

N° 3136.

**GRANDE-BRETAGNE
ET IRLANDE DU NORD
ET ITALIE**

Echange de notes comportant un accord relatif au contrôle du commerce illicite de l'ivoire et des cornes de rhinocéros à travers les frontières de la colonie de Kenya et de la Somalie italienne. Rome, le 26 novembre 1932.

**GREAT BRITAIN
AND NORTHERN IRELAND
AND ITALY**

Exchange of Notes constituting an Agreement for the Control of Illicit Traffic in Ivory and Rhinoceros Horn across the Frontiers of Kenya Colony and Italian Somaliland. Rome, November 26, 1932.

No. 3136. — EXCHANGE OF NOTES¹ BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE ITALIAN GOVERNMENT CONSTITUTING AN AGREEMENT FOR THE CONTROL OF ILLICIT TRAFFIC IN IVORY AND RHINOCEROS HORN ACROSS THE FRONTIERS OF KENYA COLONY AND ITALIAN SOMALILAND. ROME, NOVEMBER 26, 1932.

Nº 3136. — SCAMBIO DI NOTE TRA IL GOVERNO DI SUA MAESTÀ BRITANNICA NEL REGNO UNITO E IL GOVERNO D'ITALIA PORTANTE ACCORDO RELATIVAMENTE AL CONTROLLO DEL COMMERCIO ILLECITO DELL' AVORIO E DEL CORNO DI RINOCERONTE ATTRAVERSO LE FRONTIERE DELLA COLONIA DEL KENYA E DELLA SOMALIA ITALIANA. ROMA, IL 2 NOVEMBRE 1932.

Textes officiels anglais et italien communiqués par le secrétaire d'État aux Affaires étrangères de Sa Majesté en Grande-Bretagne et le ministre des Affaires étrangères d'Italie. L'enregistrement de cet échange de notes a eu lieu le 1^{er} février 1933.

English and Italian official texts communicated by His Majesty's Secretary of State for Foreign Affairs in Great Britain and the Italian Minister for Foreign Affairs. The registration of this Exchange of Notes took place February 1st, 1933.

I.

BRITISH EMBASSY.
(27/55/32).

ROME, 26th November 1932.

YOUR EXCELLENCY,

His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland have received the English text of the report of the representatives of the Governments of Kenya Colony and Italian Somaliland regarding the control of illicit traffic in ivory and rhinoceros horn across their respective frontiers, and they approve the recommendations contained therein. In accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs I have accordingly the honour to propose to Your Excellency that the following provisions, based on the said recommendations, be regarded as constituting a definite agreement between His Majesty's Government in the United Kingdom and the Royal Italian Government :

(1) The importation of ivory and rhinoceros horn into the territories of Kenya Colony and Italian Somaliland shall be permitted only through specified ports of

¹ Entré en vigueur le 1^{er} février 1933.

¹ Came into force February 1, 1933.

entry. The Government of each territory shall furnish the Government of the other territory with a list of such specified ports of entry.

(2) The importation or exportation of ivory and rhinoceros horn from one territory to the other shall be permitted only if the ivory and rhinoceros horn is accompanied by certificates of legal possession, or the requisite customs documents, issued by competent authorities in the country of origin. The Government of each territory shall furnish the Government of the other territory with a list of the persons competent to issue such documents and with samples of the forms of such documents authorised.

(3) Any ivory and rhinoceros horn introduced from one territory into the other otherwise than through a specified port of entry or unaccompanied by the requisite documents as outlined above shall be confiscated. The person or persons effecting or attempting to effect such introduction shall be prosecuted according to law.

(4) The Government of each territory shall instruct all its officials who may be concerned with the proper observance of these laws to exercise every possible care to discover the actual country of origin of all ivory and rhinoceros horn so as to ensure the immediate detention of all cases of illicit introduction.

(5) Ivory and rhinoceros horn introduced into Italian Somaliland from Ethiopia shall be supplied with a certificate of origin issued by the Italian authorities at the frontier at the time of its importation and shall be treated thereafter as though its country of origin were Italian Somaliland. In the event of the Ethiopian Government agreeing to adopt a procedure with regard to the movement of ivory and rhinoceros horn across international frontiers similar to that outlined in the above provisions, this paragraph shall be modified accordingly.

(6) The Italian Consulate at Nairobi shall be requested to act as intermediary for the interchange of confidential information with regard to the illicit movement of ivory and rhinoceros horn and of correspondence, confidential or otherwise, on cognate matters between the Game Warden of Kenya and the Italian authorities in Italian Somaliland.

2. If the Royal Italian Government agree to this proposal, I have the honour to suggest that the present note and Your Excellency's reply in similar terms be regarded as placing on record the agreement between the two Governments in this matter, which shall come into force on February 1st, 1933.

I avail myself of this opportunity to convey to Your Excellency the expression of my highest consideration.

R. GRAHAM.

His Excellency
Benito Mussolini,
etc., etc., etc.
Ministry of Foreign Affairs.

Per copia conforme :

Il Ministro degli Affari esteri :
Suvich.

TEXTE ITALIEN. — ITALIAN TEXT.

¹ TRADUCTION. — TRANSLATION.

II.

II.

MINISTERO
DEGLI AFFARI ESTERI.
Affari Politici III.
N° 235166/186.

MINISTRY
OF FOREIGN AFFAIRS.
Aff. Pol. III.
No. 235166/186.

ROMA, *il 26 Novembre* 1932-Anno XI.ROME, *November 26th*, 1932-Year XI.

SIGNOR AMBASCIATORE,

YOUR EXCELLENCY,

Ho l'onore di segnare ricevuta della Nota di V. E. in data odierna n. 371 la quale tradotta in italiano, è del seguente tenore :

I have the honour to acknowledge receipt of your note No. 371 of to-day's date, of which the following is the Italian translation :

« Il Governo del Regno Unito della Gran Bretagna ed Irlanda del Nord ha ricevuto il testo inglese del rapporto compilato dai rappresentanti del Governo della Somalia Italiana e della Colonia del Kenya, concernente il controllo dell'illecito commercio dell'avorio e del corno di rinoceronte attraverso le loro rispettive frontiere, e approva le raccomandazioni in esso contenute. Secondo le istruzioni ricevute dal Segretario di Stato per gli Affari Esteri, ho quindi l'onore di proporre all'E. V. che le seguenti disposizioni, basate sulle raccomandazioni suddette, siano considerate come costituenti un accordo definitivo fra il Governo del Regno Unito e il Governo italiano :

“ His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland have received the English text of the report of the representatives of the Governments of Kenya Colony and Italian Somaliland regarding the control of illicit traffic in ivory and rhinoceros horn across their respective frontiers, and they approve the recommendations contained therein. In accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs I have accordingly the honour to propose to Your Excellency that the following provisions, based on the said recommendations, be regarded as constituting a definite agreement between His Majesty's Government in the United Kingdom and the Royal Italian Government :

1) L'importazione dell'avorio e del corno di rinoceronte nei territori del Kenya e della Somalia Italiana sarà permessa soltanto attraverso determinati luoghi di entrata. Il Governo di ogni Colonia fornirà al Governo dell'altra l'elenco di tali determinati luoghi.

(1) The importation of ivory and rhinoceros horn into the territories of Kenya Colony and Italian Somaliland shall be permitted only through specified ports of entry. The Government of each territory shall furnish the Government of the other territory with a list of such specified ports of entry.

2) L'importazione e l'esportazione dell'avorio e del corno di rinoceronte da una Colonia all'altra sarà permessa soltanto se l'avorio od il corno di rinoceronte, è accompagnato da certificati di possesso legale o dai prescritti documenti doganali rilasciati dalle competenti autorità del luogo di provenienza. Il Governo di ogni Colonia fornirà al Governo del-

(2) The importation or exportation of ivory and rhinoceros horn from one territory to the other shall be permitted only if the ivory and rhinoceros horn is accompanied by certificates of legal possession, or the requisite customs documents, issued by competent authorities in the country of origin. The Government of each territory shall furnish the Govern-

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.

l'altra la lista delle persone competenti a rilasciare tali documenti, e i campioni dei moduli dei documenti adottati.

3) L'avorio ed il corno di rinoceronte importato da una Colonia nell'altra, senza passare per uno dei luoghi di entrata determinati, o non accompagnato dai prescritti documenti di cui sopra, sarà confiscato. La persona o le persone che effettuino o tentino di effettuare tale importazione saranno perseguite a norma di legge.

4) Il Governo di ogni Colonia darà istruzioni a tutti i propri funzionari, incaricati dell'osservanza esatta di queste norme, di esercitare ogni possibile diligenza per accertare l'effettivo luogo di provenienza di tutto l'avorio e corno di rinoceronte, in modo da assicurare la scoperta immediata di ogni caso di illecita importazione.

5) L'avorio ed il corno di rinoceronte importato dall'Etiopia nella Somalia Italiana sarà fornito di un certificato di origine rilasciato dall'Autorità italiana di confine all'atto dell'importazione, e sarà quindi considerato come di provenienza dalla Somalia italiana.

Nel caso che il Governo Etiopico consentisse ad adottare per il traffico dell'avorio e del corno di rinoceronte, attraverso le frontiere internazionali, una procedura analoga a quella prevista nei precedenti articoli, questo paragrafo verrà modificato in conformità.

6) Il Regio Consolato Italiano in Nairobi sarà richiesto di fungere da intermediario, per lo scambio di informazioni confidenziali circa l'illecito traffico dell'avorio e del corno di rinoceronte, e della corrispondenza confidenziale o comunque connessa con l'argomento, fra il Capo del Dipartimento della Caccia a del Kenya e le Autorità italiane della Somalia. »

Con la presente nota ho l'onore d'informare V. E. che il Regio Ministero degli Affari Esteri concorda nella proposta formulata dal Governo del Regno Unito, nel senso che le disposizioni di cui sopra siano considerate come costituenti un regolare accordo fra il Governo Italiano e

ment of the other territory with a list of the persons competent to issue such documents and with samples of the forms of such documents authorised.

(3) Any ivory and rhinoceros horn introduced from one territory into the other otherwise than through a specified port of entry or unaccompanied by the requisite documents as outlined above shall be confiscated. The person or persons effecting or attempting to effect such introduction shall be prosecuted according to law.

(4) The Government of each territory shall instruct all its officials who may be concerned with the proper observance of these laws to exercise every possible care to discover the actual country of origin of all ivory and rhinoceros horn so as to ensure the immediate detention of all cases of illicit introduction.

(5) Ivory and rhinoceros horn introduced into Italian Somaliland from Ethiopia shall be supplied with a certificate of origin issued by the Italian authorities at the frontier at the time of its importation and shall be treated thereafter as though its country of origin were Italian Somaliland.

In the event of the Ethiopian Government agreeing to adopt a procedure with regard to the movement of ivory and rhinoceros horn across international frontiers similar to that outlined in the above provisions, this paragraph shall be modified accordingly.

(6) The Italian Consulate at Nairobi shall be requested to act as intermediary for the interchange of confidential information with regard to the illicit movement of ivory and rhinoceros horn and of correspondence, confidential or otherwise, on cognate matters between the Game Warden of Kenya and the Italian authorities in Italian Somaliland. »

I have the honour to inform you by the present note that the Royal Ministry of Foreign Affairs accepts the proposal put forward by the Government of the United Kingdom to the effect that the foregoing provisions be regarded as constituting a definite agreement between

il Governo del Regno Unito. Questa Nota, pertanto, e la Nota di V. E. in data odierna n. 371 alla quale a presente risponde, costituiscono il testo dell'accordo stesso, il quale entrerà in vigore il primo febbraio 1933.

Gradisca, Signor Ambasciatore, i sensi della mia più alta considerazione.

MUSSOLINI.

Sua Eccellenza
Sir Ronald Graham,
Ambasciatore di S. M. Britannica,
Roma.

Per copia conforme :

Il Ministro degli Affari esteri :
Suvich.

the Italian Government and the Government of the United Kingdom. The present note and Your Excellency's note No. 371 of to-day's date, to which the present is a reply, shall therefore constitute the text of the agreement itself, which shall come into force on February 1st, 1933.

I have the honour, etc.

MUSSOLINI.

His Excellency
Sir Ronald Graham,
His Britannic Majesty's Ambassador,
Rome.

¹ TRADUCTION. — TRANSLATION.

N° 3136. — ÉCHANGE DE NOTES ENTRE LE GOUVERNEMENT DE SA MAJESTÉ DANS LE ROYAUME-UNI ET LE GOUVERNEMENT ITALIEN, COMPORTANT UN ACCORD RELATIF AU CONTROLE DU COMMERCE ILLICITE DE L'IVOIRE ET DES CORNES DE RHINOCÉROS A TRAVERS LES FRONTIÈRES DE LA COLONIE DE KENYA ET DE LA SOMALIE ITALIENNE. ROME, LE 26 NOVEMBRE 1932.

I.

AMBASSADE
DE GRANDE-BRETAGNE.

N° 371.
(27/55/32).

MONSIEUR LE MINISTRE,

ROME, le 26 novembre 1932.

Le Gouvernement de Sa Majesté dans le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord a reçu le texte anglais du rapport des représentants des gouvernements de la colonie du Kenya et de la Somalie italienne concernant le contrôle du trafic illicite de l'ivoire et de la corne de rhinocéros à travers les frontières respectives de ces territoires, et il approuve les

¹ Traduit par le Secrétariat de la Société des Nations, à titre d'information.

¹ Translated by the Secretariat of the League of Nations, for information.