

No. 1695

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

**Exchange of notes (with annex) constituting an agreement
concerning the disposal of Italian private property in
Eritrea. Rome, 12 February 1952**

Official texts: English and Italian.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
7 April 1952.*

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

**Échange de notes (avec annexe) constituant un accord relatif
aux biens privés italiens en Érythrée. Rome, 12 février
1952**

Textes officiels anglais et italien.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
7 avril 1952.*

No. 1695. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF ITALY CONCERNING THE DISPOSAL OF ITALIAN PRIVATE PROPERTY IN ERITREA. ROME, 12 FEBRUARY 1952

I

Her Majesty's Ambassador at Rome to the Italian Minister for Foreign Affairs

Rome, 12th February, 1952

Your Excellency,

I have the honour to refer to the discussions which have taken place between representatives of the Italian Government and Her Majesty's Government in the United Kingdom, regarding the procedure to be adopted for the disposal of Italian private property in Eritrea in accordance with the Resolution adopted by the General Assembly of the United Nations on 29th January, 1952.² These discussions resulted in an Agreement, subject to the approval of the two Governments, of which the details are contained in the Annex to the present Note.

The terms of this Note and the Annex have been approved by Her Majesty's Government in the United Kingdom, and if they are also acceptable to the Italian Government I would propose that the present Note with its enclosure, together with your Excellency's reply in similar terms, shall constitute an Agreement between our two Governments for the settlement of the procedure for the disposal of Italian private property in Eritrea, which Agreement shall take effect immediately.

I avail, &c.

V. A. L. MALLET

¹ Came into force on 12 February 1952 by the exchange of the said notes.

² United Nations document A/2119.

A N N E X

ARTICLE 1

Procedural Provisions

(1) The property to which this Article relates is all movable and immovable property in Eritrea of Italian nationals and Italian juridical persons which is in official custody.

(2) The Government of the United Kingdom will cause the property to which this Article relates to be released on obtaining an appropriate discharge and indemnity in respect of the taking into custody of the property and in respect of things done or omitted in relation to the property during custody.

(3) The Government of the United Kingdom and the Italian Government will use their good offices to facilitate the settlement of every question arising in connexion with such release.

(4) The property to which this Article relates will be released subject to any tenancies existing at the time of release.

(5) In this Article the expression "Italian juridical person" means any public or private corporation (sole or aggregate), institution or association incorporated, registered or recognised under Italian law which operates or formerly operated in Eritrea.

ARTICLE 2

Special Provisions regarding certain Institutions, Companies and Associations

(1) This Article relates to the following companies, institutions and associations :—

P.N.A.S.—Patronato Nazionale Assistenza Sociale.

S.C.I.—Società Coloniale Italiana.

Ente Romagna d'Etiopia.

S.A.N.E.—Società Anonima Navigazione Eritrea.

R.A.C.I.—Reale Automobile Club d'Italia.

E.C.E.A.—Ente Costruzione ed Esercizio Acquedotti.

E.C.C.E.—Ente Cooperativo di Consumo dell'Eritrea.

I.N.C.I.S.—Istituto Nazionale Case degli Impiegati dello Stato.

A.L.—Ala Littoria S.A.

A.G.I.P.—Azienda Generale Italiana Petroli.

Banca Nazionale del Lavoro.

Banco di Napoli.

C.I.T.A.O.—Compagnia Italiana Trasporti Africa Orientale.

I.N.P.S.—Istituto Nazionale della Previdenza Sociale.

I.N.A.I.L.—Istituto Nazionale per l'Assicurazione contro gli Infortuni su Lavoro.

F.A.M.A.O.—Fondo Assistenza Malattie A.O.

Corriere Eritreo.

Ufficio Eritreo dell'Economia.

S.A.I.C.A.—Società Attività Industriale Commerciale Appalti.

(2) The property to be released of the companies, institutions and associations to which this Article relates will not include cash derived from the Government of the United Kingdom.

(3) The Italian Government will ensure that the appropriate discharge and indemnity referred to in Article 1 (2) of this Agreement will be given at the time of release of the property of the companies, institutions and associations to which this Article relates.

(4) Provided that the appropriate discharge and indemnity is given, the property of the companies, institutions and associations to which this Article relates will be released within three months after the date of this Agreement.

(5) The Government of the United Kingdom will waive all claims of whatsoever nature which it may have against any company, institution or association to which this Article relates at the time its property is released.

(6) As from 29th January, 1952, the Government of the United Kingdom will pay equitable rent in respect of its use and occupation of any property of the companies, institutions or associations to which this Article relates.

II

The Italian Minister for Foreign Affairs to Her Majesty's Ambassador at Rome

[ITALIAN TEXT — TEXTE ITALIEN]

Roma, li 12 Febbraio 1952

Eccellenza,

ho l'onore di accusare ricevuta della Nota di Vostra Eccellenza in data odierna, in cui Ella fa riferimento alle recenti discussioni relative ai beni privati italiani in Eritrea. Tali discussioni hanno portato ad un accordo provvisorio tra rappresentanti italiani-e britannici, i cui termini sono contenuti nell'Allegato alla Sua Nota.

Ho l'onore di informare Vostra Eccellenza che i termini dell'Allegato alla Sua Nota — di cui unisco il testo italiano — sono stati approvati dal Governo italiano il quale concorda con la proposta di Vostra Eccellenza di considerare detta Nota, insieme con la presente risposta, come costituenti un Accordo fra i nostri due Governi, accordo che entra in vigore immediatamente, per la sistemazione dei beni privati italiani in Eritrea, in conformità alla Risoluzione adottata dall'Assemblea Generale delle Nazioni Unite il 29 gennaio 1952.

Mi è gradita l'occasione per rinnovare a Vostra Eccellenza gli atti della mia più alta considerazione.

DE GASPERI

2. Fra i beni che dovranno essere rilasciati, appartenenti alle Compagnie, Istituzioni ed Associazioni cui si riferisce il presente articolo, non saranno incluse le somme di danaro provenienti dal Governo del Regno Unito.

3. Il Governo italiano assicurerà che l'apposita dichiarazione di esonero da responsabilità, indicata nell'art. 1 (2) del presente Accordo, verrà accordata al momento del rilascio dei beni delle Compagnie, Istituzioni ed Associazioni cui si riferisce il presente articolo.

4. Sempre che la apposita dichiarazione di esonero da responsabilità sia accordata, i beni delle Compagnie, Istituzioni ed Associazioni cui si riferisce il presente articolo saranno rilasciati entro tre mesi dalla data del presente Accordo.

5. Il Governo del Regno Unito rinunzierà ad ogni rivendicazione di qualsiasi natura che esso possa vantare al momento in cui i beni sono rilasciati nei confronti delle Compagnie, Istituzioni ed Associazioni cui si riferisce il presente articolo.

6. A decorrere dal 29 gennaio 1952, il Governo del Regno Unito pagherà un equo affitto per l'uso e l'occupazione di qualsiasi bene delle Compagnie, Istituzioni ed Associazioni cui si riferisce il presente articolo.

[TRANSLATION¹ — TRADUCTION²]

Rome, 12th February, 1952

Your Excellency,

I have the honour to acknowledge receipt of your Excellency's Note of to-day's date in which you refer to recent discussions concerning the disposal of Italian private property in Eritrea. These discussions have resulted in a provisional Agreement between British and Italian representatives, the terms of which are contained in the Annex to your Note.

I have the honour to inform your Excellency that the terms of the Annex to your Note, of which I enclose the Italian text, have been approved by the Government of Italy who accept your Excellency's proposal that your Note and the present reply shall be regarded as constituting an Agreement between our two Governments for the disposal of Italian private property in Eritrea, in accordance with the Resolution adopted by the General Assembly of the United Nations on 29th January, 1952, which Agreement shall take effect immediately.

I avail, &c.

DE GASPERI

A N N E X

[As in Annex to note I]

¹ Translation by the Government of the United Kingdom.

² Traduction du Gouvernement du Royaume-Uni.