



Treaty Series No. 45 (1968)

Agreement

between the Governments of the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand, India and Pakistan of the one part and the Imperial Ethiopian Government of the other part

respecting the War Cemeteries, Graves and Memorials of the British Commonwealth in Ethiopian Territory

Addis Ababa, 12 April 1967

[The Agreement entered into force on 6 November 1967]

*Presented to Parliament by the Secretary of State for Foreign Affairs
by Command of Her Majesty
June 1968*

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1. የከጋጅዝ የጦር ኃይል አባሎች የጋብባይ ጋብባይ ስፍራዎች አሁን የሚገኙበትን ጋብባይ ለሁሉ ሁሉ ያለአገዳች ከፍ ያለ ከሚሆኑ በነፃ አገዳጅ ለገልበት የኢትዮጵያ ገዢ ነገሥት ጋብባይ ጋብባይ ፡፡ ሆኖም በተባለው ጋብባይ የኢትዮጵያ ገዢ ነገሥት ጋብባይ በሌላ ገንዘብ ገቢ ፡፡—

2. በኢትዮጵያ ጋብባይ በሕዝብ ወይም በገል በሌላ ገንዘብ ጋብባይ ጋብባይ ስፍራዎች የከጋጅዝ የጦር ኃይል አባሎች የጋብባይ ጋብባይ ስፍራዎች ከሚሆኑ ያለአገዳች ከፍ ያለ ሊጠቀሙት የሚችሉው ዘዴ በስ ምዕት ጉዳዩ በሚመለከታቸው የኢትዮጵያ ባለሥልጣናትና በከሚሆኑ ጋብባይ ይወሰናል ፡፡—

የኢትዮጵያ ገዢ ነገሥት ጋብባይ በዚህ በከሚሆኑ አድገታ የጠየቀ አገሪቱን ጋብባይ ሆኖ አስፈላጊውን ለጋብባይ ተስማሚ ፡፡—

1. ከሚሆኑ የከጋጅዝ የጦር ኃይል አባሎች የጋብባይ ጋብባይ ስፍራዎችን ለጋብባይ ፡፡ አጠቃላይ ጋብባይ አሠራራቸውን ከሚሆኑ በሚፈቀደው ገለገ ጋብባይ ለጋብባይ ፡፡ ስራዎችንም ሆነ ሌሎች ሕገጋዎች በቀጥታ ገቢ ለጋብባይ ፡፡ ዘፍኛና አበባችን ለጋብባይ ፡፡ የወህ በገቢ ለጋብባይ ጋብባይ ስፍራዎችን ጋብባይ ፡፡ የወሰኑ ተጠቃሪ ጋብባይ ለጋብባይ ጋብባይ ስፍራዎች አስተዳደር ከተከረይ አገርቶ ዘጋ ሆነ በው ኃላፊ አድርጎ ለጋብባይ ጋብባይ ተጠቃሪ ፡፡—

2. ከሚሆኑ በኢትዮጵያ ገዢ በሕዝብ ሆነ በገል በሌላ ገንዘብ ጋብባይ ጋብባይ ስፍራዎች የከጋጅዝ የጦር ኃይል አባሎች የጋብባይ ጋብባይ ስፍራዎች አረገዱ ጉዳዩ በሚመለከታቸው ባለሥልጣናት ስምዕት ጋብባይ ጋብባይ ፡፡ አጠቃላይ ጋብባይ ስምዕት ጋብባይ ጋብባይ ተጠቃሪ ፡፡—

ገብር ወይም ወሰል ከፍገገኝ አዲስ ደገቦች ቢወጡ የኢትዮጵያ ገጠማዊ ነገሥት ግንባር ከሚሸከቡ በዚህ ስምምነት መሠረት ተገባሪን በሚያከናውንበት ጊዜ ሁሉ ከነዚህም ነፃ አገዲህን አጣክኝ ሆኖ በሚቻለው ግንባር አርገታውን ያደርጋል። ሆኖም በከሚሸከቡ ተገባሪው በኢትዮጵያ ኑሃሪ የሆኑ ሠራተኞች በደውዘ በተገ ሄላብ የሚገኙት ከፍገገኝ በገንዘብም ሆነ በሌላ የሚገኙት ተቆም አሁን በሚሠረዙበት የኢትዮጵያ የሥራ ገብር ደገብም ሆነ ወደፊት የሚወጡ ቢኖር በዚያው መሠረት አገዲህነቱ ይደረጋል። ጉዳዩ የሚመለከታቸው የኢትዮጵያ ባለሥልጣናት ከሚሸከቡ ከተጠቀሱት ከፍገገኝ ነፃ የሚሆንበትን የአሠራር ዘዴ ከከሚሸከቡ ጋር ሆነው ያዘጋጃሉ።—

አ ገ ተ ጽ 7

ከሚሸከቡ በዚህ ስምምነት በተሰጠው ሥልጣን መሠረት ተገባሪን በሚያከናውንበት ጊዜ ከተጠቀሱት የተረጎፍ ገብር ከፍገገኝ ነፃ ከመሆኑ በስተቀር በኢትዮጵያ ገዛት የሚሠረዙቸውን ጣናቸውንም ሌላ ሕጎችና ደገቦች የሚከበር ገዳታ አላበት።—

አ ገ ተ ጽ 8

ይህ ስምምነት በወገቢያው የተጠቀሱት አገሮች በሙሉ ከፈረሙበት ጊዜ አገሱን የጸና ይሆናል።—

ለዚህም መስከር ይህን ዘገባ ስጣቸውን ከዚህ በታች የፈረሙት በየ ግንባራቸው የተወከሉት ባለሥልጣናት ይህን ስምምነት በየስጣቸው አገገር በተመለከተው ተገ ፈርመውባቸዋል።—

ስምምነቱ በአዲስ አበባ ከተማ በአገሩ ቅጂ አክል ተተባብሮ በሌሎች በአገገላላጭና በአጣሮኛ ተዘጋጀ። ይህም የናው ቅጂ በኢትዮጵያ ገጠማዊ ነገሥት ግንባር የና ቤተ መዘገብ ተገጣጭ ሆኖ በዚህ ግንባር አጣክፀት ለሌሎች ፈረሚ አገሮች ተከስሎቻቸው የተረጋገጠ ቅጂዎች አገዲህነታቸው ይደረጋል።

ሰላ ታላቋ ለብሪታንያና ሰሜን አፍሪካ ጉዳይ = ገገሥት

T. E. BROMLEY
12th April 1967

ሰላ ከናፋ = ገገሥት

MICHEL GAUVIN
12th April 1967

ሰላ አወሳኝ ጉዳይና ከግንባታ = ገገሥት

W. R. CROCKER
18.V.67

ሰላ ኒውሪንግ = ገገሥት

T. E. BROMLEY
12th April 1967

ሰላ ሕገ-ፍጥረት = ገገሥት

K. L. MEHTA
12 April 1967

ሰላ ፓኪስታን = ገገሥት

S. R. KHAIRI
November 6th, 1967

ሰላ ኢትዮጵያ ገገሥት = ገገሥት

ATO KITEMA YIFRU
26/2/60

**AGREEMENT,
BETWEEN THE GOVERNMENTS OF THE UNITED KINGDOM
OF GREAT BRITAIN AND NORTHERN IRELAND, CANADA,
AUSTRALIA, NEW ZEALAND, INDIA AND PAKISTAN OF THE
ONE PART AND THE IMPERIAL ETHIOPIAN GOVERNMENT
OF THE OTHER PART, RESPECTING THE WAR CEMETERIES,
GRAVES AND MEMORIALS OF THE BRITISH COMMONWEALTH
IN ETHIOPIAN TERRITORY**

The Governments of the United Kingdom of Great Britain and Northern Ireland, Canada, Australia, New Zealand, India and Pakistan (being countries whose Governments participate in the work of the Commonwealth War Graves Commission and which are hereinafter referred to as "the participating countries"), and the Imperial Ethiopian Government,

Animated by a common desire that the places of burial in Ethiopian territory of members of the Armed Forces of the Commonwealth Countries who have fallen in the War of 1939-1945 (hereinafter referred to as "the Commonwealth War Cemeteries" or "Commonwealth War Graves" as the case may be) should be protected from risk of disturbance and assured of respect and care,

Have decided to conclude an Agreement for this purpose and have accordingly agreed as follows:

ARTICLE 1

The Commonwealth War Graves Commission (hereinafter referred to as "the Commission") incorporated by Royal Charter dated the 21st day of May 1917 is recognised by the Imperial Ethiopian Government as the sole authority charged on behalf of the participating countries with the duties of laying out, constructing and maintaining Commonwealth War Cemeteries and Graves. The Imperial Ethiopian Government recognise the right of the Commission to perform all acts necessary to enable it to fulfil its duties and functions in Ethiopian territory and to settle with the Ethiopian Authorities all questions concerning the Commonwealth War Cemeteries and Graves.

ARTICLE 2

(1) The free use of the areas of land on which the Commonwealth War Cemeteries are presently located shall be granted to the Commission by the Imperial Ethiopian Government free of cost and in perpetuity. It is understood that the said land shall remain the property of the Imperial Ethiopian Government.

(2) Arrangements for the free use by the Commission of land forming the sites of Commonwealth War Graves in publicly or privately owned Cemeteries in Ethiopian territory shall be settled by agreement between the

competent Ethiopian Authorities and the Commission. The Imperial Ethiopian Government undertake to use their good offices for this purpose if requested by the Commission.

ARTICLE 3

(1) The Commission is authorised to enclose the Commonwealth War Cemeteries, to lay them out and construct them according to a scheme approved by the Commission, to erect in them sepulchral monuments or other structures, to make plantations in them, to construct and maintain water installations, to enact regulations governing visits to and the internal control of such Cemeteries and to select persons who may be nationals of the participating countries to take charge of such cemeteries.

(2) The Commission is further authorised to provide for the laying out and maintenance of Commonwealth War Graves in publicly or privately owned Cemeteries in Ethiopian territory in agreement with the competent authorities.

(3) The Imperial Ethiopian Government shall use their best endeavours to prevent land in the vicinity of a Commonwealth War Cemetery being put to uses inconsistent with the peace, seclusion and dignity of the Cemetery.

ARTICLE 4

Exhumation of bodies from the Commonwealth War Cemeteries or Graves, unless undertaken or authorised by the Commission and the Imperial Ethiopian Government, shall not be permitted. The Imperial Ethiopian Government undertake to instruct the competent Ethiopian Authorities to refuse all applications for permission to effect such exhumations or removals of bodies unless made by the Commission.

ARTICLE 5

Any proposal for the erection in Ethiopian territory of a monument designed to commemorate a feat of arms of the Armed Forces of the participating countries or of any unit of those forces shall be communicated to the Imperial Ethiopian Government by the Commission for their concurrence. Should such a proposal reach the Imperial Ethiopian Government by any other channel, the Imperial Ethiopian Government shall refer it to the Commission for consideration and shall consider in agreement with the Commission what action is to be taken thereon.

The sites of any memorials shall be subject to the prior approval of the Imperial Ethiopian Government.

ARTICLE 6

The Imperial Ethiopian Government shall exempt the Commission from all present taxes, dues or other State or local charges or impositions of whatsoever nature with which the Commission might otherwise be chargeable by reason of the carrying out of its official functions in accordance with the present Agreement. The Imperial Ethiopian Government shall at the request of the Commission use their good offices in order to exempt the Commission from all future taxes, dues, charges or impositions of whatsoever nature

with which the Commission might otherwise be chargeable by reason of the carrying out of its official functions in accordance with the present Agreement. However, salaries, wages and all other remunerations in cash or benefits in kind received by persons normally resident in Ethiopia and employed by the Commission shall be liable to pay income tax thereon in accordance with Ethiopian Income Tax laws in force or which may hereinafter be in force. The competent Ethiopian Authorities shall arrange with the Commission the procedure for applying the foregoing exemption.

ARTICLE 7

In exercising the rights conferred by the present Agreement, the Commission shall conform to the laws and regulations in force in Ethiopian territory except in so far as the Commission is exempted therefrom by the provisions of the present Agreement.

ARTICLE 8

This Agreement shall come into force on the date on which all the Governments named in the preamble shall have signed it.⁽¹⁾

(1) The Agreement entered into force on 6 November, 1967.

IN WITNESS WHEREOF the undersigned, duly authorised by their respective Governments, have signed the present Agreement on the dates appearing opposite their signatures.

DONE at Addis Ababa, in English and in Amharic, both texts being equally authoritative, in a single copy, which shall be deposited in the archives of the Imperial Ethiopian Government by whom certified copies shall be sent to the other signatory Governments.

For the Government of the United Kingdom and Northern Ireland

T. E. BROMLEY

12th April 1967

For the Government of Canada

MICHEL GAUVIN

12 April 1967

For the Government of the Commonwealth of Australia

W. R. CROCKER

18.V.67

For the Government of New Zealand

T. E. BROMLEY

12th April 1967

For the Government of the Republic of India,

K. L. MEHTA

12 April 1967

For the Government of Pakistan

S. R. KHAIRI

November 6th, 1967

For the Imperial Ethiopian Government

ATO KITEMA YIFRU

26/2/60⁽²⁾

⁽²⁾ This date is reckoned according to the Gregorian calendar and is equivalent to 6 November 1967.

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