

No. 1092

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
ETHIOPIA**

**Exchange of notes constituting an agreement amending the description
of the Kenya-Ethiopia boundary. Addis Ababa, 29 September 1947**

Official text: English.

*Registered by the United Kingdom of Great Britain and Northern Ireland on 20 March
1951.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
ÉTHIOPIE**

**Échange de notes constituant un accord portant modification du tracé
de la frontière entre le Kenya et l'Éthiopie. Addis-Abéba, 29 sep-
tembre 1947**

Texte officiel anglais.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le 20 mars
1951.*

No. 1092. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF ETHIOPIA AMENDING THE DESCRIPTION OF THE KENYA-ETHIOPIA BOUNDARY. ADDIS ABABA, 29 SEPTEMBER 1947

I

Mr. H. L. Farquhar to Blatta Zeoudie Belaineh

BRITISH LEGATION

Addis Ababa, 29th September, 1947

Your Excellency,

In accordance with instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland have considered the *Procès-Verbal* of the Fifth Meeting between Delegations from Ethiopia and Kenya held at Addis Ababa on 14th May, 1947, embodying the agreed recommendations of the two Delegations for the amended description of the boundary between Ethiopia and Kenya as originally described in the Agreement signed at Addis Ababa on 6th December, 1907.²

2. His Majesty's Government in the United Kingdom approve the recommendations of the Delegations which are set forth in the Annex hereto as replacing the description of the boundary line embodied in the said agreement of 1907.

3. His Majesty's Government in the United Kingdom also confirm their acceptance of the following understandings agreed by the Delegations:—

(i) *Malka Murri*.—As stated in the minutes of the fourth meeting of the Delegates on 13th May, the Boundary Commissioners, in making their decision with regard to the demarcation of the boundary at Malka Murri, will take into account the most suitable arrangements for the supply of

¹ Came into force on 29 September 1947, by the exchange of the said notes.

² De Martens, *Nouveau Recueil général de Traités*, troisième série, tome II, p. 832.

water to the Police Posts on both sides, and for the watering of the stock of the tribesmen from both Ethiopian and British territory.

(ii) *El Roba*.—In accordance with the understanding expressed at the meeting of the Delegations on 14th May, El Roba with its well will be in Ethiopia. A police post will be maintained at that point by the Ethiopian Government.

(iii) *Namuruputh*.—In accordance with the assurance given by the Ethiopian Delegation at the meeting of 14th May, the Ethiopian Government will in future maintain law and order among the Gelubba.

(iv) *Grazing and Watering*.—In accordance with the understanding expressed at the meeting of the Delegations on 10th May, the provisions of the 1907 Agreement with regard to grazing and watering shall be abrogated.

(v) *Map*¹.—At the instance of the Ethiopian Delegation the boundary line, as described in the recommendations of the Delegations, was drawn on a map. It is, however, understood (as agreed at the meeting of 14th May) that, in the event of any conflict between the boundary line as drawn on the map and the description of the boundary annexed hereto, the description shall prevail.

4. His Majesty's Government in the United Kingdom propose that the two Governments shall appoint Commissions which shall work together as a joint Commission to demarcate the boundary line as now agreed and that further Notes shall be exchanged as soon as possible with regard to this matter and to the execution of an early aerial survey which shall be made by His Majesty's Government in the United Kingdom of the area along the boundary between Malka Murri and Lake Rudolf, the results of which will be supplied to the Commissioners when completed.

5. I have the honour to request that Your Excellency will inform me whether the Ethiopian Government likewise approve of the recommendations as set forth in the Annex hereto, and confirm their acceptance of the understandings set forth in paragraph 3 and of the proposals in paragraph 4 of this Note. In that event, the present Note and Your Excellency's reply in this sense will be regarded as constituting an agreement between His Majesty's Government in the United Kingdom and the Government of Ethiopia to this effect, and as a consequence, as from the date of Your Excellency's Note the boundary as set forth in the Annex attached hereto shall come into operation and all the provisions of the Agreement signed at Addis Ababa on 6th December, 1907, shall be abrogated. It is, however, understood that there shall be no change in the areas actually administered by either Govern-

¹ See insert between pp. 202 and 203 of this volume.

ment or with regard to grazing and watering, until the completion of the demarcation of the boundary referred to in paragraph 4 above.

I avail, &c.

[L.S.]

H. L. FARQUHAR

ANNEX

PROPOSED KENYA—ETHIOPIA FRONTIER RECOMMENDED BY ETHIOPIAN AND KENYA BOUNDARY DELEGATIONS

From Malka Re along the *thalweg* of the Daua River to a point at Malka Murri to be decided on the spot by the Commissioners in accordance with the details recorded in the minute on the subject written at the meeting of 13th May.

Thence in a straight line to El Mole Tiko, leaving the Hara at El Mole Tiko in Kenya, and the Italian road to the Daua River in Ethiopia.

Thence in a straight line to the summit of G. Burduras so that the Police Post and well at El Roba will be in Ethiopia.

Thence to the summit of G. Gamadda.

Thence to the summit of G. Guf Tika leaving Gagabba in British territory.

Thence to the summit of G. Faiyu.

Thence following the watershed between the Gaddaduma and Adde valleys on the one side, and the valleys of Bor and Dembi on the other, to a point on the hill south of the Hara of Dembi (leaving Gaddaduma and Adde in British territory and Bor and Dembi in Ethiopia).

Thence following the same watershed to the summit of G. Gaiyu.

Thence to the summit of G. Dimbi Dakarra.

Thence to the summit of G. Yabello leaving the wells of Godoma in Ethiopia.

Thence along the valley to the east of the Harbor Police Post.

Thence along the bottom of the valley between the two Moyales to the summit of G. Gaferso.

Thence to the summit of G. Ajali leaving the wells of El Guda in Ethiopia.

Thence to the summit of G. Abo leaving the wells of Waiye in Kenya.

Thence to the summit of G. Somai.

Thence to the summit of G. Uran or to a point near G. Uran so as to leave all the Uran wells in Kenya (but the Golole wells remain in Ethiopia).

Thence to the summit of K. Golja (near Uran).

Thence to the summit of El Dimtu, leaving the wells of Sala, Salole and Dukanle in Ethiopia.

Thence to the summit of G. Furroli.

Thence through the summits of Ulan, Shabel, Dakka Kagalla and Dibban Dibba to the summit of G. Burchuma.

Thence to the summit of G. Afurr.

Thence to the summit of G. El Dima leaving the El Dima wells in Ethiopia.

Thence west along the parallel of approximately $4^{\circ} 27'$ to a point in Lake Rudolf due north of North Island (approximately $36^{\circ} 3'$ longitude) leaving the Kenya Police Posts at Sabarre and Banya (Ilola) in Kenya. Sabarre is approximately longitude $36^{\circ} 47'$.

Thence in a straight line to a point on the Todenyang—Namuruputh road known as Consul's Rock.

Thence along the road to the junction of the Sudan—Kenya boundary, leaving in Ethiopia Namuruputh (together with an adequate area surrounding the Police Post).

II

Blatta Zeoudie Belaineh to Mr. H. L. Farquhar

MINISTRY OF FOREIGN AFFAIRS

Addis Ababa, 29th September, 1947

Excellency,

I have the honour to acknowledge the receipt of your Note of even date, in which you inform me that His Majesty's Government in the United Kingdom have considered the *Procès-Verbal* of the Fifth Meeting between the Delegations of Ethiopia and of Kenya held at Addis Ababa on 14th May, 1947, and approve the recommendations of the Delegations which are set forth in the initialled annex hereto as replacing the description of the boundary line embodied in the Agreement signed at Addis Ababa on 6th December, 1907.

2. I also note that His Majesty's Government in the United Kingdom confirm their acceptance of the following understandings agreed by the Delegations:—

[*See note I, paragraph 3*]

3. And, further, I note that His Majesty's Government in the United Kingdom propose that the two Governments shall appoint Commissions

which shall work together as a joint Commission to demarcate the boundary line as now agreed and that further Notes shall be exchanged as soon as possible with regard to this matter and to the execution of an early aerial survey which shall be made by His Majesty's Government in the United Kingdom of the area along the boundary between Malka Murri and Lake Rudolf, the results of which will be supplied to the Commissioners when completed.

4. I am pleased to inform Your Excellency that the Imperial Ethiopian Government approve the recommendations as set forth in the initialled annex hereto and that they confirm their acceptance of the understandings set forth in paragraph 2 and of the proposals in paragraph 3 herebefore.

5. It is, therefore, understood that the present Exchange of Notes constitutes an agreement between the Imperial Ethiopian Government and His Majesty's Government in the United Kingdom, and as a consequence, from this date the boundary as set forth in the annex attached hereto shall come into operation and all the provisions of the Agreement signed at Addis Ababa on 6th December, 1907, shall be abrogated. It is, however, understood that there shall be no change in the areas actually administered by either Government or with regard to grazing and watering, until the completion of the demarcation of the boundary referred to in paragraph 3 above.

Accept, &c.

[L.S.]

Zeoudie BELAINEH