

1911

EAST AFR. PROT.

31645

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31645  
FILED  
SEP 30 1911

Foreign  
Date.  
29 Sept.  
previous Paper.  
25437

Juba River Boundary

Sends despatch to Rome enclosing copies with Ital. for resp. proposes Arbitral Commission, & arrangements for settlement of Customs questions.

Copy to the Genl, with refer to previous corresp<sup>ce</sup>, & ask him to send us the name of the person who is to represent the E.A.P. Genl on the technical Comm<sup>n</sup>. - + copy of own despatch to the G.O. for info L.S.

Pa and a copy above despatch

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red.  
11/10  
Horne  
H.J.R.  
2/X

SR

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No. 37422  
1911  
The Under-Secretary of State,  
Foreign Office,  
London.

C O  
31645

The Under-Secretary of State for Foreign Affairs presents  
his compliments to the Under-Secretary of State for the  
Colonies and, by direction of the Secretary of  
State, transmits herewith copy of the under-mentioned paper, for  
observations.

Foreign Office,  
September 29, 1911.

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28437

Reference to previous letter:

Foreign Office No. 33839. August 29.

Description of Inclosure.

Name and Date.	Subject.
Sir R. P. P. P. P. No. 22. Africa, September 16	Juba River Boundary

(Similar letter sent to

No. 22 Africa.



Esillie,  
September 15th, 1911.

37422  
25 SEP 1911

Sir,

In compliance with the instructions contained in your despatch No. 23 Africa of the 16th. ultimo I duly informed the Italian Government that His Majesty's Government were prepared to accept the suggestion as to the composition of the Arbitral Commission to decide the levels for the irrigation head-works on the Juba River. At the same time I enquired what date they would propose for the meeting of the Commission.

On receipt of your despatch No. 24 Africa of the same date I addressed a further Note to the Italian Government, copy of which is enclosed, informing them of the views of the Government of East African Protectorate as contained therein relative to the outstanding points of the Report of the Juba River Commission.

I have now the honour to enclose copy and translation of a Note which I have received in reply to my two communications to the Italian Government.

With regard to the technical Commission they undertake to inform me in due course of their proposals for the date of meeting of the Commission and of the name of the Italian representative and they ask to be informed of the name of

The Right Hon.

Sir E. Grey Bart., M.P.

the

the British representative.

While they would have preferred an immediate settlement of the Customs question on the lines of the proposals contained in the Report they nevertheless agree to the suggestion that a joint report should be obtained from the Customs officials of the two Protectorates. They stipulate however that the Customs question should not be separated from the other points upon which agreement has already been reached and that the former question should be dealt with concurrently with the others.

I have the honour to be with the highest respect,

Sir,

your most obedient,

humble servant,

C O  
31645  
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Rise 30 SEP 11

37422  
25 SEP 1911  
August 24th, 1911

COPY

Posillipo,

August 24th, 1911

Monsieur le Ministre,

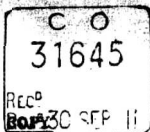
It will be within Your Excellency's memory that in the discussions which took place in May of this year between the Director-General of the Colonial Section of your Department and myself on the subject of the report of the Anglo-Italian Commission for the Juba, there were only three points which were not finally dealt with and were held over for further consideration.

One of these, that failed under Resolution 21, as regards the head-works of irrigation canals has since been disposed of by the agreement to appoint an arbitral Commission.

There remained Resolutions 12 and 14, the observations made on which in Rome, were duly referred by the British Colonial Office to the Government of British East Africa.

As regards Resolution 12, affecting the Customs question, that Government holds that although the Commission carried out their work with great fidelity and assiduity, it is not possible to accept as finally authoritative their recommendations on highly technical subjects, and that it is therefore desirable that the Customs Officers of both Protectorates should first present their joint report as to what in their view will best meet what is required under this resolution. It is understood that the Governor of Italian Somaliland is not averse to this proposal.

As regards Resolution 14, I am happy to inform you that the Government of the East African Protectorate having considered the difficulties outlined in the report following on our discussions, has adopted the view taken by the Italian members of the Commission and shares the opinion that the wording of the protocol of the 20th of March should be adhered to.



Ministero degli Affari Esteri,  
11 Settembre 1911.

Ho l'onore di segnalarle ricevuta delle sue note del  
nel 22 e del 24 agosto scorso, concernenti l'una la Commissione  
arbitrale per la determinazione del livello della  
d'acqua sulle sponde del fiume Giuba e l'altra la definizione  
delle questioni non ancora sistemate, tra quelle per le quali  
la Commissione mista italiana ed inglese pel Giuba aveva  
fatto proposte.

Circa il primo punto ho preso atto con piacere che il  
Britannico abbia accettato le proposte del Governo del Re  
per la composizione della Commissione arbitrale, e mi riservo  
comunicare a Vostra Eccellenza la mia proposta per la data  
di riunione dei Commissari, ed il nome del Commissario  
italiano, come pure resto in attesa che Ella mi comunichi il  
nome del Commissario britannico appena sarà scelto.

Ho appreso pure con compiacimento che il Governo di Sua  
Majestà Britannica condivide col Governo del Re l'opinione  
che sia da mantenere inalterato e da eseguire il testo del  
protocollo 24 marzo 1891.

Il Governo del Re avrebbe gradito che fosse anche  
direttamente definita la questione del trattamento doganale  
a Kisimajo per le merci dirette alla Somalia Italiana e  
provenienti da questa Colonia, seguendo le proposte con-  
tenute nella risoluzione 12 e 1 bis della Commissione italo-  
inglese per il Giuba.

Il Governo del Re ammette grande interesse alla riso-  
luzione di questa parte ancora rimasta in sospeso; tuttavia  
consente a che sia richiesto un rapporto comune dei fun-  
zionari doganali delle due Colonie sull'importante argomento.  
Il Regio Governo ritiene pure che non sia opportuno separare  
tale questione da tutte le altre relative al Giuba, che

to British Ambassador

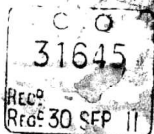
i due Governi sono già disposti ad accogliere e che dovranno essere fissate in un accordo; di modo che resta inteso che a detto accordo complessivo si procederà con tempra-  
neamente alla sistemazione della questione doganale di Kisimaio

Gradisca etc

( Sgd ) San Giuliano.

Ministry for Foreign Affairs

September 11th., 1911



**Monsieur l'Ambassadeur,**

I have the honour to acknowledge the receipt of your two Notes of August 22nd. and August 24th relative to the arbitral Commission on the levels for the irrigation head-works on the Juba River, and to the settlement of those points still awaiting agreement, upon which the Anglo-Italian joint Commission on the Juba River had put forward proposals.

With regard to the first point I have noted with pleasure that the British Government have accepted the proposals of the Royal Government for the composition of the arbitral Commission and I will later on communicate to Your Excellency my proposal for the date of meeting of the Commission, and the name of the Italian Commissioner, while also I await your notification to us of the British Commissioner as soon as he has been selected.

I have also learnt with satisfaction that His Britannic Majesty's Government share with the Royal Government the view that the text of the protocol of March 21st 1891 should be maintained unchanged and be adhered to.

The Royal Government would have liked to have arrived at a definite settlement of the question of customs treatment at Kisimayu of goods destined for Italian Somaliland and coming from that colony in accordance with the proposals contained in Resolutions 12 and 12 bis of the Anglo-Italian Commission on the Juba River.



The Royal Government admits that it is greatly interested in the settlement of this part which has hitherto remained in suspense; nevertheless it agrees to the calling for a joint report from the Customs officials of the two colonies on this important matter.

The Royal Government holds however that it is not advisable to separate this question from all the others concerning <sup>the *Joint Note*</sup> which the two Governments are already prepared to accept and which are to form the subject of an agreement.

It is thus understood that the settlement of the Customs question at Wisayu shall be proceeded with at the same time as the said inclusive agreement.

(E. The British Ambassador.

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6 Oct 1911

DRAFT.

EAP  
No 567  
Gov. General

MINUTE.

- Mr. Pennington  $\frac{13}{10}$
- Mr. Butler 3 fs
- Mr. Fiddes.
- Sir H. Just.
- Sir C. Lucas.
- Sir J. Anderson.
- Lord Lucas.
- Mr. Harcourt.

Sir,

With refs to my des<sup>n</sup> No.

(20453/11)

436 of the 9th of August, There  
 the honour to transmit to you  
 the accompanying copy of a letter  
with its enclosures, from the F.O.  
 on the subject of the Juba River  
Commission boundary.

2. I shall be glad to learn

~~at an early date~~ the name  
 of the person who is to  
 represent the E.A.P. Govt. on the  
 Arbitral Arbitration Commission  
 to settle the levels for the irrigation  
 headworks on the Juba River

copy to 600

29 Sep

70.

Diagonal lines

lf to 30/11/11

Yours