

Die in Art. 18 des Haager Abkommens enthaltene *clausula si omnes* ist der Genfer Konvention entsprechend im Entwurf (Art. 25) nicht aufrechterhalten, so daß das Haager Abkommen nach der Revision in Kriegszeiten auch dann zwischen den Vertragspartnern verbindlich ist, wenn einer der Kriegführenden nicht am Abkommen beteiligt ist.

Mosler.

## Völkerrechtliche Urkunden.

### Die Abmachungen von Rom zwischen Großbritannien, Italien und Aegypten, vom 16. April 1938<sup>1)</sup>.

#### I. — Protokoll mit Annexen zwischen Großbritannien und Italien.

##### PROTOCOL.

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Italian Government, animated by the desire to place the relations between the two countries on a solid and lasting basis and to contribute to the general cause of peace and security, have decided to undertake conversations in order to reach agreement on questions of mutual concern;

and the said conversations having taken place;

His Excellency the Right Honourable the EARL OF PERTH, G.C.M.G., C.B., His Majesty's Ambassador Extraordinary and Plenipotentiary at Rome, and

His Excellency Count GALEAZZO CIANO di CORTELAZZO, Minister for Foreign Affairs,

duly authorised for that purpose by their respective Governments, have drawn up the present Protocol and have signed the Agreements and Declarations annexed hereto, each of which shall be regarded as a separate and self-contained instrument:—

- (1) Reaffirmation of the Declaration of the 2nd January, 1937, regarding the Mediterranean, and of the Notes exchanged on the 31st December, 1936;
- (2) Agreement regarding the Exchange of Military Information;
- (3) Agreement regarding certain Areas in the Middle East;
- (4) Declaration regarding Propaganda;
- (5) Declaration regarding Lake Tsana;
- (6) Declaration regarding the Military Duties of Natives of Italian East Africa;
- (7) Declaration regarding the free Exercise of Religion and the Treatment of British religious Bodies in Italian East Africa;
- (8) Declaration regarding the Suez Canal.

The said instruments shall take effect on such date as the two Governments shall together determine. Except in so far as any of them contain provisions with regard to their revision or duration, each of the said instruments shall remain in force indefinitely, but should either Government at

<sup>1)</sup> Treaty Series 1938 No. 31.

any time consider that a change of circumstances renders the revision of any of these instruments necessary, the two Governments will consult together with a view to such a revision.

The two Governments agree that, immediately after the taking effect of the said instruments, negotiations will be opened, in which the Egyptian Government will be invited to participate so far as all questions affecting Egypt or the Anglo-Egyptian Sudan are concerned, with a view to a definitive agreement on the boundaries between the Sudan, Kenya and British Somaliland on the one side and Italian East Africa on the other; and with regard to other questions affecting reciprocally (a) Italian interests on the one hand and British, Egyptian or Sudan interests on the other hand in the above-mentioned territories, and (b) the relations between those territories. These negotiations will also include the question of commercial relations between the Sudan and Italian East Africa.

It is also agreed that negotiations between the Government of the United Kingdom and the Italian Government will take place as soon as possible on the subject of commercial relations between Italian East Africa and the United Kingdom, India, and British colonies, overseas territories, protectorates and mandated territories administered by the Government of the United Kingdom, including the subject of the application, on conditions to be established, to the whole of Italian East Africa of the Treaty of Commerce and Navigation signed at Rome on the 15th June, 1883. These negotiations will be inspired by the common desire to further commercial relations between these territories and to ensure adequate facilities for trade.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

#### ANNEX I.

#### REAFFIRMATION OF THE DECLARATION OF JANUARY 2, 1937, REGARDING THE MEDITERRANEAN, AND OF THE NOTES EXCHANGED ON DECEMBER 31, 1936.

THE Government of the United Kingdom and the Italian Government hereby reaffirm the Declaration signed in Rome on the 2nd January, 1937,<sup>1)</sup> regarding the Mediterranean, and the Notes exchanged between the two Governments on the 31st December, 1936<sup>1)</sup>, regarding the *status quo* in the Western Mediterranean.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

#### ANNEX 2.

#### AGREEMENT REGARDING THE EXCHANGE OF MILITARY INFORMATION.

THE Government of the United Kingdom and the Italian Government agree that in the month of January each year a reciprocal exchange of information shall take place through the Naval, Military and Air Attachés in

<sup>1)</sup> Cmd. 5348; s. diese Zeitschr. Bd. VII. S. 130.

London and Rome regarding any major prospective administrative movements or redistribution of their respective naval, military and air forces. This exchange of information will take place in respect of such forces stationed in or based on—

- (1) overseas possessions of either Party (which phrase shall for this purpose be deemed to include protectorates and mandated territories) in or with a seaboard on the Mediterranean, the Red Sea or the Gulf of Aden, and
- (2) territories in Africa other than those referred to in paragraph (1) above and lying in an area bounded on the west by longitude 20° east and on the south by latitude 7° south.

Such an exchange of information will not necessarily preclude the occasional communication of supplementary military information should either party consider that the political circumstances of the moment make it desirable.

The two Governments further agree to notify each other in advance of any decision to provide new naval or air bases in the Mediterranean east of longitude 19° east and in the Red Sea or approaches thereto.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

ANNEX 3.

ANGLO-ITALIAN AGREEMENT REGARDING CERTAIN  
AREAS IN THE MIDDLE EAST.

THE Government of the United Kingdom of Great Britain and Northern Ireland and the Italian Government,

being desirous of ensuring that there shall be no conflict between their respective policies in regard to the areas in the Middle East referred to in the present agreement,

being desirous, moreover, that the same friendly spirit which has attended the signing of to-day's Protocol, and of the documents annexed thereto, should also animate their relations in regard to those areas,

have agreed as follows :—

ARTICLE 1.

Neither Party will conclude any agreement or take any action which might in any way impair the independence or integrity of Saudi Arabia or of the Yemen.

ARTICLE 2.

Neither Party will obtain or seek to obtain a privileged position of a political character in any territory which at present belongs to Saudi Arabia or to the Yemen or in any territory which either of those States may hereafter acquire.

ARTICLE 3.

The two Parties recognise that, in addition to the obligations incumbent on each of them in virtue of Articles 1 and 2 hereof, it is in the common interest of both of them that no other Power should acquire or seek to acquire sovereignty or any privileged position of a political character in any territory which at present belongs to Saudi Arabia or to the Yemen or which either of

those States may hereafter acquire, including any islands in the Red Sea belonging to either of those States, or in any other islands in the Red Sea to which Turkey renounced her rights by Article 16 of the Treaty of Peace signed at Lausanne on the 24th July, 1923. In particular they regard it as an essential interest of each of them that no other Power should acquire sovereignty or any privileged position on any part of the coast of the Red Sea which at present belongs to Saudi Arabia or to the Yemen or in any of the aforesaid islands.

## ARTICLE 4.

(1) As regards those islands in the Red Sea to which Turkey renounced her rights by Article 16 of the Treaty of Peace signed at Lausanne on the 24th July, 1923, and which are not comprised in the territory of Saudi Arabia or of the Yemen, neither Party will, in or in regard to any such island :—

- (a) establish its sovereignty, or
- (b) erect fortifications or defences.

(2) It is agreed that neither Party will object to :—

- (a) the presence of British officials at Kamaran for the purpose of securing the sanitary service of the pilgrimage to Mecca in accordance with the provisions of the Agreement concluded at Paris on the 19th June, 1926, between the Governments of Great Britain and Northern Ireland and of India on the one part, and the Government of the Netherlands, on the other part; it is also understood that the Italian Government may appoint an Italian Medical Officer to be stationed there on the same conditions as the Netherlands Medical Officer under the said Agreement;
- (b) the presence of Italian officials at Great Hanish, Little Hanish and Jebel Zukur for the purpose of protecting the fishermen who resort to those islands;
- (c) the presence at Abu Ail, Centre Peak and Jebel Teir of such persons as are required for the maintenance of the lights on those islands.

## ARTICLE 5.

(1) The two Parties agree that it is in the common interest of both of them that there shall be peace between Saudi Arabia and the Yemen and within the territories of those States. But, while they will at all times exert their good offices in the cause of peace, they will not intervene in any conflict which, despite their good offices, may break out between or within those States.

(2) The two Parties also recognise that it is in the common interest of both of them that no other Power should intervene in any such conflict.

## ARTICLE 6.

As regards the zone of Arabia lying to the east and south of the present boundaries of Saudi Arabia and of the Yemen or of any future boundaries which may be established by agreement between the Government of the United Kingdom, on the one hand, and the Governments of Saudi Arabia or of the Yemen, on the other:

(1) The Government of the United Kingdom declare that in the territories of the Arab rulers under their protection within this zone:

- (a) no action shall be taken by the Government of the United Kingdom, which shall be such as to prejudice in any way the independence

or integrity of Saudi Arabia or of the Yemen (which both Parties have undertaken to respect in Article 1 hereof), within any territory at present belonging to those States or within any additional territory which may be recognised by the Government of the United Kingdom as belonging to either of those States as a result of any agreement which may hereafter be concluded between the Government of the United Kingdom and the Government of either of them;

- (b) the Government of the United Kingdom will not undertake, or cause to be undertaken, any military preparations or works other than military preparations or works of a purely defensive character for the defence of the said territories or of the communications between different parts of the British Empire. Furthermore, the Government of the United Kingdom will not enrol the inhabitants of any of these territories, or cause them to be enrolled, in any military forces other than forces designed and suited solely for the preservation of order and for local defence;
- (c) while the Government of the United Kingdom reserve the liberty to take in these territories such steps as may be necessary for the preservation of order and the development of the country, they intend to maintain the autonomy of the Arab rulers under their protection.
- (2) The Italian Government declare that they will not seek to acquire any political influence in this zone.

#### ARTICLE 7.

The Government of the United Kingdom declare that within the limits of the Aden Protectorate as defined in the Aden Protectorate Order, 1937, Italian citizens and subjects (including Italian companies) shall have liberty to come, with their ships and goods, to all places and ports, and they shall have freedom of entry, travel and residence and the right to exercise there any description of business, profession, occupation or industry, so long as they satisfy and observe the conditions and regulations from time to time applicable in the Protectorate to the citizens and subjects and ships of any country not being a territory under the sovereignty, suzerainty, protection or mandate of His Majesty The King of Great Britain, Ireland and the British Dominions beyond the Seas, Emperor of India.

#### ARTICLE 8.

(1) Should either Party at any time give notice to the other that they consider that a change has taken place on the circumstances obtaining at the time of the entry into force of the present Agreement, such as to necessitate a modification of the provisions of the Agreement, the two Parties will enter into negotiations with a view to the revision or amendment of any of the provisions of the Agreement.

(2) At any time after the expiration of a period of ten years from the entry into force of this Agreement either party may notify the other of its intention to determine the Agreement. Any such notification shall take effect three months after the date on which it is made.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

## ANNEX 4.

## DECLARATION REGARDING PROPAGANDA.

The two Governments welcome the opportunity afforded by the present occasion to place on record their agreement that any attempt by either of them to employ the methods of publicity or propaganda at its disposal in order to injure the interests of the other would be inconsistent with the good relations which it is the object of the present Agreement to establish and maintain between the two Governments and the peoples of their respective countries.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

## ANNEX 5.

## DECLARATION REGARDING LAKE TSANA.

THE Italian Government confirm to the Government of the United Kingdom the assurance given by them to the Government of the United Kingdom on the 3rd April, 1936, and reiterated by the Italian Minister for Foreign Affairs to His Majesty's Ambassador at Rome on the 31st December, 1936, to the effect that the Italian Government were fully conscious of their obligations towards the Government of the United Kingdom in the matter of Lake Tsana and had no intention whatever of overlooking or repudiating them.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

## ANNEX 6.

DECLARATION REGARDING THE MILITARY DUTIES OF  
NATIVES OF ITALIAN EAST AFRICA.

THE Italian Government reaffirm the assurance which they gave in their Note to the League of Nations of the 29th June, 1936, that Italy on her side was willing to accept the principle that natives of Italian East Africa should not be compelled to undertake military duties other than local policing and territorial defence.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

## ANNEX 7.

DECLARATION REGARDING THE FREE EXERCISE OF RELIGION  
AND THE TREATMENT OF BRITISH RELIGIOUS BODIES IN  
ITALIAN EAST AFRICA.

WITHOUT prejudice to any Treaty engagements which may be applicable, the Italian Government declare that they intend to assure to British nationals in Italian East Africa the free exercise of all cults compatible with public order and good morals; and in this spirit they will examine favourably any request which may reach them from the British side to assure in Italian East Africa religious assistance to British nationals; and that as regards other activities of British religious Bodies in Italian East Africa in humanitarian and be-

nevolent spheres, such requests as may reach the Italian Government will be examined, the general line of policy of the Italian Government in this matter and the principles of legislation in force in Italian East Africa being borne in mind.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

ANNEX 8.

DECLARATION REGARDING THE SUEZ CANAL.

THE Government of the United Kingdom and the Italian Government hereby reaffirm their intention always to respect and abide by the provisions of the Convention signed at Constantinople on the 29th October, 1888, which guarantees at all times and for all Powers the free use of the Suez Canal.

Done at Rome, in duplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

**II. Notenwechsel zwischen Großbritannien und Italien.**

**I. STÄRKE DER ITALIENISCHEN STREITKRÄFTE IN LIBYEN.**

*Count Ciano to Lord Perth.*

*Il Ministro degli Affari Esteri.*

Eccellenza,

*Roma, 16 aprile 1938-XVI.*

NEL corso delle nostre recenti conversazioni Vostra Eccellenza ha menzionato la questione dell'ammontare delle forze italiane in Libia.

Ho l'onore di informare Vostra Eccellenza che il Capo del Governo ha disposto una diminuzione di tali forze. I ritiri sono già incominciati in ragione di 1000 uomini alla settimana e saranno continuati in ragione non inferiore a tale cifra finchè gli effettivi italiani in Libia raggiungeranno il piede di pace. Ciò che rappresenterà in definitiva una diminuzione degli effettivi in Libia di non meno della metà delle forze esistenti al momento dell'inizio delle conversazioni.

Voglia gradire, &c.

CIANO.

*Lord Perth to Count Ciano.*

*British Embassy, Rome,*

Your Excellency,

*April 16, 1938.*

I HAVE the honour to acknowledge the receipt of Your Excellency's Note of to-day's date in which Your Excellency informed me of the intentions of the Head of the Italian Government with regard to the progressive diminution of the Italian forces in Libya.

I shall have pleasure in communicating this information to His Majesty's Government in the United Kingdom.

I avail, &c.

PERTH.

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2. ITALIENISCHE ZUSICHERUNGEN IN BEZUG AUF DIE POLITIK IN SPANIEN, DEN SPANISCHEN ÜBERSEEISCHEN BESITZUNGEN UND DER SPANISCHEN ZONE VON MAROKKO; ABSICHTEN GROSSBRITANNIENS HINSICHTLICH EINER KLÄRUNG DER STELLUNG VON VÖLKERBUNDSMITGLIEDERN ZU DER LAGE IN AETHIOPIEN.

*Count Ciano to Lord Perth.*

*Il Ministro degli Affari Esteri.*

Eccellenza,

*Roma, 16 Aprile 1938-XVI.*

VOSTRA Eccellenza ricorderà che nel corso delle nostre recenti conversazioni io detti a Vostra Eccellenza alcune assicurazioni relative alla politica del Governo italiano in connessione con la Spagna. Desidero ora di confermare queste assicurazioni e darne formalmente atto.

In primo luogo, il Governo Italiano ha l'onore di confermare la sua piena adesione alla formula del Governo del Regno Unito per l'evacuazione proporzionale dei volontari stranieri dalla Spagna, e si impegna a dare pratica e reale esecuzione a tale evacuazione nel momento e alle condizioni che saranno determinate dal Comitato di non intervento sulla base della formula suddetta.

In secondo luogo, desidero confermare che, se tale evacuazione non è stata completata al momento in cui avrà termine la guerra civile in Spagna, tutti i restanti volontari italiani lasceranno immediatamente il territorio spagnolo e tutto il materiale da guerra italiano sarà ritirato contemporaneamente.

In terzo luogo, desidero ripetere la mia precedente assicurazione che il Governo italiano non ha alcuna mira territoriale o politica, e non cerca alcuna posizione economica privilegiata, nella Spagna metropolitana, nelle Isole Baleari, in alcuno dei possedimenti spagnoli d'oltre mare, o nella zona spagnola del Marocco, o nei riguardi dei suddetti territori, e che non ha alcuna intenzione di mantenere qualsiasi forza armata in alcuno dei territori suddetti.

Voglia gradire, &c.

CIANO.

*Lord Perth to Count Ciano.*

*British Embassy,*

Your Excellency,

*Rome, April 16, 1938.*

IN reply to Your Excellency's Note of to-day's date, I have the honour to take note of the reaffirmation contained therein of the assurances which Your Excellency has already given me, during the course of our recent conversations, regarding the policy of the Italian Government in connexion with Spain. His Majesty's Government in the United Kingdom, to whom I shall not fail to transmit this communication, will, I feel sure, be gratified at its contents. In this connexion I hardly need to remind Your Excellency that His Majesty's Government regard a settlement of the Spanish question as a prerequisite of the entry into force of the Agreement between our two Governments.

I have further the honour to inform Your Excellency that His Majesty's Government, being desirous that such obstacles as may at present be held to impede the freedom of member States as regards recognition of Italian sovereignty over Ethiopia should be removed, intend to take steps at the forthcoming meeting of the Council of the League of Nations for the purpose of clarifying the situation of member States in this regard.

I avail, &c.

PERTH.

3. LONDONER VERTRAG ÜBER DIE BESCHRÄNKUNG DER SEERÜSTUNG  
VOM 25. MÄRZ 1936.

*Count Ciano to Lord Perth.*

*Il Ministro degli Affari Esteri.*

Eccellenza,

*Roma, 16 aprile 1938-XVI.*

Ho l'onore di informare Vostra Eccellenza che il Governo Italiano ha deciso di aderire al Trattato Navale firmato a Londra il 25 marzo 1936, in conformità alla procedura stabilita all'art. 31 del predetto Trattato.

Tale adesione avrà luogo non appena gli atti allegati al Protocollo firmato oggi entreranno in vigore.

Nel portare a conoscenza di Vostra Eccellenza quanto precede, desidero aggiungere che il Governo Italiano si propone nel frattempo di conformarsi alle disposizioni del Trattato predetto.

Voglia gradire, &c.

CIANO.

*Lord Perth to Count Ciano.*

*British Embassy,*

Your Excellency,

*Rome, April 16, 1938.*

I HAVE the honour to acknowledge the receipt of Your Excellency's Note of to-day's date in which Your Excellency informed me of the decision of the Italian Government to accede to the Naval Treaty signed in London on the 25th March, 1936, so soon as the instruments annexed to the Protocol signed this day come into force, and in the meantime to act in conformity with the provisions of the aforesaid Treaty.

I shall have pleasure in communicating this decision to His Majesty's Government in the United Kingdom.

I avail, &c.

PERTH.

**III. Vertrag über gute Nachbarschaft  
und Notenwechsel zwischen Ägypten, Großbritannien und Italien.**

I.

**BON VOISINAGE AGREEMENT BETWEEN THE GOVERNMENT OF  
THE UNITED KINGDOM, THE EGYPTIAN GOVERNMENT AND  
THE ITALIAN GOVERNMENT.**

THE Italian Government on the one hand and, on the other hand, in respect of Kenya and British Somaliland, the Government of the United Kingdom of Great Britain and Northern Ireland, and, in respect of the Sudan, the Government of the United Kingdom and the Egyptian Government;

desiring to provide for friendly relations in East Africa;

undertake, in addition to proceeding in due course to the discussion of detailed questions connected with the frontiers between Italian East Africa and the Sudan, Kenya and British Somaliland as provided in the Protocol signed to-day by the Government of the United Kingdom and the Italian Government, at all times to co-operate for the preservation of good neighbourly relations between the said territories and to endeavour by every means in

their power to prevent raids or other unlawful acts of violence being carried out across the frontiers of any of the above-mentioned territories;

agree that in view of the fact that, by virtue of the Italian Decree of the 12th April, 1936, slavery was prohibited in Ethiopia, as it had already been abolished in the other above-mentioned territories, the good neighbourly relations referred to above shall include co-operation to prevent the evasion of the anti-slavery laws of the respective territories;

agree that nationals of the other Party shall not be enrolled in the native troops, bands or formations of a military nature maintained in the above-mentioned territories, including in particular any such nationals who are deserters from the troops, bands or formations maintained in, or refugees from, the territories of the other Party.

In witness whereof, the undersigned, duly authorised thereto by their respective Governments, have signed the present Agreement.

Done at Rome, in triplicate, the 16th April, 1938, in the English and Italian languages, both of which shall have equal force.

PERTH.

CIANO.

MOSTAFA EL SADEK.

## II.

### NOTENWECHSEL ÜBER DEN TANASEE.

*Lord Perth to Mostafa El Sadek Bey.*

Your Excellency, *British Embassy, Rome, April 16, 1938.*

I HAVE the honour to inform your Excellency that the following Declaration regarding Lake Tsana was signed to-day by the Italian Minister for Foreign Affairs and myself, as Annex 5 to the Protocol which Count Ciano and I have also signed to-day: —

“The Italian Government confirm to the Government of the United Kingdom the assurance given by them to the Government of the United Kingdom on the 3rd April, 1936, and reiterated by the Italian Minister for Foreign Affairs to His Majesty’s Ambassador at Rome on the 31st December, 1936, to the effect that the Italian Government were fully conscious of their obligations towards the Government of the United Kingdom in the matter of Lake Tsana and had no intention whatever of over-looking or repudiating them.”

Further, I have the honour to inform your Excellency that His Majesty’s Government for their part declare that they agree that the assurances given to them in the above Declaration concerning Lake Tsana shall apply equally to the Egyptian Government.

I avail, &c.

PERTH.

*Mostafa El Sadek Bey to Lord Perth.*

*Légation de S. M. le Roi d’Egypte*

Your Excellency, *à Rome, April 16, 1938.*

I HAVE the honour to acknowledge the receipt of your Excellency’s Note of to-day’s date, which reads as follows: —

“I have the honour to inform your Excellency that the following Declaration regarding Lake Tsana was signed to-day by the Italian

Minister for Foreign Affairs and myself, as Annex 5 to the Protocol which Count Ciano and I have also signed to-day: —

“The Italian Government confirm to the Government of the United Kingdom the assurance given by them to the Government of the United Kingdom on the 3rd April, 1936, and reiterated by the Italian Minister for Foreign Affairs to His Majesty’s Ambassador at Rome on the 31st December, 1936, to the effect that the Italian Government were fully conscious of their obligations towards the Government of the United Kingdom in the matter of Lake Tsana and had no intention whatever of overlooking or repudiating them.”

“Further, I have the honour to inform your Excellency that His Majesty’s Government for their part declare that they agree that the assurances given to them in the above Declaration concerning Lake Tsana shall apply equally to the Egyptian Government.”

I shall have pleasure in communicating this information to the Egyptian Government.

I avail, &c.

MOSTAFA EL SADEK.

*Count Ciano to Mostafa El Sadek Bey.*

*Il Ministro degli Affari Esteri.*

Eccellenza,

*Roma, 16 aprile 1938-XVI.*

Ho l’onore d’informare l’Eccellenza Vostra che oggi è stata firmata dall’Ambasciatore di Sua Maestà Britannica a Roma e da me la seguente Dichiarazione relativa all Lago Tana, che costituisce l’Allegato 5 al Protocollo che Lord Perth ed io abbiamo pure firmato in data di oggi:

“Il Governo Italiano conferma al Governo del Regno Unito l’assicurazione da esso data al Governo del Regno Unito il 3 aprile 1936, e ripetuta dal Ministro Italiano degli Affari Esteri all’Ambasciatore di Sua Maestà Britannica a Roma il 31 dicembre 1936, nel senso che il Governo Italiano era pienamente consapevole delle sue obbligazioni verso il Governo del Regno Unito nella questione del Lago Tana e non aveva la benchè minima intenzione di ignorarle o ripudiarle.”

Ho inoltre l’onore di informare Vostra Eccellenza che il Governo Italiano per parte sua dichiara che esso è d’accordo che le assicurazioni date al Governo di Sua Maestà Britannica con la soprascritta Dichiarazione concernente il lago Tana si applicano ugualmente al Governo Egiziano.

Voglia gradire, &c.

CIANO.

*Mostafa El Sadek Bey to Count Ciano.*

*Légation de S. M. le Roi d’Égypte à Rome,*

Your Excellency,

*April 16, 1938.*

I HAVE the honour to acknowledge the receipt of your Excellency’s Note of to-day’s date, which reads as follows: —

“I have the honour to inform your Excellency that the following Declaration regarding Lake Tsana was signed to-day by Lord Perth and myself as Annex 5 to the Protocol which Lord Perth and I have also signed to-day: —

"The Italian Government confirm to the Government of the United Kingdom the assurance given by them to the Government of the United Kingdom on the 3rd April, 1936, and reiterated by the Italian Minister for Foreign Affairs to His Majesty's Ambassador at Rome on the 31st December, 1936, to the effect that the Italian Government were fully conscious of their obligations towards the Government of the United Kingdom in the matter of Lake Tsana and had no intention whatever of overlooking or repudiating them."

"Further, I have the honour to inform Your Excellency that the Italian Government for their part declare that they agree that the assurances given to His Majesty's Government in the above Declaration concerning Lake Tsana apply equally to the Egyptian Government."

I shall have pleasure in communicating this information to the Egyptian Government.

I avail, &c.  
MOSTAFA EL SADEK.

### III.

#### NOTENWECHSEL ÜBER DEN SUEZKANAL.

*Lord Perth to Mostafa El Sadek Bey.*

*British Embassy, Rome,*

*April 16, 1938.*

Your Excellency.

I HAVE the honour to inform Your Excellency that the following Declaration regarding the Suez Canal was signed to-day by the Italian Minister for Foreign Affairs and myself as Annex 8 to the Protocol which we have also signed to-day: —

"The Government of the United Kingdom and the Italian Government hereby reaffirm their intention always to respect and abide by the provisions of the Convention signed at Constantinople on the 29th October, 1888, which guarantees at all times and for all Powers the free use of the Suez Canal."

I have the honour to communicate the above Declaration to Your Excellency as the Representative of the territorial Power concerned.

I avail, &c.  
PERTH.

*Mostafa El Sadek Bey to Lord Perth.*

*Légation de S. M. le Roi d'Égypte à Rome,*

*April 16, 1938.*

Your Excellency,

I HAVE the honour to acknowledge the receipt of the Note of to-day's date in which Your Excellency informed me of the Declaration regarding the Suez Canal signed to-day by Your Excellency and the Italian Minister for Foreign Affairs as Annex 8 to the Protocol which Your Excellency and Count Ciano have also signed to-day.

I have the honour to inform Your Excellency that the Egyptian Government, as the territorial Power concerned, take note of the intention of the Government of the United Kingdom and the Italian Government and associate themselves therewith.

I avail, &c.  
MOSTAFA EL SADEK.

*Count Ciano to Mostafa El Sadek Bey.*

*Il Ministro degli Affari Esteri.*

Eccellenza,

*Roma, 16 aprile 1938-XVI.*

Ho l'onore d'informare l'Eccellenza Vostra che oggi è stata firmata dall'Ambasciatore di Sua Maestà Britannica a Roma e da me la seguente Dichiarazione relativa al Canale di Suez che costituisce l'Allegato 8 al Protocollo che Lord Perth ed io abbiamo pure firmato in data di oggi:

“Il Governo Italiano ed il Governo del Regno Unito riaffermano con la presente il loro proposito di sempre rispettare e uniformarsi alle disposizioni della Convenzione firmata a Costantinopoli il 29 ottobre 1888, che garantisce in tutti i tempi e per tutte le Potenze il libero uso del Canale di Suez.”

Ho l'onore di comunicare la Dichiarazione sopra trascritta all'Eccellenza Vostra quale Rappresentante della Potenza territoriale interessata.

Voglia gradire, &c.

CIANO.

*Légation de S. M. le Roi d'Egypte a Rome,*

Your Excellency,

*April 16, 1938.*

I HAVE the honour to acknowledge the receipt of Note of to-day's date in which Your Excellency informed me of the Declaration regarding the Suez Canal signed to-day by Your Excellency and His Majesty's Ambassador at Rome as Annex 8 to the Protocol which you and Lord Perth have also signed to-day.

I have the honour to inform Your Excellency that the Egyptian Government, as the territorial Power concerned, take note of the intention of the Italian Government and the Government of the United Kingdom and associate themselves therewith.

I avail, &c.

MOSTAFA EL SADEK.

## Dokumente zur Politik der Nichteinmischung in Spanien \*).

**Bibliographie:** Balladore Pallieri, G.: Quelques aspects juridiques de la Non-Intervention en Espagne, *Revue de Droit International et de Législation Comparée*, Bd. 35, 1937, S. 285. — Basdevant, Suzanne: Quelles conditions devrait remplir un blocus de Barcelone?, *L'Europe Nouvelle*, 19. Jg., 1936, S. 1175. — Berber, Fritz: Zum spanischen Bürgerkrieg, *Hamburger Monatshefte*, Bd. 3, 1936, S. 313. — Böhmert: Die Beschießung des befestigten Hafens Almeria, eine gerechte Selbsthilfemaßnahme,

\*) Anmerkungen und Bibliographie von Dr. Hans Joachim v. Merkatz.