole extent of Tonquin and in the open ports of Annam, to move freely from place to place, to trade, to acquire personal or real property, and to dispose of it. His Majesty the King of Annam expressly confirms the guarantees accorded by the Treaty of the 15th March, 1874, in favour of the missionaries and of the Christians.

ARTICLE XIV.

Persons desiring to travel in the interior of Annam shall only be able to obtain permission to do so through the Resident-General at Hué or the Governor of Cochin China.

ARTICLE XV.

France engages henceforth to guarantee the integrity of the States of His Majesty the King of Annam, and to protect that Sovereign both against external invasions and internal rebellion.

With that object, the French authorities shall have the right to order a military occupation of such points in the territory of Annam and Tonquin as they shall deem necessary, in order to secure the exercise of the Protectorate.

ARTICLE XVI.

His Majesty the King of Annam shall continue, as heretofore, to direct the internal administration of his States, except for the restrictions arising out of the present Convention.

ARTICLE XVII.

The present debt of Annam to France shall be liquidated by means of payments, the manner of which shall be subsequently determined. His Majesty the King of Annam agrees not to contract any foreign loan without the sanction of the French Government.

ARTICLE XVIII.

Subsequent conferences shall determine the limits of the open ports and of the French concessions in each of such ports, the establishment of lighthouses on the coasts of Annam and Tonquin, the regulation and working of mines, the monetary system, the share to be assigned to the Annamite Government of the amount produced by the Customs, Excise, Telegraphs, and other revenues not mentioned in Article XI of the present Treaty.

The present Convention shall be submitted for the approval of the government of the French Republic and of His Majesty the King of Annam, and the ratifications thereof shall be exchanged as soon as possible.

ARTICLE XIX.

The present Treaty shall replace the conventions of the 15th March, 31st August, and 23rd November, 1874.

In case of dispute, the French text shall alone be binding.

In witness whereof the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done at Hué in duplicate, the 6th June, 1884.

[L.S.] (SIGNED) PATENOTRE.

[L.S.] (SIGNED) NGUYEN-VAN-TUONG.

[L.S.] (SIGNED) PHAMUD-THUAN-DUAT

[L.S.] (SIGNED) TOU-THAT-FAY.