

1924

KENYA

C. O.
36314
31 JUL 24

FROM
24. 6.

DATE
30th July, 24

OR CIRCULATION :-

Mr.
Mr.
Mr.
Dist. U.S. of S.

Commission of Jubaland

Dr. H. Head
5/11/24

From U.S. of S.
Paul U.S. of S.
Secretary of State.

Position of the subjects of the Sultan
& X'bar in Italian Somaliland under Art.
5 of the Jubaland Convention.

Previous Paper

4 of B 33974

MINUTES

We have discussed & I
submit draft.

I think the F.O. draft is
a fine one & that an
agreement giving privileges
in certain parts of Italian
Somaliland comes within
article 8 of the Convention
just as much as an agreement
relating to the whole of Italian
Somaliland; but as F.O. have
committed their lawyers

Subsequent Paper

25.6
31/5/24

Copy comes for Conf. 27 Aug 24 / 34793

RCA

Classified 1 AUG 1924

MINUTES.

MINUTES NOT TO BE WRITTEN
ON THIS SIDE.

Resolution was sent over
with the (905 print)
by must not right
in language in this
point after the bill
has gone through Parliament.

C.C.O.

31.7.24

(we must not get the
despatch wrong a letter
concerning the same
point)

at once
H. J. S.
31/7/24

any further communication
subject, please quote

C 10064/8284/22.

not to any person by name,

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

C.O.
36314
31 JUL 24

FOREIGN OFFICE.
S.W.1.

85

30th July, 1924.

Sir,

I am directed by Mr. Secretary Ramsay MacDonald to acknowledge the receipt of your letter 27612/24 of the 24th ultimo, relative to the position of the subjects of the Sultan of Zanzibar in Italian Somaliland under article 8 of the Jubaland Convention.

2. Article 8 of that convention provides that all treaties, conventions and agreements between the Government of His Britannic Majesty and the Government of His Majesty the King of Italy applicable to the Italian Colony of Italian Somaliland and at present in force shall be extended to the territory now transferred in accordance with the present agreement.

3. As the Secretary of State for the Colonies is aware, the agreement between Great Britain and Italy of 13th January, 1905, deals with the purchase by the Italian Government of all the sovereign and other rights of the Sultan of Zanzibar over the towns, ports and territory of the Benadir Coast which had previously been leased to Italy, and provides inter alia that on the payment of one hundred and forty-four thousand pounds by the Italian Government all rights specially reserved to the Sultan of Zanzibar under the agreements of 1892 and 1896 shall cease.

and

Under-Secretary of State,

Colonial Office.

and that all subjects of His Britannic Majesty and other British protected persons and all subjects of the Sultan of Zanzibar shall continue to enjoy in the towns, ports and territory in question all the privileges and advantages with respect to commerce and shipping which are or may be accorded to the subjects of the most favoured nation.

4. Mr. Ransay MacDonald does not feel that an agreement in respect of the Benadir Coast can be regarded as applicable to Italian Somaliland as a whole, and in the circumstances he feels considerable doubt whether it could be contended that subjects of the Sultan of Zanzibar are entitled to enjoy in the Jubaland territory now transferred the rights and privileges conferred on them in the Benadir Coast by the agreement of 1905.

5. Mr. Secretary Thomas will no doubt consider whether in the circumstances the Italian Government should be asked to agree that British subjects and protected persons should enjoy in the ceded territory, or at any rate in that portion thereof which formerly belonged to Zanzibar, the privileges stipulated for in the agreement of 1905.

I am,

Sir,

Your obedient Servant,

C. Howard Smith

and that all subjects of His Britannic Majesty and other British protected persons and all subjects of the Sultan of Zanzibar shall continue to enjoy in the towns, ports and territory in question all the privileges and advantages with respect to commerce and shipping which are or may be accorded to the subjects of the most favoured nation.

4. Mr. Ramsay MacDonald does not feel that an agreement in respect of the Benadir Coast can be regarded as applicable to Italian Somaliland as a whole, and in the circumstances he feels considerable doubt whether it could be contended that subjects of the Sultan of Zanzibar are entitled to enjoy in the Jubaland territory now transferred the rights and privileges conferred on them in the Benadir Coast by the agreement of 1905.

5. Mr. Secretary Thomas will no doubt consider whether in the circumstances the Italian Government should be asked to agree that British subjects and protected persons should enjoy in the ceded territory, or at any rate in that portion thereof which formerly belonged to Zanzibar, the privileges stipulated for in the agreement of 1905.

I am,

Sir,

Your obedient Servant,

C. Howard

70. / 36314 K.

Invitation

Sir 1 August 1944

DRAFT.

U.S. of S.

Foreign Office

MINUTE.

I am in touch the
 subject of your letter,
 C. 10084/8284/22,
 of the 30th of July regarding
 article 8 of the Subland
 Convention
 2. I am to request you
 to inform the Secretary
 Ramsay MacDonald
 that in the course of
 the discussions a
 part of the agreement

Mr. Robertson

31/7/44

Mr.

Mr. C. Davis.

Mr. J. Grandle

Mr. H. Read 3/

Mr. J. Masterman Smith

Lord Arnold.

Mr. Thomas.

at once
7 x 2 x 1

Copy for Conf

of January 13^a 1905
was shown to the Italian
delegates by the representative
of the F.O. as indicating the
nature of the rights which
under article 8 would be
accorded to British subjects,
and British protected
persons, ^{including} ~~including~~ subjects
of the Sultan of Zanzibar, and
it was felt that they
were no objection.

3. In the circumstances, Thomas,
desires no reason to doubt that,
if the Italian Govt. are
approached in the sense
suggested in the last para:
of your letter, they will

of January 13th 1905

was shown to the Italian

Experts by the representative

of the F.O. as indicating the

nature of the rights which

under article 8 would be

secured to British subjects.

and British protected

persons, ^{including} ~~including~~ subjects

of the Sultan of Zanzibar, and

it was felt that they

would be objection.

3. In the circumstances

there is no reason to doubt that

if the Italian Government

approached in the sense

suggested in the last para.

of your letter, they will

readily agree, and he

sees no reason to limit

the abolition of the

privileges in question

to that part of the territory

to be transferred which has

DRAFT.

MINUTE.

It is suggested that

of the dominions of the

Sultan of Zanzibar.

It might be well to

point out to the Italian

Govt. that, as the

question has arisen, it

will be necessary to

satisfy Parliament

that the provisions of

Mr.

Mr.

Mr.

Mr. Davis.

Mr. G. Grindley.

Mr. H. Head.

Mr. J. Masterton Smith.

Mr. Arnold.

Mr. Thomas.