

LEAGUE OF NATIONS.

Communicated to the  
Council and Members  
of the League.

C.51.M.21.1936.VII.

Geneva, January 20th, 1936.

COMMUNICATION FROM THE ETHIOPIAN GOVERNMENT.

Translation.

Geneva, January 20th, 1936.

To the Secretary-General.

I have the honour to request you, acting on my Government's instructions, to communicate the accompanying statement to the Council, the Committee of Thirteen, and all the Members of the League of Nations.

I have the honour to be, etc.

(Signed) WOLDE MARIAM,

Minister of Ethiopia in Paris.

STATEMENT BY THE ETHIOPIAN GOVERNMENT.

Translation.

I. It is now over one year since the outbreak of the conflict which for months has been disturbing world peace and which is at present threatening the whole of humanity with the terrible danger of universal war. The pacific peoples are helplessly witnessing a dreadful war. A small country of 10 million inhabitants is fighting alone, without modern weapons and without financial resources, to defend its existence against the aggression of a powerful State of 44 millions of subjects, possessing numerous armies, abundant wealth and the most perfected armament which has ever been invented to massacre human beings. The laws of humanity and international conventions are flouted by the aggressor; ambulances are systematically bombarded and prohibited poison-gases are profusely used. The indignation of the nations has been voiced in protests; a third State has submitted a note drawing attention to these cruelties and demanding the punishment of the offenders.

II. At the beginning of October 1935, Ethiopia received the inestimable moral support of a unanimous declaration condemning the aggression committed by the Italian Government. Indirect pressure has also been exercised on the aggressor by means of a number of financial and economic prohibitions.

III. The Ethiopian Government recognises the immense value of the moral support which it has been afforded. It is aware of the difficulties which the States Members of the League of Nations have had to surmount to exercise this indirect pressure. With all the pacific Governments, it shares the hope that still more complete and effective solidarity will be achieved. The Ethiopian people expresses its gratitude

to the League of Nations for the powerful moral stimulus given to it by the unanimous votes of the Council and the Assembly. It is not unmindful that these unanimous votes have enabled it to earn active sympathies which have recently been manifested in the most decisive manner.

IV. But hitherto the Ethiopian Government has obtained from the League of Nations neither the indirect assistance of irresistible economic means nor any form of direct assistance. It has never asked and does not ask for armed assistance. But must it forego the help which would be afforded to it by fresh economic prohibitions and the financial assistance which it has claimed from the outset of hostilities, invoking the recent work and discussions of the Assembly of the League of Nations?

The Ethiopian Government makes no recriminations and no reproach. It is aware that in the present state of international organisation, certain Governments hesitate to take steps which might involve them in a conflict that does not seem to concern them directly; they fear to come up against a powerful aggressor who declares himself determined to let loose a universal war. The Ethiopian Government is learning the cruel lesson that small peoples must chiefly rely on themselves to defend their independence and their territorial integrity. The people of Ethiopia is firmly resolved to fight to the death for its existence. This war has been imposed upon it, it will endure it until its territory has been rid of the enemy and until it has obtained guarantees of security against future aggression. The bravery and contempt of death displayed by the Ethiopian warriors has held the powerful Italian armies in check. The aerial warfare, the bombardment of open towns and hospitals, and the attacks with poison-gases have decimated but not dismayed them. Thanks to the sacrifices they have made, the world has not witnessed the crushing of the weak by the strong. The Italian Government cannot say to the indignant nations that victors cannot be called to account.

The Ethiopian warriors, by their heroic resistance, are also defending the cause of all the small peoples. They are giving the League time to develop the system for the guarantee of collective security embodied in the Covenant, and make it more effective.

But cannot the sacrifices and sufferings of the Ethiopian people be shortened? If the League of Nations considers that the aggressor must not be allowed to succeed, should not the Members of the League of Nations, acting in concert, show their force and their union in such a way as to demonstrate that aggression does not pay? In the absence of energetic and rapid intervention, the war will be a long one. The fallacious announcement of sensational victories on the eve of the Council's meetings cannot change the course of events.

V. If the terrorist measures announced and employed by the Italian Government continue, they will certainly not succeed in intimidating the Ethiopian people and Government. Their only result will be to arouse in the hearts of the Ethiopians a violent resentment which for many years will render impossible the co-operation which will some day have to be established between the two countries.

VI. In consequence of the systematic bombing of hospitals by Italian aircraft, the use of poison gases in contempt of international conventions, the destruction of open towns, and the burning of churches, the Ethiopian Government asked the League to make an impartial enquiry and, after ascertaining the facts, to intervene in order to stop the atrocities of this war of extermination. Such an enquiry would now be of less value. It has been made by the Swedish Government, and its results have been set out in the note of protest sent by that Government to the Italian Government. It now remains for the League to consider on the basis of the Swedish enquiry, whether collective intervention is not desirable, and whether energetic steps should not be taken to prevent any repetition of such atrocities.

The Ethiopian Government denounces the impropriety of any attempt to convert the demand for an enquiry into the atrocities committed by the Italian authorities into a political enquiry in preparation for a violation of Ethiopia's independence and integrity.

VII. In its third resolution of December 19th, 1935, the Council instructs the Committee of Thirteen, "bearing in mind the provisions of the Covenant, to examine the situation as a whole, as it may appear in the light of the information which the Committee may procure." The Ethiopian Government again affirms that it is perfectly willing to assist the Committee of Thirteen in its task; it has no doubt that the Committee will keep Ethiopia informed of its progress, and will enable her to state her views without waiting until its proceedings are completed. It would surely be more consonant with the spirit of the Covenant that the Ethiopian Government should have an opportunity of submitting its observations while the investigations are actually being carried on.

It is the Ethiopian Government's duty to state its opinion on some essential points forthwith.

VIII. In view of the claims advanced by the Italian Government in connection with its "right to expansion in Ethiopia", and with the "rights" alleged to have been granted to it by treaties, agreements, understandings, exchanges of notes, or other diplomatic instruments, whether public or secret, to which the Ethiopian Government was not a party - in particular by the Anglo-Italian Protocols of March 24th and April 15th, 1891, and May 5th, 1894, by the Agreement of December 13th, 1906, between England, France, and Italy, and by the Anglo-Italian exchange of notes of December 14th-20th, 1925, - it is the Ethiopian Government's duty at once to call attention to certain fundamental principles. Most of those principles have already been asserted by the Committee of Thirteen in its Report of October 5th, 1935 (C.411.M.307). The Ethiopian Government asserts with the utmost force that those principles must be strictly observed as the essential basis of any settlement which will be honourable and acceptable to Ethiopia.

1. The Ethiopian Government solemnly affirms that it does not acknowledge that Italy has any "right of expansion" or any "historic mission in Africa", and that it is inconsistent with the Covenant that Ethiopia should be asked to acknowledge such a right and such a mission by giving up her independence and

territorial integrity. If, as Italy asserts, the peace of the world, the redressing of injustices committed against Italy in 1919, and the fair and necessary settlement of long-standing disputes between Italy and certain other Powers, demand that territory be ceded to Italy, or economic advantages or privileges of any kind granted to her, those problems cannot be solved at the expense of the independence and territorial integrity of Ethiopia, can be. In particular, Ethiopia does not recognise any value as attaching as far as she is concerned, to promises of "non-interference" or "a free hand", either territorially or economically, whether made to the Italian Government publicly or secretly. Inasmuch as the Council has decided that the settlement of the Italo-Ethiopian conflict must be in conformity with the Covenant, there can be no question of conferring any privileges, territorial, political, or economic, upon Italy against the will of the Ethiopian Government. The Ethiopian Government firmly expresses the view that it would be contrary to the Covenant for a State, in order to obtain individual advantages from another State, to be entitled to give that other State an undertaking that it would not fulfil the fundamental obligation which it has solemnly assumed under Article 10 of the Covenant, to respect the independence and territorial integrity of all States Members. Such promises of non-interference are inconsistent with the international public order introduced by the Covenant. They would involve the revival of the "partition agreements" which were once so common, and of which certain Powers now represented on the Council have been or might become the victims.

The Ethiopian Government would point out that the fundamental basis for the settlement of the Italo-Ethiopian conflict is to be found in the conclusions of the Committee of Thirteen (Report of October 5th, 1935, page 11) regarding "treaties concerning Ethiopia concluded by Italy with other Powers".

"These agreements it, (the Italian Government) says, divide the territory of Ethiopia into several spheres of influence and recognise that the largest share belongs to Italy .... The Italian memorandum, which invokes these agreements ... does not represent them as acts leading up to a partition of Ethiopia. The other signatories agree on this point and in particular invoke in this connection that the Agreement of 1906, while recognising that Italy has important economic interests in Ethiopia, reserves completely the sovereign rights of the Emperor and prescribes the maintenance of the political territorial status quo in Ethiopia as also of its integrity. If such an interpretation were nevertheless put forward, it would conflict with Article 10 of the Covenant, which is binding upon the signatories of the Agreement of 1906, and to the benefits of which Ethiopia is entitled since she has been a Member of the League; and consequently, in accordance with Article 20 of the Covenant, the Agreement of 1906 would fall to the ground so far as such a contradiction existed."

The Ethiopian Government applies these conclusions to all the provisions of the Three-Power Agreement of 1906, and in particular to the provisions of Article 9 of that Agreement, relating to railway concessions in Ethiopia; though it must be clearly understood that the Ethiopian Government will scrupulously observe all the undertakings which it has given and which are still in force.

In its conclusions of October 5th, 1935, the Committee of Thirteen added:

"It is perfectly clear that these agreements involve obligations upon the signatory States only, and not upon Ethiopia or any other Member of the League".

The Ethiopian Government considers, for its part, that agreements for political or economic non-interference can only be accepted with the utmost caution, as being inconsistent with the international public order introduced by the Covenant. Such agreements are too often regarded by the beneficiary Government as a promise on the part of the co-signatory States that they will not discharge the obligations they have assumed under Article 10 of the Covenant. The Ethiopian Government does not see how any Member of the League can accept any other interpretation.

As regards more particularly the Anglo-Italian exchange of notes of December 1925, the Ethiopian Government declares that it accepts no interpretation other than that given by the interested Powers themselves and referred to by the Committee of Thirteen in its Report of October 5th, 1935 (pages 12 and 13) and that which Ethiopia gave on September 4th, 1926:

"On September 4th, 1926, the Ethiopian Government informed the Members of the League that, far from having given any undertaking whatever in this matter to the two Powers concerned, it retained, as the British and Italian Governments themselves had stated, full and complete freedom to decide as to any request which might be made to it, and had a perfect right to judge what was in the interests of Ethiopia."

3. Lastly, the Ethiopian Government declares that any proposal for the settlement of the conflict must observe the fundamental principle by which the Committee of Five was guided in September 1935, and which was again asserted by the Committee of Thirteen in its Report of October 5th, 1935 (page 15, paragraph 23):

"The Committee of Five's plan had necessarily to be based upon the principles of the Covenant, (and) of the Pact of Paris ..... Any solution of the problem of Italo-Ethiopian relations had to be founded on the respect due to the independence, territorial integrity and security of all the States Members of the League".

The Ethiopian Government would observe that its acceptance of the plan devised by the Committee of Five was conditional upon modifications, and was merely as a basis for negotiation on the clear understanding that a plan had been asked for by the Ethiopian Government without any connection with the Italo-Ethiopian conflict and as the accomplishment of the League's duty of giving its disinterested collective and international co-operation to any State Member who desires it.

(Signed) WOLDE MARIAM.