

SECRET
38066

1938

PART II

SECRET
38066

C0533/490

CLOSED
UNTIL

KENYA

1969

Italian Occupation of Ethiopia

Frontier Policy: Grazing and Watering Rights of
Kenya tribesmen.

Previous

PART I

Subsequent

46598/8/40 EA

Secret.

297 23/9

309 17/10

Mr Parkin 14/11

303 15/10

297 25/10

P.D.

297 4/11

Mr Parkin 4/11

297 9/11/38

309 19/11

Mr Parkin "

Mr Chadwick

48. Sir A. Wade s/o. Secret. - 22.8.38
Agrees that Glenday should return at the
end of his leave by air at Govt. expense.
Trusts that anything possible may be done
to establish the position before he leaves.

49. Sir A. Wade s/o. 19.38.

originals

50. V. G. Glenday s/o. 4.9.38.

51. To Montgomery s/o. FO. 4c. 50. 16.9.38.

46598/F/38EA

(Spec. copies in 29)

52. Montgomery s/o. (FO 35578/86/1) - 22.9.38
Considers the Italians should at once be
asked to negotiate temporary grazing agreement.
Suggests Glenday should be warned that
his departure may be postponed.

53. Montgomery s/o (J 3578/86/1) - 29/9/38

To FO

Trs c letter to Embassy, Rome, asking what Italian
govt may be requested to state within a week
whether grazing facilities will be afforded to Kenya
tribes during the dry season commencing December 1938.

Put by Clotby White above
11/10

46598/F/38

has been taken for his letter

Copy

54. FO. J 3789/86/1 - 6/10/38

To FO

Trs c Tel 661 of 6/10/38 from MUK. Rome regarding
crossing Italian Govt of grazing agreement.

Print 53 & 54 (extra copy for Mr. Parkin)
and Put by Clotby White

Clotby White
12/10

Send copies of cables & 53 & 54
to Kenya of. (air mail) & print
on proposal.

CD

another copy of
53 & 54 required
please

J. J. Parnell
14/10

M: Cavendish Bentwick, F.O., has
telephoned to say that the
Italian Govt. has agreed to
second grazing facilities as usual
during the forthcoming dry season.
Tel on - 57.

JJ Passin
4/11
at once.

56 To Gov. Tel. 182 — 4.11.39.

Copy.

57 F.O. 33709/86/1 27.10.38
Encl copy tel to H.M. Rome 475 of 26.10.38
asking what reply to tel enclosed in HQ 54
may be expedited.

58 F.O. 34102/86/1 16.11.38
Encl copy tel from H.M. Rome 692
dated 3.11.38 reporting that the Italian
Govt. has agreed to grant facilities for coming
dry season under same conditions
as before.

? Print the encl for 58. and
put by

Clotter, White.

JJ Passin
11/11
done

Copy.

3
Mr Chadwick

For action as directed by
Mr Seal at X in his
minute of 9.12.39 on 46598/B/39 EA.

On the file about the Gelubba
Raid there are papers which
reveal that a transfrontier grazing
agreement between Kenya &
Italian East Africa was made on
28th Sept 1939

? 46661/1/34 K

See on
46598/1/11 EA

ams

FJ Pedh
28.12.39
at once

38066/15 B/38 [No. 58].

No.

PROOF.

HIS MAJESTY'S REPRESENTATIVE, ROME,

to

THE SECRETARY OF STATE FOR FOREIGN AFFAIRS.

(Sent 8.40 p.m., 3rd November, 1938.)

TELEGRAM.

(Copy received in Colonial Office, 5th November, 1938.)

No. 692. (R.) Your telegram No. 475*. Italian Government agree to grant of facilities for coming dry season under the same conditions as before.

* No. 38066/15 B/38 [No. 57], Enclosure.

Abyssinian Frontier (K. & S.)—(C.31715/247). 24.

58

copy sent.
to P.O.
14/11/38

any further communication on this subject, please quote
No. J402/86/
an address—not to any person by name, but to—
"The Under-Secretary of State," Foreign Office, London, S.W. 1.

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.

Foreign Office,
Nov. 4th, 1938

RECEIVED
17 NOV 1938
O. O. REGY

Reference to previous correspondence:
F.O. letter No. J3769/86/1 of Oct. 27th.
SY

Description of Enclosure:

Name and Date.

Subject.

Sel From

H.M.R.,
Rane,
No. 692,
Nov. 5th.

Kenya-Ethiopia frontier: watering
rights.

Similar letter sent to

6
NO DISTRIBUTION.

Decode. The Earl of Perth (Rome),
3rd November, 1938.

D. 8.40 p.m. 3rd November, 1938.

R. 10.00 p.m. 3rd November, 1938.

No. 692. (R).

Your telegram No. 475. *incl. to 57*

Italian Government agree to grant of facilities for
coming dry season under the same conditions as before.

In any further communication on this subject, please quote

No. J.3789/86/i.

and address—not to any person by name, but to

"The Under-Secretary of State," Foreign Office, London, S.W. 1.

dipl. encl.

7
57

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 copies of the under-mentioned paper.

21 OCT 1938

Foreign Office.

Oct. 27th 1938.

Reference to previous correspondence: 54

To letter (J.3789/86/i.) of Oct. 6th. 1938

Description of Enclosure.

Name and Date.	Subject.
<u>Telegram to</u> H. M. R. Home, no. 475 of Oct. 26th	Kenya-Ethiopia frontier - Watering rights.

Similar letter sent to _____

(J. 5789/86/1).

NO DISTRIBUTION.

Code telegram to The Earl of Perth (Rome).

Foreign Office, October 28th 1966. 10.0 p.m.

No. 475. (R).

sent to SH

Your telegram No. 661 (of October 5th. Grazing facilities for Kenya tribes).

Please expedite reply.

38066/15B./38.

56

TELEGRAM from the Secretary of State for the Colonies
to the Governor of Kenya.

(Sent 9.30 p.m. 4th November, 1938.)

No. 182.

Italian Government has agreed to accord
grazing facilities on northern frontier during forthcoming
dry season as usual.

38066/15 B. /38

10
56

G. O.

Mr. Passini 4/x1
at once

Mr.

Mr.

Sir H. Moore.

Sir G. Tomlinson.

Sir C. Bottomley.

Sir J. Shuckburgh.

Permt. U.S. of S.

Parly. U.S. of S.

Secretary of State.

Coded + sent
9.30 pm
4/11/38
C.B.P.
No. 182

Italian Government
has agreed to accord
grazing facilities on
northern frontier during
forthcoming dry season
as usual.

Tel. (Code)

DRAFT.

Governor
Napoli

C. L. H.
8
05

FURTHER ACTION.

No.

PROOF.

HIS MAJESTY'S REPRESENTATIVE, ROME,
to
THE SECRETARY OF STATE FOR FOREIGN AFFAIRS.

TELEGRAM.

(Copy received in Colonial Office, 7th October, 1938.)

No. 651. 5th October, 1938. My telegram No. 649.

Italian Ministry of Foreign Affairs have now stated that competent authorities have been asked to examine sympathetically our request regarding grazing facilities and Ministry hope to be able to send reply without undue delay.

any further communication on this subject, please quote

No. J 3789/86/1

an address—not to any person by name, but to—
“The Under-Secretary of State,” Foreign Office, London, S.W. 1.

TC

57

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 copies of the under-mentioned paper.

Foreign Office,

6th Oct. 1931

RECEIVED
D. O. REGISTRY

Reference to previous correspondence

C.O. letter (Mr. Paschini to Mr. Montgomery) of Sept. 16th

Description of Enclosure

Name and Date.

Subject.

H. M. R.,

Rome,

No. 651,

Oct. 5th.

Kenya - Ethiopia frontier: watering rights

Let from
cland. to Kenya
19 10 31
follow to Mr. Paschini

Similar letter sent to

~~3c~~
xc

NO DISTRIBUTION.

Telegram (en clair) from the Earl of Perth (Rome).
5th October, 1938.

D. 12.45 p.m., 5th October, 1938.

R^t 1.30 p.m., 5th October, 1938.

No. 651.

.....

My telegram No. 649. — *Not copied to C.O.*

Italian Ministry of Foreign Affairs have now stated that competent authorities have been asked to examine sympathetically our request regarding grazing facilities and Ministry hope to be able to send reply without undue delay.

FOREIGN OFFICE (EGYPTIAN DEPARTMENT)

to

THE CHANCERY, HIS MAJESTY'S EMBASSY, ROME.

(Copy received in Colonial Office, 25th September, 1938.)

DEAR CHANCERY,

Foreign Office, 24th September, 1938.

In your despatch No. 349 of the 8th April last you sent us a translation of an Italian note proposing that conversations on the subject of grazing and watering rights should begin on the 19th April and we made arrangements to send Paskin, of the Colonial Office, and Glenday, Commissioner of the Northern District of Kenya, to Rome to take part in negotiations for the conclusion of a temporary grazing agreement. However, as you will remember, the Italians, who then thought that general negotiations for the rectification of the frontier would soon begin, consented to a renewal of the arrangement whereby, during the dry season, i.e., in June, the tribes should be allowed to cross the frontier and graze and water their cattle as heretofore (Count Ciano informed Lord Perth to this effect on the 15th April and you notified us by telephone).

We now have to consider the question of what will happen during the next dry season, i.e., December. We hope that the Italians will consent to a prolongation of the present friendly arrangement. On the other hand, it is possible that with a view to showing us that the non-entry into force of the Anglo-Italian agreement of the 16th April contains disadvantages for us as well as for them, they may take the line that our tribes cannot cross the frontier in the absence of a special agreement. The negotiation of any such agreement will, of course, take time and if it is going to be necessary we ought to get started pretty soon. Another reason why we should like to know the position without delay is that Glenday, who is at present on leave and due to start back to Kenya on the 8th October, would presumably have to postpone his departure if negotiations, in the course of which his assistance would be needed, were necessary.

In the circumstances, we should like you first of all to sound the Italians without delay and in whatever manner you think best as to whether they will be prepared to continue the present arrangement pending the discussion of all frontier questions. Would you ask them to give you some indication within a week as to whether we may be provisionally accorded, without any agreement, the rights which we desire for the coming dry season? If it is not going to be necessary to start negotiations, we should be very reluctant to make Glenday cancel his present arrangements, for his presence in Kenya is badly needed and it would be inconvenient for him to have to put off his journey. It would be useful if you could give us some indication of the Italian attitude by 3rd October or so and we should be glad if you would telegraph your reply.

Incidentally, we would very much prefer that a temporary agreement should not be negotiated. It will anyhow have to be completely altered when the negotiations for the permanent rectification of the frontier take place and it would be preferable that the negotiations for the rectification of the frontier should take place without prior negotiations for a provisional agreement, as the latter will inevitably bring up questions regarding transit, etc., which were better dealt with in the negotiations for a final agreement.

Yours, &c.,

EGYPTIAN DEPARTMENT.

53

J 3578/86/1

With Mr. Montgomery's compliments.

*copy sent to Mrs. (Mrs.)
copy to
Mr. Rankin*

Foreign Office, S.W.1.,

24th September 1938.

BC
HC
J 5578/56/1

FOREIGN OFFICE, S.W.1.,

24th September 1956.

Dear Chancery,

In your despatch No. 349 of the 8th April last you sent us a translation of an Italian note proposing that conversations on the subject of grazing and watering rights should begin on the 19th April and we made arrangements to send Paskin, of the Colonial Office, and Glenday, Commissioner of the Northern District of Kenya, to Rome to take part in negotiations for the conclusion of a temporary grazing agreement. However, as you will remember, the Italians, who then thought that general negotiations for the rectification of the frontier would soon begin, consented to a renewal of the arrangement whereby, during the dry season, i.e. in June, the tribes should be allowed to cross the frontier and graze and water their cattle as heretofore (Count Giaco informed Lord Perth to this effect on the 15th April and you notified us by telephone).

We now have to consider the question of what will happen during the next dry season, i.e. December. We hope that the Italians will consent to a prolongation of the

present /

The Chancery,
British Embassy,
Rome.

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which /

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Incidentally, we would very much prefer that a temporary agreement should not be negotiated. It will anyhow have to be completely altered when the negotiations for the permanent rectification of the frontier take place and it would be preferable that the negotiations for the rectification of the frontier should take place without prior negotiations for a provisional agreement, as the latter will inevitably bring up questions regarding transit, etc., which were better dealt with in the negotiations for a final agreement.

Yours ever,

EGYPTIAN DEPARTMENT.

19
52
88

FOREIGN OFFICE, S.W.1.

22nd September, 1938.

(J 3578/86/1)

orig. on 46598/P/88

Immediate.

Dear Paskin,

52
Many thanks for your secret letter of the 16th September about facilities for the trans-frontier migrations of the Kenya tribes during the next dry season.

I have discussed the matter with Kelly and with the Southern Department and we feel that the problem cannot be shelved any longer. We think therefore that we should at once ask the Italians either (a) to negotiate a temporary grazing agreement, or (b) to agree to a prolongation of the present friendly understanding pending a discussion of all frontier questions when and if the Anglo-Italian agreement came into force. I should be grateful to know as soon as possible whether you concur in the proposed action.

I suggest that, if you concur in this proposal, it might be well to warn Glenday that he may have to postpone his return to Kenya, for if the Italians prefer to negotiate a temporary agreement his services will presumably be essential to assist in the negotiations.

Yours sincerely,

(Sgd.) Hugh Montgomery.

J.J. Paskin, Esq., M.C.

51¹⁰
~~42~~

sent on 46598/F/38EA

Colonial Office,
Downing Street.
16th September, 1938.

SECRET.

Annex 53

Dear Montgomery,

I have had a good deal of discussion, from time to time, on the question whether Glenday should defer his return to Kenya until we have been able to obtain some assurance from the Italians that, in spite of the delay which has necessarily occurred in the opening of the negotiations for the delimitation of the Kenya-Abyssinia frontier, they would permit the trans-frontier migrations of the Kenya tribes to take place as usual during the next dry season which begins at the end of December.

We eventually came to the conclusion that there was no real reason for keeping Glenday here after the end of his leave and we have accordingly made arrangements for him to return to Kenya by air on the 8th October. Nevertheless, as you will see from the enclosed letter from Glenday, he is still very anxious as to what may happen on that frontier during the next dry season. I have, however, told him that I see no reason for cancelling the passage which has been booked for him, but that there will be an opportunity for talking the whole matter over on his return to London at the end of this month.

Yours sincerely,

orig. on 46598/F/38 EA

50

Renvyle House,
Renvyle,
Connemara.

4/9.

Dear Paskin,

V. many thanks for your Secret letter of 1st Sept: which crossed mine; and especially for the news that I am to return at the end of my leave. The news, also, about my air-passage was pleasant.

I have replied to Wade that I consider it most desirable that I should not leave before the F.O. review the situation because by the same post I had a letter from Reece saying that Marconi, the present Resident at Italia Moyale is shortly being relieved. His successor may, as in the past, start monkeying about with our water-rights unless he has a clear instruction from Rome. As it is, apparently, the water situation is none too easy. I think I have told you that we have been v. lucky in finding in Marconi a man who is both a gentleman and open to reason. This is unlikely to be so in future. So far as one can gauge what the European situation will be by the end of this month it would appear as if we shall either be at War by then or Hitler's blackmailing policy regarding Czecho-Slovakia will have been called because he will have to define his attitude at Nuremberg next week. So far as Spain is concerned they would appear by then to have settled down again to another winter, poor devils. So sorry to hear that your fishing was so poor. North winds continue here which are neither helpful for fishing nor conducive to sea-bathing. As things are now I do not propose to return to London much before Sept. 20th. All the best.

(Sgd.) Vincent Glenday.

P.S. I feel that if there is any difficulty about water we should revert to the original plan and go to Rome to negotiate a temporary agreement. Do you agree?
(Intld.) V.G.

H9

sent on 46598/F/38

Colonial Office,

Downing Street.

1st September, 1938.

46598F/38

SECRET.

Dear Wade,

48

Thank you for your letter No.A.XAF.42/3/26/II/83 of the 22nd of August about Glenday.

We fully appreciate your anxiety as to what is to happen during the next dry season on the Northern frontier, and I have discussed with the Foreign Office your hope that something should be done to obtain an assurance from the Italians before Glenday returns. The Foreign Office take the view, however, that the present situation vis-à-vis Italy is not propitious for this subject to be raised at Rome at present and they are quite unable to forecast when it is likely to be expedient to do so. All that I have been able to get from them at the moment is that they will review the situation some time in October, though there is, of course, no guarantee that even then the situation will have improved sufficiently to make it possible for them to raise this matter. As, however, I said in my letter of the 10th of August, they hope that it will be possible to persuade the Italians to allow the existing arrangements to continue without the necessity of anybody going to Rome to negotiate a formal agreement.

In the circumstances we have come to the conclusion that there is no sufficient justification for

keeping

SIR ARMIGEL WADE, C.M.G., O.B.E.

keeping Glenday here for this purpose, and we are accordingly authorizing the Crown Agents to go ahead with the booking of his passage, to enable him to return by air to arrive in Kenya by the 14th of October.

Yours sincerely,

(Sgd.) J.J. Paskin.

14
END
48

46598/F/38EA

A.XAF.42/3/26/II/83

THE SECRETARIAT,

NAIROBI, KENYA.

22nd August, 1938.

SECRET

Dear Paskin,

Thank you for your letter No.46598/F/38 of the 10th August.

In the circumstances I agree that it would be better for Glenday to return here at the end of his leave, and as it is obviously desirable for him to be available for consultation in England for as long as possible there will, of course, be no objection to his returning by air at Government expense.

Under this arrangement his return by air would naturally be regarded as being in the public interest and the stipulation regarding liability for accident or injury would be waived.

Letter 49

I might add that in a letter received by the same mail Glenday has expressed some anxiety regarding the continuation of the present informal transfrontier grazing and watering arrangement. I see from your letter that the Foreign Office are hopeful that they will be able to persuade the Italians to allow these movements to continue without a formal agreement pending final negotiations for the delimitation of the frontier.

Glenday feels strongly, however, that if at all possible a definite undertaking to this effect should be obtained from the Italians before he returns. You will realise that we should be faced with a very serious situation were the Italians to refuse to continue the existing arrangement, and we shall be grateful if anything possible can be done to establish the position before Glenday leaves.

Yours sincerely,

(Sgd.)A.deV.Wade.

J.J. PASKIN, ESQ., M.C.