



**Monday, 18 February 1957,  
 at 8.45 p.m.**

**New York**

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**Chairman: Mr. Enrique de MARCHENA**  
**(Dominican Republic).**

**AGENDA ITEM 40**

**Question of the frontier between the Trust Terri-  
 tory of Somaliland under Italian administration  
 and Ethiopia: report of the Governments of  
 Ethiopia and of Italy (A/3463, A/3502 and  
 Corr.1, A/C.4/L.481)**

1. The CHAIRMAN requested the Committee to take up the question of the frontier between the Trust Territory of Somaliland under Italian administration and Ethiopia.

2. ATO DERESSA (Ethiopia) said that he would prefer not to present the Ethiopian Government's report (A/3502 and Corr. 1) until the following day.

3. At the request of the CHAIRMAN, Mr. GRILLO (Italy) agreed to present the Italian Government's report (A/3463), on the understanding that his statement would simply be an introduction and that the principal statement would be made by the duly elected representatives of the Somali people who were members of the Italian delegation and were entitled to speak after the Ethiopian delegation.

4. He recalled that the report had been requested of the Italian Government by the General Assembly in resolution 947 (X). He wished to make it clear that his country had a feeling of sincere friendship for Ethiopia and had been actuated by that feeling in all its negotiations concerning the frontier. He also wished to stress the fact that Italy had been working for the welfare of the Somalis for a very long time and intended to maintain cordial relations with them. Finally, as Administering Authority under the auspices of the United Nations, Italy was determined to discharge the responsibilities towards Somaliland with which it had been entrusted by the Organization. The objective and factual report of the Italian Government, together with that of the Ethiopian Government, should enable the Committee to form an idea of the negotiations. It should be pointed out, however, that Ethiopia had submitted its report a month later than Italy and had undoubtedly taken into account the considerations put forward in the report of the Italian Government.

5. In its report the Italian Government did not propose any solution, thus conforming to the letter of resolution 947 (X). Faithful to the spirit of that resolu-

tion, he pointed out that it was important, on the one hand, that the future Somali State should maintain friendly relations with Ethiopia, and, on the other, that Somaliland should continue to provide an example of co-operation between Europe and Africa. Those two conditions could not be fulfilled if the new State had to face too many difficulties. It was clear that Somaliland could not at the present time be an economically viable State. It would be interesting to study the report of the Mission sent out by the International Bank for Reconstruction and Development to study the possibilities of economic development,<sup>1</sup> but all efforts would be in vain so long as problems like that of the frontier with Ethiopia remained unsettled. It was obvious that that most important and urgent problem would have to be settled before 1960, not only for the reasons put forward by the United Nations Advisory Council for the Trust Territory of Somaliland under Italian Administration and for those which would be given by the Somalis, but because Somaliland was to elect a constituent assembly in 1958 and if the electoral register was to be compiled the frontier would have to be demarcated before then. He had already said that the best way to help Somaliland would be to remove its economic uncertainties; to that might be added the political uncertainties concerning the frontier.

6. The CHAIRMAN appealed to the representative of Ethiopia to present his Government's report at that meeting.

7. ATO DERESSA (Ethiopia) said that the problem of the frontier between Ethiopia and the Trust Territory of Somaliland was of the utmost importance to his country; it had, in fact, been that problem that had led to the most serious crisis in the history of Ethiopia.

8. Under the Trusteeship Agreement and General Assembly resolution 392 (V), the frontier between Ethiopia and the Trust Territory of Somaliland was to be that delimited by international agreement. That could only mean the Italo-Ethiopian Convention of 16 May 1908, which was based on the agreement of 1897 to which it referred.

9. The General Act of the Conference of Berlin, of 26 February 1885, and the subsequent agreements of 1891 and 1894 had divided Ethiopia into spheres of influence subject to the European Powers. Thus it was that in 1897 Ethiopia had negotiated simultaneously with France, the United Kingdom and Italy agreements delimiting the frontiers of the territories to the north, the east and the south-east of Ethiopia, which had become colonies. Following on the agreement concluded with the United Kingdom, the frontier between Ethiopia and British Somaliland had started at a point beyond the intersection of longitude 47° east and latitude 8° north. The negotiations with Italy having,

<sup>1</sup> Subsequently circulated as document T/1296.

however, produced no result, the Emperor Menelik had drawn a line on a copy of the Habenicht map of East Africa representing his proposal for the frontier between Ethiopia and Italian Somaliland. He had handed that map to the Italian negotiator, Major Nerazzini, who, on his return to Rome, had presented a report to his Government. That report had never been communicated to the Ethiopian Government. Major Nerazzini had announced that he had obtained an agreement from the Emperor Menelik and that the frontier was to be drawn at a distance of about 180 miles from the coast. No agreement had in fact been concluded and the Italian Government had a few weeks later accepted the Emperor's proposal.

10. Since that time the map in question had been irretrievably lost by the Italian Government. It was in any case unlikely that, less than three months after concluding an agreement with the British Government fixing the frontier beyond the point longitude 47° east and latitude 8° north, the Ethiopian Government would have drawn on the map a line which would place the point of tri-junction between Ethiopia, British Somaliland and Italian Somaliland some distance west of the point longitude 47° east and latitude 8° north. Moreover, the statements made at the time showed that the frontier terminated near Bardera, only 140 miles from the coast. Later, under the Convention of 16 May 1908, the Italian Government had obtained territory lying north of a line 140 miles from the coast. That was how the question of the southern part of the frontier had been settled.

11. He went on to consider the problems relating to the northern part, which had not arisen until after 1928. At that time the Fascist Government had tried to occupy an increasingly large area by force, on the strength of the alleged 180-mile rule. Three years later, the Italian Government had set up a boundary marker at point longitude 47° east and latitude 8° north, i.e., slightly less than 180 miles from the coast, which had drawn an immediate protest from the Ethiopian Government. Towards the end of 1934, after the Walwal incident and the actions of the Fascist forces in the south and north, Ethiopia had addressed a memorandum to the League of Nations, dated 15 December 1934.<sup>2</sup> It was on that document that the Italian delegation based its claims relating to the 180-mile rule, its arguments being drawn from certain passages in the memorandum, taken out of their context.

12. The fact was that, in view of the Fascist claim, the Ethiopian Government had stated in the memorandum that the frontier should start from a point longitude 48° east, latitude 8° north, but that, even if the frontier were established in conformity with the Italian claims, Walwal, where the aggression had taken place, would be definitely within Ethiopian territory. It was precisely that territory which was now being considered and that was why he had found it necessary to go into the history of the question.

13. Eight years earlier, at the fourth session of the General Assembly, during the debate on the question in the First Committee the Ethiopian delegation had drawn the attention of the United Nations to the need for a delimitation of the frontier before Somaliland was placed under the Trusteeship System and had said that without such delimitation Ethiopia would oppose

the establishment of the Trusteeship System in the Territory, whatever country might be chosen as Administering Authority. To place territory belonging to a Member of the United Nations under the Trusteeship System would be contrary to Article 78 of the Charter and might give rise to countless difficulties. Unfortunately, the Ethiopian delegation's views had been ignored and now Ethiopia was being asked to abandon a part of that same territory which the Fascists had tried to annex.

14. In resolution 392 (V), the General Assembly had considered that the question of the frontier between Ethiopia and the Trust Territory of Somaliland was no different from that of the frontier between Egypt and Libya or that of the frontier of British Somaliland. That resolution had been adopted by the General Assembly after the resolution on Eritrea (390 (V)), which had raised many other questions of great importance not only for Ethiopia but also for Italy. Nevertheless, despite the many urgent problems which had required settlement, the Ethiopian Government had proposed in 1953 that a commission should be set up to discuss the guiding principles to be followed in delimiting the frontiers. On 28 June 1955, the Ethiopian Minister of Foreign Affairs had proposed to the Italian Ambassador that negotiations should start and had stated Ethiopia's attitude towards the 1908 Convention, inviting the Italian Government to make a similar statement of position. Italy had not replied until three months later and the proposed changes in the composition of the negotiating commission had involved further delays. That was why it had not been possible to start the negotiations until 6 March 1956.

15. At the outset, a problem of substance had been raised by Italy, which had revived the claims of the Fascist Government and had wanted the frontier to be delimited, firstly in accordance with the *de facto* situation prevailing before 1935 and, secondly, in accordance with the 1908 Convention. The Ethiopian Government had finally secured an undertaking that the frontier should be determined only on the basis of documents and juridical instruments, to the exclusion of any argument based on a *de facto* situation. The negotiations had related first to the northern half of the frontier, where the problem lay in determining the content of the 1897 agreement according to article IV of the 1908 Convention. As the map upon which the frontier had been traced had been lost, it had been necessary to apply the "best evidence" rule. So far the discussion had related only to the northern extremity of the line accepted in 1897 by the Italian Government, in other words the point of tri-junction between Ethiopia, British Somaliland and the Trust Territory of Somaliland.

16. At the negotiating Commission's second meeting, the Ethiopian delegation had stated in detail its interpretation of article IV of the 1908 Convention, declaring that the point of tri-junction should remain fixed at the intersection of longitude 48° east and latitude 8° north. The Italian delegation insisted on the alleged 180-mile rule, basing its arguments on certain statements and on certain passages from the memorandum which the Ethiopian Government had submitted to the League of Nations. The Italian Government had given its interpretation of that memorandum in the report it had submitted to the Committee; he therefore wished to state the views of the Ethiopian Government.

<sup>2</sup> League of Nations, *Official Journal*, 16th Year, No. 2, annex No. 1530, pp. 252-258.

17. In the first place, the Ethiopian delegation had tried to dissuade the Italian representatives from using the arguments of the Fascist Government and basing their case on a document in which Ethiopia had desperately begged for assistance from the League of Nations in face of the danger which confronted it on its northern and southern frontiers.

18. Secondly, the Ethiopian delegation had urged the Italian delegation to refer to the document as a whole, and not to certain passages taken out of context. The memorandum formally stated that the point of tri-junction was situated at the intersection of longitude 48° east and latitude 8° north, and referred to the 180-mile line as constituting only the extreme limit of the Italian position. Despite the insistence of the Ethiopian Government, the Italian delegation had avoided replying on that issue.

19. Thirdly, the Ethiopian delegation had pointed out that, even were the Italian interpretation of the Ethiopian memorandum to be accepted, it would be necessary to take into account three official notes addressed to the Ethiopian Government at the time of the publication of the memorandum, in which the Italian Government contested the validity of the 180-mile rule. The Italian delegation's argument that those three notes could not constitute a refutation of a memorandum which had not been addressed to Italy could not do away with the fact that the Italian Government had thrice rejected the 180-mile principle.

20. Finally, Italy claimed that the memorandum was proof that an agreement had been concluded between the two parties, although it had objected earlier that the memorandum had not been addressed to Italy. It was difficult to understand what agreement there could possibly be, since the 180-mile rule had been rejected by the Ethiopian Government in 1932 and by the Italian Government itself in 1934 and 1935.

21. The Italian delegation had then invoked the secret report of Major Nerazzini, which had never been officially communicated to the Ethiopian Government and according to which the 180-mile principle had been adopted. It would be recalled, however, that the frontier traced on Habenicht's map had been accepted by the Italian Government in September 1897, while Major Nerazzini's report had been published for the first time eleven years later. The Ethiopian Government could obviously not have accepted a decision by the Italian Government which had not been communicated to it. Moreover, the Emperor Menelik could have had no knowledge of the official press communiqué of 9 August, in view of the state of communications at that time. Furthermore, a frontier could hardly be based on a newspaper report. Major Nerazzini's report had admittedly been published some months before the signature of the 1908 Convention, but at that time the Italian Minister of Foreign Affairs had expressly stated that the line had been traced 140 miles, and not 180 miles, from the coast.

22. Thus, the best evidence that the Italian delegation had been able to produce was the Ethiopian Government's memorandum of 1934.

23. At the eighth meeting of the negotiating commission, the Italian delegation had proposed that the two parties should put in evidence all the available documents; so far, however, it had confined itself to citing the memorandum of 15 December 1934.

24. Ethiopia's problem consisted in proving the contents of the Emperor Menelik's map on which had been traced the line referred to in the 1908 Convention as the line accepted by the Italian Government in 1897. Although the Habenicht map, on which the Menelik line had been drawn, had been lost by the Italian Government, the Ethiopian Government had presented valid proof of the tracing of that line on the map. It had been pointed out many times in official Italian statements that the line accepted by the Italian Government in 1897 ran from a point longitude 48° east, latitude 8° north, at 115 miles from the coast, to the von-der-Decken Rapids, approximately 140 miles from the coast. The southern extremity had been admitted not only by Major Nerazzini, but also by the Italian Minister of Foreign Affairs at the time of the conclusion of the 1908 Convention. It had also been recognized in many official Italian publications. In particular, the publication *Ferro e Fuoco in Somalia* contained a precise declaration concerning the tri-junction point, which was fixed on the Habenicht map at longitude 48° east and latitude 8° north. The Ethiopian Government had also drawn attention to impartial evidence, such as that of the United Kingdom Government and the Four-Power Commission of Investigation. Finally, the Ethiopian delegation had submitted nine maps, all of them official maps published by the Italian Government and all showing the frontier line claimed by the Ethiopian Government ever since the conclusion of the 1908 Convention.

25. In order to facilitate negotiations, the Ethiopian delegation had proposed a compromise whereby Ethiopia would give up 47,000 square kilometres of territory; it had also drafted two instruments which it was prepared to hand over to the Italian delegation as soon as agreement had been reached on the interpretation of the text of the 1908 Convention. The Italian delegation had, however, rejected the compromise proposal.

26. The Ethiopian delegation had explained in its report (A/3502 and Corr.1) that, owing to circumstances beyond its control, the discussions between the two Governments had taken place for only three and a half months during the twenty months following the submission of proposals by the Ethiopian Foreign Minister on 28 June 1955. The Ethiopian delegation had hoped that discussions concerning the southern part of the frontier would continue during the current session of the General Assembly. It still hoped that they could be resumed on the completion of the Committee's debate. It was convinced that the members of the Committee appreciated the difficulties the Ethiopian Government had encountered, and were aware of its desire to reach a settlement promptly by means of negotiations.

27. With respect to the northern part of the frontier, the Ethiopian Government maintained that the so-called 180-mile rule cited by the Italian Government had never existed and that the Italian negotiator and the Italian Minister of Foreign Affairs himself had proved that that rule was non-existent. As regards the Italian Government's interpretation of the Ethiopian Government's memorandum of 1934, it seemed preferable to disregard any arguments based on the situation which had prevailed at the time when Italy was massing troops on Ethiopia's southern and northern frontiers in preparation for its final offensive and for the

occupation of that country. At all events, the Ethiopian memorandum of 1934 placed the point of intersection at longitude 48° east and latitude 8° north. In short, the Ethiopian Government was merely adhering to the position it had adopted when the League of Nations had dealt with the matter; furthermore, nine official Italian maps and the map of the Four-Power Commission of Investigation supported the Ethiopian case.

28. The Ethiopian Government was seeking an opportunity of discussing the matter of the southern part of the frontier, which was so intricately related to the northern part. That Government also believed that a prompt solution could be reached on the northern part of the frontier by recognizing the facts and the judgement of history, and on the southern part, by agreeing to discuss the provisions of the Convention of 1908.

29. Ethiopia requested fulfilment of the provisions of resolution 947 (X) and the resumption of negotiations. It should be pointed out in that connexion that, although Ethiopia had shown willingness to make substantial territorial concessions, no compromise gesture had been forthcoming from the other party, quite the contrary. Ethiopia could no longer make the concessions it had offered and felt obliged to request that negotiations on the two parts of the frontier should be strictly based on the terms of the Convention of 1908. Ethiopia could not be expected, any more than any other State, to agree to the amputation of its territory so that a solution could be reached by a target date. Many Members of the United Nations had not yet delimited all their frontiers and that fact had not precluded them from exercising their sovereignty; according to some proposals, Ethiopia would have to renounce its right to demarcate its own territory. The proposition that the territory of one Member State of the United Nations could be delimited by other Member States raised one of the most fundamental problems involved in the Charter, and a recommendation made on that subject might have incalculable consequences for other Member States. He reserved the right to revert to that aspect of the problem at a later date.

30. He stressed the necessity of breaking the tragic dead-lock reached twenty years before and of resuming negotiations on the basis of the terms of the Convention of 1908. Ethiopia could not agree to a matter in which it had shown the utmost probity again becoming the subject of politics. Ethiopia, which had made every effort to reach a solution, could not forget that the League of Nations' attempts at mediation had merely resulted in the Hoare-Laval plan, which had openly proposed the dismemberment of the Ethiopian State. It would resolutely oppose any attempt to interfere with the efforts which had been made to solve the problems by direct negotiations.

31. Mr. ADEN ABDULLAH OSMAN (Italy) said that general and free elections had been held in Somaliland in February 1956; they had led to the establishment of the first Legislative Assembly, over which he had the honour of presiding, and to the formation of the first democratic Somali Government, a representative of which was a member of the Italian delegation. In his capacity as Chairman of the Legislative Assembly, he would present the ideas and aspirations of the people of the Trust Territory with regard to the frontier between Somaliland under Italian administration and Ethiopia.

32. The Somali people were well aware of the difficulties the problem presented. It was obvious that

whatever line was adopted, the frontier between Somaliland and Ethiopia would be an artificial one based on factors which were not of a geographic, ethnic or historical nature. The Somali people wished to lay the foundations for lasting friendly relations between the future Somali State and the Ethiopian Empire. They had therefore considered the facts and had confidently awaited a solution of the problem in accordance with the principles and procedure laid down in General Assembly resolution 392 (V).

33. Ever since the adoption of that resolution the Somali people, who had suffered the disadvantages of a provisional delimitation line based solely on administrative expediency, had witnessed the difficulty with which direct negotiations had been started between the Administering Authority and Ethiopia, and had noted that they had been broken off before any concrete results had been obtained. The members of the Somali Parliament and Government, who had carefully studied the reports of the Italian and Ethiopian Governments on the conduct of those negotiations, had concluded that such negotiations would serve no useful purpose, in view of the essential differences set forth in the reports concerned.

34. He urged the General Assembly, when it came to take a decision, to give due consideration to the interests and needs of the people of the Territory, which he wished to outline to the Committee.

35. Firstly, all the frontiers of the Territory should be clearly delimited and internationally recognized prior to the termination of Trusteeship, especially since Somaliland was to become an independent State and since a constituent assembly would be elected there in 1958.

36. Secondly, the frontier would have to be delimited in such a way that the Somali State would include all the populations of former Italian Somaliland. In that connexion, it should be borne in mind that the populations of the Sultanates of Obbia and Migiurtini, which enjoyed international recognition, had never been subject to the authority of a foreign Government before coming under Italian sovereignty.

37. Thirdly, the solution to the problem must be a fair one, taking into account the conclusions of the Visiting Missions which the United Nations had sent to Somaliland in 1951 and 1954. In its report (T/1143 and Corr.1) the 1954 Visiting Mission had stated that whatever frontier might be decided upon, the line should as far as possible not divide border tribes, or cut them off from their traditional grazing and wells.

38. Fourthly, the frontier should be delimited at all points according to uniform procedures and principles.

39. Fifthly, it was essential to put an end to the present situation if the current difficulties were not to be aggravated by the heavy financial burden of maintaining a police force large enough to maintain order in the frontier area. Since the direct negotiations had proved unsuccessful, it was now necessary to pass on to the second stage provided for in the General Assembly resolution and to request the Assembly to decide on the appointment of a mediator.

40. He wished to express his profound astonishment and disappointment at the fact that the six-Power draft resolution (A/C.4/L.481) recommended the continuation of direct negotiations for at least another year. How could the General Assembly recommend the

continuation of negotiations which had failed? What practical solution could be expected from negotiations concerning the southern part of the frontier, when discussions on the northern part had revealed such a divergence of views that it had been impossible to reach any agreement, and when both parties had recognized that the frontier line should be determined not by separate sections but as a whole?

41. The Somali people accordingly saw no alternative but to proceed to the second stage provided for in General Assembly resolution 392 (V), and they formally requested the Assembly to instruct the Secretary-General to appoint a mediator. The draft resolution was particularly surprising, as its sponsors included countries which had just attained their independence and which were therefore in a good position to understand the importance of such a problem. Furthermore, the Advisory Council the United Nations had established, which was competent to express the wishes of the Territory's population, had favoured mediation.

42. Mr. GRILLO (Italy) pointed out that the Ethiopian representative had just submitted a second

full report of the Ethiopian Government orally. He would answer the controversial points in detail the following day, although he doubted whether any useful purpose would be served by doing so in the Fourth Committee or the General Assembly: if long years of negotiations had proved fruitless, there was small prospect of success now that the Assembly was drawing to a close. Moreover, the General Assembly had no authority to enforce acceptance of a frontier line: it could only make recommendations similar to the resolutions it had previously adopted.

43. With respect to fixing responsibility for the failure of the negotiations, he pointed out that Italy had long been pressing the Ethiopian Government to agree to the inclusion of Somali representatives in the Italian delegation at Addis Ababa. However, the issue was not between Ethiopia and Italy: the parties directly concerned were Ethiopia and the Somali people, whom the United Nations had placed under Italian administration.

The meeting rose at 10.40 p.m.