

1924

KENYA

C.O.
27295

9 JUN 24

FROM
COLONIAL OFFICE. SECRET

DATE
7th June 1924.

RE CIRCULATION :-

Mr. B. B. ...

165

Mr.

CESSION OF JUBALAND.

Mr.

Asst. U.S. of S.

11/11/24

Draft Convention, dated 7th June 1924.

Perm. U.S. of S.

Part U.S. of S.

Secretary of State.

Previous Paper

Sp/27240

MINUTES

Mr

The Convention Paper was called. There are 12 envelopes. The original and one duplicate.

I submit drafts for cession as directed.

The pts. must be re-circulated for cession of a fuller despatch to the Governor.

8/11.6.24

W. S. ...

S. of S.

When the terms of the Convention had been settled between the Br. & Italian rep^s. Mr. Bottomley & I went through it with Lord Amold & obtained his concurrence before installing on behalf of the C.O. - Mr. Nicholson obtained the authority of the P.M. to initial on

Subsequent Paper

Sp/32563

MINUTES.

MINUTES NOT TO BE WRITTEN
ON THIS SIDE.

on behalf of the 70. Committee
that there was a certain amount
of telegraphic H. J. R.
connected with
Kanga + some
by the Br + others
It was evidently the
rather out through
very quickly.

11/17/24

MINUTES.

MINUTES NOT TO BE WRITTEN
ON THIS SIDE.

in behalf of the F.O. Considering
that there was a certain amount
of telegraphic H. J. R.
concerned with
congress + Rome
by the Pro + Italian
We've relatively the
rather went through
very quickly.

11/27/24

seem to have forgotten
completing the terms of the
L.S. Opinion which they
themselves obtained.

W.S. 19.7.24

seem to have for other
completing the terms of the
L.O. Mission which they
themselves obtained.

W.S. 19.7.2

DRAFT CONVENTION
BETWEEN THE
ITALIAN AND BRITISH GOVERNMENTS
REGARDING THE
CESSION OF JUBALAND,

AS NEGOTIATED AT THE COLONIAL OFFICE,

LONDON, MAY 30 TO JUNE 6, 1924.

between the following Experts representing the
two Governments and initialled by them on

SATURDAY, JUNE 7, 1924:—

For the Italian Government—

COMMENDATORE R. GUARIGLIA.
COMMENDATORE G. PASQUALUCCI.

For the British Government—

SIR H. J. READ, K.C.M.G., C.B.
MR. W. C. BOTTOMLEY, C.M.G., O.B.E.
THE HON. HAROLD NICOLSON, C.M.G.

ARTICLE 4.

The Italian Government shall indemnify the Government of His Highness the Sultan of Zanzibar for any loss of net revenue arising out of the present transfer of territory, and shall pay to the latter, as an indemnity which shall in no wise represent a tribute implying any survival of sovereignty, the annual sum of £1,000, representing the proportionate share of the annuity which has hitherto been paid by the British Government to the Government of Zanzibar.

The Italian Government shall be entitled at any time to effect the discharge of any obligation undertaken under the preceding paragraph by means of the payment of a lump sum of £25,000 to the Government of His Highness the Sultan of Zanzibar.

ARTICLE 5.

The Italian Government undertakes that, if it shall at any time desire to abandon all or any part of the territory transferred to it as above, it shall offer the same to the British Government upon such terms as may be just.

In the event of any differences between the two Governments as to the terms of transfer, the question shall be referred to arbitration in accordance with such procedure as the Council of the League of Nations may prescribe.

ARTICLE 6.

British subjects, other than those persons who have become British subjects by the annexation of the colony of Kenya, ordinarily resident at the date of the coming into force of the present convention in the territory transferred under article 1, shall, unless within six months of the coming into force of the present convention they opt for Italian nationality, retain their British nationality without being called upon to withdraw from the said territory or to part with their property. In the event of their not opting for Italian nationality and of their desiring to withdraw from the transferred territory, they shall be at liberty to do so within twelve months from the coming into force of the present convention.

British-protected persons and British subjects who have become such by the annexation of the Colony of Kenya, ordinarily resident in the transferred territory, will acquire Italian nationality and cease to be British-protected persons and British subjects respectively. Provided, however, that such persons, not being Somalis, or belonging to the native races of the area transferred, shall have the right to retain their existing nationality on condition that they withdraw from the transferred territory within twelve months from the coming into force of the present convention.

The same right is conferred on such a number of Somalis who are separated from their families by the new frontier as the wells and pastures in the territory defined in the Annex to this article can support, having regard to the present and reasonable future requirements of the tribes or sections of tribes already there, provided that such persons must be individually registered before they are allowed to cross into British territory. The commission referred to in

URGENT AND CONFIDENTIAL.

27295/24.

Downing Street,

July, 1924.

Sir,

With reference to the letter from this Department of the 17th of June, regarding the Convention between Great Britain and Italy for the cession of Jubaland, I am directed by Mr. Secretary Thomas to request you to draw the attention of Mr. Secretary Ramsay MacDonald to the letters from the Foreign Office to the Colonial Office No. A.142/142/60 of the 16th of January 1922 and No. A.152/142/60 of the 23rd of February 1922 enclosing respectively the opinion of the Law Officers that the approval of Parliament by statute should be obtained to the cession of British territory and a copy of a note to the Italian Ambassador explaining the position and proposing additional words in the draft Convention providing for the consent of Parliament.

2. These additional words were struck out at the request of the Italian representatives in the course of the negotiations, but it was made clear to them that the

consent

UNDER SECRETARY OF STATE,

FOREIGN OFFICE.

consent of Parliament, would in fact be required.

3. Mr. Thomas would suggest that, in order that there may be no misunderstanding, the Italian Ambassador should be informed that, as the session of part of His Majesty's dominions is involved, it will be necessary to obtain statutory authority for it, before the Convention can be ratified, that the time remaining will not admit of the introduction of a Bill before the recess. But that every endeavour will be made to introduce a Bill and secure its enactment, during the autumn session.

I am,

Sir,

Your most obedient servant,

Cpy 690
W 27

C.O. 27295/24 Kenya

C. U.
R 2 - ATG
D. G. 11

July 1924
- 5 AUG 1924

DRAFT.

The Secretary
The Treasury.

MINUTE.

- Mr. Seel. 31.7.24.
- Mr. Bottomley 31.7.24
- Mr.
- Sir C. Davis.
- Sir G. Grindle.
- + Sir H. Hoare. 1 Aug
- Sir J. Masterton Smith.
- Lord Arnold.
- Mr. Thomas.

Sir

Copy to F.O. - 6 AUG 1924 - 10/10

I am etc frequent you
to invite the attention ^{of} to the
Lords Commissioner of the
Treasury to the letter from
his Dep^t: No 5094/21, of the
January, 1922; and to state
that the negotiations with the
Gov^t of Italy regarding
the cession of territory in E. Africa
to Italy have now been
completed by the conclusion,
on the 8th June,
of a Convention between the
two Governments, providing
for the cession of Jubaland.
A copy of the Convention is
enclosed herewith.

2. As indicated in

Convention 2 June 1924
Anglo-Italian Agreement Act
1890

A printed draft, in the form
in which the Convention was
signed, is

to ~~the~~ the Agreement
for the cession of Heligoland.
A copy of that Act is
enclosed for convenience
of reference. Mr Thomas
considers that the whole
of the provisions of the
Convention now under discussion
should be ~~included~~ cited
in the schedule to the
draft Bill.

DRAFT.

MINUTE.

- Mr.
- Mr.
- Mr.
- Sir C. Davis.
- Sir G. Grindle.
- Sir H. Read.
- Sir J. Masterton Smith.
- Lord Arnold.
- Mr. Thomas.

(Signed) H. J. READ

Bill to give effect to cession of Jubaland

171

Mr. Bottomley.

I have consulted Mr. Smith & it appears that the correct procedure is as follows:-

To write to the Treasury, to with reference to C.O. letter of 26/Jan. on ^{near 50/44} 2/4.

& say that the negotiations for the cession of Jubaland to Italy have now been

completed & that a draft Convention has been concluded with the Italian Govt.

It is desired if possible to introduce the necessary Bill & receive

the consent of Parliament in the

autumn session, & S.F.S. would be glad

if their Lordships would give the necessary

instructions for the preparation of a draft Bill, ~~presumably~~

(We can if necessary prepare a draft Bill) on the lines of the

Belgian Act 1890. of which I

annex a copy. Presumably all the provisions of the present Convention

Should be cited in the Schedule to the *(C.A.)*
Bill

(we must of course send a copy of the
Convention in writing to Treasury)

87

317 14

See deal.

Re. 24th Treasury W.C.S.

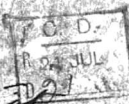
31.7.24

alone

CO/27295/24

Urgent and

Confidential



20 July 24

C 6.0 P.M. 21.7.24

Xc Sir,

With reference to the

DRAFT.

the U.S. of

27295/24

letter from the Dept. of the
17th of June, regarding the

F.O.

Convention between Great

MINUTE.

Britain and Italy for the

Mr. Rossmore

Mr. 19/7/24

cession of Jubaland, Som.

Mr.

Sir C. Davis.

Sir G. Grindle

Sir H. Read.

Sir J. Masterton Smith

Lord Arnold.

Mr. Thomas.

21
Rossmore
to S.D.

re. to request you to

draw the attention of the

Secretary Ramsay accordingly

to the letters from the Foreign

Office to the Colonial Office

no. A 148/148/60 of the 3rd of

January 1922 and no.

A. 1182/148/60 of the 23rd of

February 1922 enclosing

FO/2658/22

FO/2652/22

for Carson

respectively the position of
the Law Officers that the
the approval of Parliament
by statute should be
obtained to the cession of
territorial territory and a
copy of a note to the
Italian Ambassador
explaining the position and
explaining additional words
in the draft Convention providing
for the consent of Parliament.

2. These additional words were
struck out at the request of the
Italian representatives in the
course of the recent negotiations,
but it was made clear to them
that the consent of Parliament
would in fact be required.

3. The Thorne would suggest
that, in order that there may
be no misunderstanding, the Italian

Ambassador should be 176

informed that, in so far as the
cession of part of H.M.'s
dominions is involved, it
will be necessary to
obtain statutory authority
before the Convention can be ratified,
for it is ~~not~~ ^{not} the law
remaining ~~before~~ ^{and}
we admit of the introduction

DRAFT.

MINUTE.

Mr.

Mr.

Mr.

Sir C. Davis.

Sir G. Grindle

Sir H. Road.

Sir J. Maule Smith.

Lord Arnold.

Mr. Thomas.

of a Bill before the
House, but that every
endeavour will be made
to introduce a Bill and
secure its enactment
during the autumn session

} 4. p. 100

Ambassador showed to 176

informed that, the sooner the
passage of part of H. M.'s
commissions is introduced, it
will be necessary to

obtain statutory authority
before the Convention can be ratified,
for it, that the time
remaining before the
we admit of the introduction

DRAFT.

MINUTE.

- Mr.
- Mr.
- Mr.
- Sir C. Davis.
- Sir G. Grindle
- Sir H. Read.
- Sir J. Masterton Smith.
- Lord Arnold.
- Mr. Thomas.

of a bill before the
less, but that every
endeavour will be made
to introduce a bill and
secure its enactment
during the autumn session

} ...

Confidential



June 1924

DRAFT.

OSGS
FO

MINUTE.

Mr. Seal 11/6/24

Mr. B. Stanley 11/6/24

Mr

Sir C. Davis.

Sig G. Grindle. &

Sir H. Read. 11/11/24

Sir J. Masterton Smith.

Lord Arnold.

Mr. Thomas.

June 13/1/24

In course

Medical tests

English

Not

Verbal (with me)

Recie

Sir With ref^o to C.O. letter No 25358/24 of the
 28th of May, I have etc to request you to
 inform the Secretary, Ransay Mackintosh
 last meetings with the ex parte appointed
 by the Italian Gov^t to discuss the draft
 Convention for the cession of Jubaland
 were held on the 30th of May, and the
 1st, 2nd, 4th, 6th and 7th of June;
 that at the meeting held on the 7th
 June the final draft of the Convention
 was initiated by the British
 Italian representatives.
 The draft was... to...
 for...
 receiving the copies of...
 and...
 ...
 ...
 ...
 ...

at the ... of the ...

... also to transmit

... the ... meetings

... the 30 ... and the

... and 6 ...

... to take this opportunity

To express the ... appreciation

of services rendered by the Hon^{ble}

H. ... of the Foreign Office,

who has been of the utmost assistance

in the ~~process~~ negotiations which

have taken place.

obtained by the Dublin report ^{was}.

I am also to be acquainted

with the minutes of the meetings

of the 30th of May and the

of the 31st of June.

I am to take this opportunity

to express Mr Thomas' appreciation

of services rendered by the Hon^{ble}

H. Nicolson, C.M.G. of the Foreign Office,

who has been of the utmost assistance

in the ~~course~~ negotiations which

have taken place.