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From
Colonial Office
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29 May 1924

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Jubaland

Minutes of meeting with Italian experts
30th May 1924.

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Secretary of State

Previous Paper

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MINUTES

The 3rd copy hereof is the final draft as agreed by all concerned. 2 copies have been sent to Sir G. G. G. at Clarendon Hotel, Nairobi to Mr. McKinnon

(at suggestion of Mr. McKinnon).

Kept for record.

put by

5.6.24

5.6.24

[Vertical handwritten notes:]
A. C. B. Thomson Esq. 50
Copy to Mr. McKinnon E. V. 4 June 1924
Copy to Sir Kenneth (C. S.) 19.1.25
(207,7165/14)

Subsequent Paper

MINUTES.

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MEMORANDUM.

Handwritten: B Draft (with revision)

Cession of Territory in East Africa to Italy
Notes of a meeting between British and

Italian experts held at the Colonial Office

at 5 p.m. on Friday, May 30th, 1924.

Present. Sir H.J. Read, K.C.M.G., C.B.

Comandante Guariglia
Comandante Rognolucci

Mr. W. C. Bottomley, C.M.G., C.B.E.
The Hon. H. Nicolson (Foreign Office)

1. Sir Herbert Read, in opening the proceedings, *G.F. Seel*

reminded the Italian representatives that a draft convention, ^{arrived at} embodying the arrangements come to between Lord Milner and Signor Scialoja, had already been prepared, and had in fact been in the possession of the Italian Government for some three years. The British Government would be prepared here and now to sign this convention as it stood. He enquired what were the views of the Italian Government.

Signor Guariglia welcomed Sir Herbert's suggestion in principle, since it showed that His Majesty's Government as well as the Italian Government were anxious to reach an early settlement. He was for his part quite prepared to accept the convention drafted in 1921 and transmitted to the Italian Ambassador by Lord Curzon in his note of December 23 of that year as a basis of discussion. There were, however, certain points on which the Italian Delegation wished to offer further observations, and one point in particular, namely, the question of the migration of tribes referred to in Article 9, which would require very careful discussion, *above*

Signor Guariglia pointed out that when Signor Schanzer came to discuss this article in 1922 he had stated that the Italian Government could not ~~assume~~ ^{assume} responsibility for keeping the tribes behind the new frontier, unless they were accorded a further triangle of territory which has its apex at the ^{Lorian} ~~Lorian~~

swamp....

Annexed

swamp. This claim for territory beyond the two areas agreed to between Lord Milner and Signor Scialoja had now been abandoned, but the difficulty in regard to the migration of tribes still remained. Signor Guariglia enquired whether the British representatives would ~~like~~^{wish} to discuss this question at the outset, or whether it would be preferable to ~~do~~^{go} through the draft convention as a whole, and to see what articles could be accepted as they stood and what articles might require further modification.

Mr. Bottomley suggested that it would be preferable at the first meeting to explore the whole ground and to leave aside for the moment the crucial question of the migration of tribes. To this Signor Guariglia assented and the meeting proceeded to discuss the draft convention article by article.

2. Article I

2. In regard to Article 1, Sir H. Read pointed out to Signor Guariglia that, as stated in Lord Curzon's note to the Italian Ambassador of February 22, 1922, His Majesty's Government felt that it would be necessary to insert in the third line after the words "on his own behalf" the words "and subject to the assent of Parliament". Signor Guariglia observed that this was a constitutional point which scarcely came within the competence of a discussion between experts. Similarly the whole drafting of the opening sentences of this article and the question whether the designation of the signatories should not more properly be placed, as is usual in such matters, in the form of a preamble, appeared to be for the jurists of the respective governments to consider. He was prepared to take note of the desire of His Majesty's Government to insert a clause providing for the assent of Parliament, but the matter would doubtless be considered by his government from the legal point....

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point of view when the convention had once been put into shape.

The meeting then proceeded to consider the geographical description with which Article 1 of the draft convention concludes. Some discussion arose in regard to the expression "the well of El Beru". Signor Guariglia explained that some difficulty might arise if this single well were fixed specifically as being the only well which would be on the Italian side of the frontier line. The Italian authorities would be obliged to establish at that point ^{El wark} a police post for the purpose of controlling the frontier. It might happen that when they arrived there they would discover that this particular well of El Beru did not provide suitable drinking water. Would it not be better not to specify at this stage the exact well which would fall within Italian territory, but merely to say "the most easterly well of the ~~El Beru~~ ^{Wark} group"?

Signor Pasqualucci explained in ^{fuller} more detail how it would be necessary for the Italian Government to establish a frontier post at this particular corner of the line, and how essential it was that before accepting any precise definition of the exact point where the line turns southwards, the Italian authorities should be assured that a proper water supply would be there available. It was not that the Italians wished to obtain any more territory in this region, it was simply that they wished to be certain of obtaining a proper water supply on a point where they would certainly have to establish one of their frontier posts.

Sir H. Read stated that he had no reason to suppose that the well at El Beru did not contain suitable water, but that he was quite prepared to telegraph to the Governor of Kenya Colony and enquire on this point. He observed that it

would....

would as a matter of fact be difficult to include within Italian territory the wells to the ^{west} east of El Beru since certain of our tribes were entirely dependent upon this ^{all the} ~~eastern~~ ^{other} group of water holes *in the groups.*

Signor Guariglia suggested that if no definite information could be obtained as to the condition of the El Beru well from the Governor of Kenya, it might be possible to insert some covering phrase after the word El Beru as they stand in the article, such as "if the water supply is found suitable". Except for that one point the Italian Delegation accepted Article 1.

Article 2

Article 2 was then read and adopted.

Article 3

Article 3 was read.

Signor Guariglia stated that at one time the Italian Government had asked to retain certain articles of the Treaty of Commerce concluded between Italy and Zanzibar on the 23rd May, 1885. His government were now prepared to abandon these articles. At the same time he must ask that the words in paragraph 2 of Article 3 "which the Italian Government undertake to ratify as soon as possible" should be omitted. In the first place, it was not the Italian Government who had ^{not} ratified the treaty but the Italian Parliament; the government or their representatives could not possibly undertake to do something which was entirely outside their province. In the second place, the insertion of the words appeared wholly unnecessary. It would obviously be essential for Italy, so soon as the 1885 treaty with Zanzibar had been cancelled, to ratify the convention of September ^{10th} 1919. Otherwise they would be left with nothing to go on at all.

without either the Convention or the old Treaty of 1885 between Italy and ...

Signor....

Signor Guariglia was quite prepared, if it was so desired, to give an assurance, which could be included in the process verbal, that ratification would not be delayed. He only asked that no reference should be made to ratification in the article itself.

This was agreed to and article 3 was therefore adopted subject to the omission of the words "which the Italian Government undertake to ratify as soon as possible".

Article 4 was read.

The Italian delegates enquired how the figure of £1000 was reached and asked whether the expression "proportionate share" meant proportionate to the extent of the territory or proportionate only to the amount of revenue.

Sir H. Read explained that His Majesty's Government paid ^{£1000} ~~£1000~~ annually under this head and that the proportionate share of £1000 which would be paid by Italy represented the proportion of territory and not the proportion of revenue. *(Handwritten notes: "to H.M. in Sultan for that portion of her dominions which formed the Protectorate of Kenya")*

Signor Guariglia asked whether it would not be possible to base this proportionate share on the ratio of customs duties revenue at Kisumu to that at ports in the remainder of the Protectorate of Kenya.

Sir H. Read explained that it would be a long and complicated business to arrive at those figures, especially as the ^{present} Mombasa customs ^{receipts} represented ^{the results of British} not only the ~~base for the colony itself~~ ^{development of the interior as well as of} but also the ~~import trade of~~ ^{the} into Uganda. The customs returns for Kisumu on the other hand were negligible and bore but little relation to the potential importance of that harbour.

The Italian delegation accepted this explanation and agreed to the figures of the proportionate share as contained

(Handwritten notes on the left margin):
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could not
be held by
G.O. the
interior
development

Issue 1: Nationality

A. British Subjects

1. European British Subjects
2. Natives of British India

May opt for Italian national
or remain British without
with drawings

3. Somalis etc. who are British
subjects by annexation

Acquire Italian nationality

B. British Protected Persons

1. Transient subjects (Arabs)
2. Natives of Indian Native
States

May opt to acquire
Italian nationality
with draw

3. Somalis etc. living in the
"Transient" area
~~and for some part of~~

Acquire Italian
nationality

contained in the draft article. They asked however that the last sentence of that article might be omitted since it was liable to lead to some misinterpretation.

Sir E. Read agreed that the last sentence should be omitted.

Article 5

Article 5 was read and adopted.

Article 6

Article 6 was read.

Signor Guariglia stated that he would like some further explanation regarding the nationality question. He did not quite follow what exactly were the categories into which British subjects and British protected persons would fall, or what would be the future status of the Somalis included in the new Italian territory.

Mr. Bottomley prepared for Signor Guariglia the following tabular statement:

(Here insert Mr. Bottomley's tabular statement). *(insert from Appendix 1)*

On reading this statement Signor Guariglia stated that the Italian Government had no objection to raise to the arrangements proposed regarding British subjects or British protected persons. They desired however to discuss further the future status of the Somalis; there were many Somalis who had passed into what would now be Italian territory although they were really based upon wells within what would remain British territory: he felt that these different branches of the same tribe would tend to join together, that there would be continual passage and re-passage across the meridian frontier and that trouble would follow.

Signor Pasqualucci explained particularly how a portion of the Mohamed Zubier had established themselves upon

the

the Wajhier wells within what would remain British territory. They tended during the wet season to migrate back to the main body of their tribe centred in Italian territory in the Afmau district. Their fellow tribesmen in this latter district resented this influx of their relations and the Italian authorities would certainly require that that section of the Mohamed Subier who were based on Wajhier should remain there and become British subjects and should not be forced to return and join the main body of their tribes in the Afmau region.

Assumed
 Sir H. Read pointed out that this matter, which was really connected with the main question of migration arising under article 9, was of such importance that he would be grateful if the Italian delegation would place their views in writing and furnish him with a memorandum on the points ^{which} they had raised.

Signor Guariglia, while promising to furnish a memorandum, pointed out that although the matter was certainly connected with the main question of migration yet there was also a very important nationality question involved which arose under article 8. For instance the Italian government would like the British government to consider whether it would not be possible to fix a time-limit within which the natives, or at least certain native tribes, should be obliged to opt for British or Italian nationality.

Sir H. Read stated that he understood the point, that it would require very careful consideration and that this consideration could only be given if the Italian delegation would be so kind as to furnish a memorandum embodying their views and suggestions.

Signor Pasqualucci explained further the complicated question

question of the migration of the two branches of the Mohamed Zubier tribe. This constant fluctuation would in fact create a zone of passage across the meridian frontier centring round such places as Biuff on the British side and Afmadu on the Italian side. This constant passage could doubtless be coped with by agreements between the local authorities. At the same time the task of the local authorities would be much facilitated if it could be agreed beforehand that the section of the Mohamed Zubier who are now at Wajhier and whose tendency is to return to the Afmadu district could be kept permanently at Wajhier and be regarded as British subjects. In fact what the Italians would want would be to send back to British territory from Afmadu such of the Wajhier group of the Mohamed Zubier as had already come there or might come there in the future.

Sir H. Read explained that this would be extremely difficult and he read to the Italian delegates a telegram from the Governor ~~General~~ in which careful stress was laid upon the fact that any facilities which might be given to a portion of the Mohamed Zubier to come to the Wajhier wells in the dry season could only be a temporary and provisional concession. The Italian delegation, having promised to furnish a memorandum of their views on this matter, the meeting proceeded to discuss article 7.

Article 7

Signor Guariglia asked whether there was any information as to what concessions had already been granted.

Mr. Bottomley explained that the principal concession ^{were those} was ~~now~~ given to ^{Mr.} ~~Captain~~ Gabriel ^{at Halalood} and another on the island of Fowata. ~~Besides this~~ ^{well} there appeared to be twelve

of varying nature
 very small grants of land. It is understood that the Gabriel concession was in process of liquidation. If the Italian delegation desired the Governor could be asked by telegraph what concessions had actually been granted.

Signor Guariglia stated that he would be grateful if this information could be obtained and that in principle the Italian delegation accepted article 7 as it stood.

Article 8

Article 8 was then read and Signor Guariglia pointed out that the Italian government had no agreements of whatever nature with the Sultan of Zanzibar applicable to the Italian colony of Italian Somaliland. The Italian government were perfectly prepared to assume responsibility for any treaties between England and Zanzibar, but could not understand what was meant/a reference to treaties between Italy and Zanzibar, and in fact no such treaties existed.

Mr. H. Head pointed out that the Italian point would be met either by the omission of the words "and the government of His Highness the Sultan of Zanzibar" or by the omission of the words "applicable to the Italian colony of Italian Somaliland".

Signor Guariglia agreed to this and the Foreign Office representative undertook to enquire of the Legal Advisers and to inform the meeting ^(the next day) at their next reunion.

Article

He suggested that the words "applicable to the Italian colony of Italian Somaliland" should be deleted.
 Mr. B. B. ... suggested that the words "and the Government of His Highness the Sultan of Zanzibar" should be deleted. ...
 ... alternative ...
 ... words

Guariglia's account
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Signor Guariglia stated that he would be grateful if this information could be obtained and that in principle the Italian delegation accepted article 7 as it stood.

Article 8

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~~Signor Guariglia agreed to this and~~ the Foreign Office representative undertook to enquire of the Legal Advisers and to inform the meeting ^(then was) at their next reunion.

Article

Article 9

Article 9 was then read.

As regards paragraph 1 Signor Guariglia stated that it seemed preferable to leave it to the local authority to settle the price of buildings and the approximate values of government property to be taken over.

Sir Herbert Read agreed to this proposal, and added that the schedule attached to the draft was merely approximate, and would not, of course, figure in the final convention.

Paragraph 2 of Article 9 was left over for further discussion.

In regard to paragraph 3 Sir Herbert Read explained that the fate of these Sudanese pensioners, who did not number more than forty persons, and who were very aged, was of considerable interest to the government. We should like to put in a paragraph in the convention showing that they had not been forgotten.

Signor Guariglia asked what exactly were the rights that they enjoyed.

Sir Herbert Read stated that he imagined that they possessed certain ~~fields and properties~~ ^{small plots of land}, and that all that was desired was that they should be left undisturbed in the possession of what they owned. ~~They were receiving a pension from the British government, and this pension would of course continue to be paid from British, and not from Italian, funds. If the Italian representative desired, however, The Governor of Kenya could be asked by telegraph to state what exactly was meant by the rights of these pensioners.~~ ^{Any pension which they would}

Article 10.

Article 10 was then read.

Signer Guariglia suggested that it would be preferable to alter the words "appointed for the purpose" by the two governments of Kenya Colony and Italian "Somaliland" into "appointed for the purpose by the British and Italian governments".

Sir Herbert Read agreed to this proposal. The rest of Article 10 was thereupon adopted.

3 The meeting then adjourned until 9 p.m. on Monday, 23 June.

MEMORANDUM

Indraft

Cession of Territory in East Africa to Italy.

Notes Notes of a meeting between British and Italian experts held at the Colonial Office at 5 p.m. on Friday, May 30th, 1924.

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Present: Sir H.J. Read, K.C.M.G., C.B.,
Comandatore Guariglia, Mr. W.C. Bottomley, O.M.G., O.B.E.,
Comandatore Pasqualucci, The Hon. H. Nicolson (Foreign Office),
Mr. G.F. Seal.

1. Sir Herbert Read, in opening the proceedings, reminded the Italian representatives that a draft convention, embodying the arrangements arrived at between Lord Milner and Signor Scialoja, had already been prepared, and had in fact been in the possession of the Italian Government for some three years. The British Government would be prepared here and now to sign this convention as it stood. He enquired what were the views of the Italian Government.

Signor Guariglia welcomed Sir Herbert's suggestion in principle, since it showed that His Majesty's Government, as well as the Italian Government, were anxious to reach an early settlement. He was for his part quite prepared to accept the convention drafted in 1921 and transmitted to the Italian Ambassador by Lord Curzon in his note of December 23 of that year as a basis of discussion. There were, however, certain points on which the Italian Delegation wished to offer further observations, and one point in particular, namely, the question of the migration of tribes referred to in Article 9, which would require very careful discussion. Signor Guariglia pointed out that when Signor Schanzer came to discuss this article in 1922 he had stated that the Italian Government could not assume responsibility for keeping the tribes behind the new frontier, unless they were accorded a further triangle of territory which has its apex at the Lorian swamp. This

claim

* Annexed.

- 17

claim for territory beyond the two areas agreed to between Lord Milner and Signor Spadolini had now been abandoned, but the difficulty in regard to the migration of tribes still remained. Signor Guariglia enquired whether the British representatives would wish to discuss this question at the outset, or whether it would be preferable to go through the draft convention as a whole, and to see what articles could be accepted as they stood and what articles might require further modification.

Mr. Bottomley suggested that it would be preferable at the first meeting to explore the whole ground and to leave aside for the moment the crucial question of the migration of tribes. To this Signor Guariglia assented and the meeting proceeded to discuss the draft convention article by article.

2. Article 1.

In regard to Article 1, Sir H. Read pointed out to Signor Guariglia that, as stated in Lord Curzon's note to the Italian Ambassador of February 22, 1922, His Majesty's Government felt that it would be necessary to insert in the third line after the words "on his own behalf" the words "and subject to the assent of Parliament". Signor Guariglia observed that this was a constitutional point which scarcely came within the competence of a discussion between experts. Similarly the whole drafting of the opening sentences of this article and the question whether the designation of the signatories should not more properly be placed, as is usual in such matters, in the form of a preamble, appeared to be for the jurists of the respective governments to consider. He was prepared to take note of the desire of His Majesty's Government to insert a clause providing for the assent of Parliament, but the matter would doubtless be considered by his government from the legal point of view when the convention had once been put into shape.

The meeting then proceeded to consider the geographical description with which Article 1 of the draft convention concludes. Some discussion arose in regard to the expression "the well of El Beru". Signor Guariglia explained that some difficulty might arise if this single well were fixed specifically as being the only well which would be on the Italian side of the frontier line. The Italian authorities would be obliged to establish at El Wak a police post for the purpose of controlling the frontier. It might happen that when they arrived there they would discover that this particular well of El Beru did not provide suitable drinking water. Would it not be better not to specify at this stage the exact well which would fall within Italian territory, but merely to say "the most easterly well of the El Wak group"?

Signor Pasqualucci explained in fuller detail how it would be necessary for the Italian Government to establish a frontier post at this particular corner of the line, and how essential it was that before accepting any precise definition of the exact point where the line turns southwards, the Italian authorities should be assured that a proper water supply would be there available. It was not that the Italians wished to obtain any more territory in this region, it was simply that they wished to be certain of obtaining a proper water supply on a point where they would certainly have to establish one of their frontier posts.

Sir H. Read stated that he had no reason to suppose that the well at El Beru did not contain suitable water, but that he was quite prepared to telegraph to the Governor of Kenya Colony and enquire on this point. He observed that it would as a matter of fact be difficult to include within

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Italian territory the wells to the west of El Beru since certain of our tribes were entirely dependent upon all the other water holes in the group.

Signor Guariglia suggested that if no definite information could be obtained ^{as} to the condition of the El Beru well from the Governor of Kenya, it might be possible to insert ^{some} covering phrase after the words El Beru as they stand in the article, such as "if the water supply is found suitable". Except for that one point the Italian Delegation accepted Article 1.

Article 2.

Article 2 was then read and adopted.

Article 3.

Article 3 was read.

Signor Guariglia stated that at one time the Italian Government had asked to retain certain articles of the Treaty of Commerce concluded between Italy and Zanzibar on the 23rd May, 1865. His Government were now prepared to abandon these articles. At the same time he must ask that the words in paragraph 2 of Article 3 "which the Italian Government undertake to ratify as soon as possible" should be omitted. In the first place, it was not the Italian Government who would ratify the treaty but the Italian Parliament; the government of their representatives could not possibly undertake to do something which was entirely outside their province. In the second place, the insertion of the words appeared wholly unnecessary. It would obviously be essential for Italy, so soon as the 1865 treaty with Zanzibar had been cancelled, to ratify the convention of September 10th, 1919. Otherwise they would be left without either the Convention or the old Treaty of 1865 between Italy and Zanzibar.

Signor

Signor Guariglia was quite prepared, if it was so desired, to give an assurance, which could be included in the procès verbal, that ratification would not be delayed. He only asked that no reference should be made to ratification in the article itself.

This was agreed to and article 3 was therefore adopted subject to the omission of the words "which the Italian Government undertake to ratify as soon as possible".

Article 4 was read.

The Italian delegates enquired how the figure of £1000 was reached and asked whether the expression "proportionate share" meant proportionate to the extent of the territory or proportionate only to the amount of revenue.

Sir H. Read explained that His Majesty's Government paid a sum of £11,000 annually to His Highness the Sultan for that portion of his dominions which formed the Protectorate of Kenya and that the proportionate share of £1000 which would be paid by Italy was based on the extent of Protectorate territory to be ceded to them and not on the proportionate revenue of that territory.

Signor Guariglia asked whether it would not be possible to base this proportionate share on the ratio of customs revenue at Kisumu to that at ports in the remainder of the Protectorate of Kenya.

Sir H. Read explained that this basis could not be accepted by His Majesty's Government, since any such
comparison

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comparison must be artificial, as the present Mombasa customs receipts represented the results of British development of the interior not only of Kenya itself but also of Uganda. The customs returns for Kisumu on the other hand were negligible and bore but little relation to the potential importance of that harbour.

The Italian delegation accepted this explanation and agreed to the figures of the proportionate share as contained in the draft article. They asked however that the last sentence of that article might be omitted since it was liable to lead to some misinterpretation.

Sir E. Read agreed that the last sentence should be omitted.

Article 5.

Article 5 was read and adopted.

Article 6.

Article 6 was read.

Signor Guariglia stated that he would like some further explanation regarding the nationality question. He did not quite follow what exactly were the categories into which British subjects and British protected persons would fall, or what would be the future status of the Somalis included in the new Italian territory.

Mr. Bottomley prepared for Signor Guariglia the following tabular statement:

A. British Subjects.

- | | |
|---|--|
| 1. European British Subjects | } May opt for Italian nationality or remain British without withdrawing. |
| 2. Natives of British India | |
| 3. Somalis etc. who are British subjects by annexation. | } Acquire Italian nationality. |
-

A

622

Signor Pasqualucci explained particularly how since 1920 a certain number of Somalis (Mohammed Zuhier and Meksabouls) ^{for} many years resident in the territories of Wajhier and Lorian, ^{had been} were turned out from there, and were consequently forced to settle in the zones of Afmadu and Deshek Wama. In these districts pasturage and wells were not sufficient and therefore the Somalis of the same tribes who were already in the places protested against the increasing number of cattle which of course brought about a great shortage of pasturage.

Another serious disturbance caused by the pushing of the Wajhier and Lorian Somalis from their places was the separation of members of the same family. These families having cattle and camels as well, it happened that some members of them were able to remain at Wajhier and Lorian (where wells were allowed) whereas other members of the same family were forced to migrate to the east of the 41st meridian with their cattle.

B. British Protected Persons.

- | | | |
|---|---|---|
| 1. Zanzibar subjects (Arabs) | } | May opt to acquire Italian nationality or withdraw. |
| 2. Natives of Indian Native States | | |
| 3. Somalis etc. living in the "Zanzibar" area |) | Acquire Italian nationality. |
-

On reading this statement Signor Guariglia stated that the Italian Government had no objection to raise to the arrangements proposed regarding British subjects or British protected persons. They desired however to discuss further the future status of the Somalis: there were many Somalis who had passed into what would now be Italian territory although they were really based upon wells within what would remain British territory: he felt that these different branches of the same tribe would tend to join together, that there would be continual passage and re-passage across the meridian frontier and that trouble would follow.

A
Signor Pasqualucci explained particularly how a portion of the Mohamed Zubier had established themselves upon the Wajhier wells within what would remain British territory. They tended during the wet season to migrate back to the main body of their tribe centred in Italian territory in the Afmada district. Their fellow tribesmen in this latter district resented this influx of their relations and the Italian authorities would certainly require that that section of the Mohamed Zubier who were based on Wajhier should remain there and become British subjects and should not be forced to return and join the main body of their

their tribes in the Afmadu region.

Sir H. Read observed that this matter, which was really connected with the main question of migration arising under article 9, was of such importance that he would be grateful if the Italian delegation would place their views in writing and furnish him with a memorandum on the points which they had raised.

Signor Guariglia, while promising to furnish a memorandum, pointed out that although the matter was certainly connected with the main question of migration yet there was also a very important nationality question involved which arose under article 6. For instance the Italian government would like the British government to consider whether it would not be possible to fix a time-limit within which the natives, or at least certain native tribes, should be obliged to opt for British or Italian nationality.

Sir H. Read stated that he understood the point, that it would require very careful consideration and that this consideration could only be given if the Italian delegation would be so kind as to furnish a memorandum embodying their views and suggestions.

Signor Pasqualucci explained further the complicated question of the migration of the two branches of the Mohamed Zubler tribe. This constant fluctuation would in fact create a zone of passage across the meridian frontier centring round such places

places as Dieff on the British side and Afmadu on the Italian side. This constant passage could doubtless be coped with by agreements between the local authorities. At the same time the task of the local authorities would be much facilitated if it could be agreed beforehand that the section of the Mohamed Zubier who are now at Wajhier and whose tendency is to return to the Afmadu district could be kept permanently at Wajhier and be regarded as British subjects. In fact what the Italians would want would be to send back to British territory from Afmadu such of the Wajhier group of the Mohamed Zubier as had already come there or might come there in the future.

Sir H. Read explained that this would be extremely difficult and he read to the Italian delegates a telegram from the Governor in which careful stress was laid upon the fact that any facilities which might be given to a portion of the Mohamed Zubier to come to the Wajhier wells in the dry season could only be a temporary and provisional concession. The Italian delegation, having promised to furnish a memorandum of their views on this matter, the meeting proceeded to discuss article 7.

Article 7.

Signor Guariglia asked whether there was any information as to what concessions had already been granted.

Mr. Bottomley explained that the principal concessions were those given to Mr. Gabriel at Halwalood and on the island of Towata. In all there appeared to be twelve grants

grants of land of varying amounts. It was understood that the Gabriel concession was in process of liquidation. If the Italian delegation desired the Governor could be asked by telegraph what concession had actually been granted. 626

Signor Guariglia stated that he would be grateful if this information could be obtained and that in principle the Italian delegation accepted article 7 as it stood.

Article 8.

Article 8 was then read and Signor Guariglia pointed out that the Italian government had no agreements of whatever nature with the Sultan of Zanzibar applicable to the Italian colony of Italian Somaliland. The Italian government were perfectly prepared to assume responsibility for any treaties between England and Zanzibar, but could not understand what was meant by a reference to treaties between Italy and Zanzibar, when in fact no such treaties existed.

He suggested that the words "applicable to the Italian Colony of Italian Somaliland" should be deleted.

Mr Bottomley suggested as an alternative that the words "and the Government of His Highness the Sultan of Zanzibar" should be deleted. Signor Guariglia saw no objection to this alternative, and the Colonial Office representatives agreed to consider the possibility of omitting these words.

The Foreign Office representative undertook to enquire of the Legal Advisers and to inform the meeting of their views at their next re-union.

ARTICLE 9.

Article 9 was then read.

As regards paragraph 1 Signor Guariglia stated

that

that it seemed preferable to leave it to the local authority to settle the price of buildings and the approximate values of government property to be taken over.

Sir Herbert Read agreed to this proposal, and added that the schedule attached to the draft was merely approximate, and would not, of course, figure in the final convention.

Paragraph 2 of Article 9 was left over for further discussion.

In regard to paragraph 3 Sir Herbert Read explained that the fate of these Soudanese pensioners, who did not number more than forty persons, and who were very aged, was of considerable interest to the government. We should like to put in a paragraph in the convention showing that they had not been forgotten.

Signor Guariglia asked what exactly were the rights that they enjoyed.

Sir Herbert Read stated that he imagined that they possessed certain small plots of land, and that all that was desired was that they should be left undisturbed in the possession of what they owned. Any pensions which they were receiving from the British government would of course continue to be paid from British, and not from Italian, funds. The Governor of Kenya would be asked by telegraph to state what was meant by the rights of these pensioners.

ARTICLE 10.

Article 10 was then read.

Signor Guariglia suggested that it would be preferable to alter the words "appointed for the purpose" by the two governments of Kenya Colony and Italian "Somaliland" into "appointed for the purpose by the

British

"British and Italian governments."

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Sir Herbert Read agreed to this proposal. The rest of Article 10 was thereupon adopted.

3. The meeting then adjourned until 4 p.m. on Monday 2nd June.