



Treaty Series No. 1 (1933)

## Exchange of Notes

between His Majesty's Government in the United Kingdom  
and the Italian Government

regarding the control of

## Traffic in Game Trophies

across the

Frontier between Kenya and Italian Somaliland

Rome, November 26, 1932

*Presented by the Secretary of State for Foreign Affairs  
to Parliament by Command of His Majesty*

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EXCHANGE OF NOTES BETWEEN HIS MAJESTY'S GOVERNMENT IN THE UNITED KINGDOM AND THE ITALIAN GOVERNMENT REGARDING THE CONTROL OF TRAFFIC IN GAME TROPHIES ACROSS THE FRONTIER BETWEEN KENYA AND ITALIAN SOMALILAND.

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Rome, November 26, 1932.

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No. 1.

*Sir R. Graham to Signor Mussolini.*

*British Embassy,*

Your Excellency,

*Rome, November 26, 1932.*

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 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 detection 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 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 the 1st February, 1933.

I avail, &c.

R. GRAHAM.

No. 2.

*Signor Mussolini to Sir R. Graham.*

*Ministero degli Affari Esteri,*

Signor Ambasciatore,

*Roma, li 26 Novembre 1932/XI.*

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

“ 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 :

(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.

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

Gradisca, &c.  
MUSSOLINI.

(Translation.)

*Ministry for Foreign Affairs,*

*Rome, November 26, 1932.*

Your Excellency,

I HAVE the honour to acknowledge the receipt of your Excellency's note of to-day's date, the tenor of which translated into Italian is as follows:—

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:—

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(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 detection 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 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.

With the present note I have the honour to inform your Excellency that the Italian Ministry for Foreign Affairs concur in the proposal made by the Government of the United Kingdom, namely, that the provisions set forth above shall be regarded as constituting a regular agreement between the Italian Government and the Government of the United Kingdom. This note, therefore, and your Excellency's note of to-day's date to which this note replied, constitute the text of the said agreement which shall enter into force on the 1st February, 1933.

I have, &c.

MUSSOLINI.