

LEAGUE OF NATIONS

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**RESOLUTIONS AND RECOMMENDATIONS**

adopted by the

**ASSEMBLY**

during its Ninth Ordinary Session

September 3rd to 26th, 1928

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**RESOLUTIONS AND RECOMMENDATIONS ADOPTED  
BY THE ASSEMBLY**

**During its Ninth Ordinary Session,  
September 3rd to 26th, 1928.**

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I. VERIFICATION OF CREDENTIALS AND APPOINTMENT OF OFFICERS.

I. VERIFICATION OF CREDENTIALS.

Upon reports submitted by the Committee on Credentials, appointed by the Assembly on September 3rd, 1928, the credentials of the representatives of the Members of the League were found in good and proper form.

The Committee was constituted as follows :

M. Aristides DE AGÜERO Y BETHANCOURT (Cuba), Chairman.  
M. Rudolf HOLSTI (Finland) ;  
Captain His Highness Nawab Sir Tale Muhammed Khan SHER MUHAMMED Khan,  
K.C.I.E., K.C.V.O. (India) ;  
M. Charles DUZMANS (Latvia) ;  
Baron Rodolphe Auguste LEHMANN (Liberia) ;  
M. Milan RAKITCH (Kingdom of the Serbs, Croats and Slovenes) ;  
His Highness Prince VIPULYA (Siam) ;  
M. Diógenes ESCALANTE (Venezuela).

*[Meeting of September 3rd, 1928 (morning).]*

2. APPOINTMENT OF AN AGENDA COMMITTEE.

The Assembly appointed an Agenda Committee, which was constituted as follows :

Count LAGARDE, duc d'ENTOTTO (Abyssinia) ;  
Sir William MOORE (Australia) ;  
Sir Cecil HURST (British Empire) ;  
Dr. Ferdinand VEVERKA (Czechoslovakia) ;  
Count BONIN-LONGARE (Italy) ;  
Jonkheer VAN EYSINGA (Netherlands) ;  
M. CABALLERO (Paraguay) ;  
M. DE PALACIOS (Spain).

*[Meeting of September 3rd, 1928 (afternoon).]*

### 3. APPOINTMENT OF THE GENERAL COMMITTEE.

In accordance with Rule 7 of the Rules of Procedure adopted by the first Assembly at its meeting of November 30th, 1920, and in accordance with a decision taken by the Assembly on September 3rd, 1928, the General Committee of the ninth ordinary session of the Assembly was constituted as follows :

- (a) The President of the Assembly ;
- (b) The six Vice-Presidents elected by the Assembly ;
- (c) The Chairmen of the six Committees of the Assembly and *ex officio* Vice-Presidents of the Assembly ;
- (d) The Chairman of the Agenda Committee.

#### (a) *President.*

His Excellency M. Herluf ZAHLE (Denmark) was elected President of the Assembly for its ninth ordinary session.

[*Meeting of September 3rd, 1928 (morning).*]

#### (b) *Vice-Presidents elected by the Assembly.*

M. ADATCI (Japan), M. BRIAND (France), M. MÜLLER (Germany), Lord CUSHENDUN (British Empire), Mr. MACKENZIE KING (Canada), Monsignor SEIPEL (Austria).

[*Meeting of September 3rd, 1928 (afternoon).*]

#### (c) *Chairmen of the Committees and ex-officio Vice-Presidents of the Assembly.*

M. SCIALOJA (Italy), M. MOTTA (Switzerland), Count CARTON DE WIART (Belgium), M. DE VASCONCELLOS (Portugal), M. José MATOS (Guatemala), M. MARINKOVITCH (Kingdom of the Serbs, Croats and Slovenes).

[*Meeting of September 3rd, 1928 (afternoon).*]

#### (d) *Chairman of the Agenda Committee.*

In accordance with a decision taken by the Assembly at its second meeting, M. CABALLERO (Paraguay), Chairman of the Agenda Committee, was appointed a member of the General Committee of the Assembly.

[*Meeting of September 3rd, 1928 (afternoon).*]

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## II. APPOINTMENT OF COMMITTEES AND DISTRIBUTION OF WORK.

The Assembly appointed six Committees, each delegation being entitled to appoint one representative on each Committee.

[Meeting of September 3rd, 1928 (afternoon).]

The following questions were referred by the Assembly to the various Committees for consideration and report :

### *First Committee (Constitutional and Legal Questions) :*

1. Progressive Codification of International Law.
2. Question of the Revision of the Statute of the Permanent Court of International Justice.
3. Advisory Opinions of the Permanent Court of International Justice.

### *Second Committee (Technical Organisations).*

1. Work of the Health Organisation.
2. Work of the Organisation for Communications and Transit.
3. Work of the Economic Organisation.
4. Work of the Financial Committee.
5. Settlement of Greek Refugees and Greek Stabilisation Loan.
6. Settlement of Bulgarian Refugees and Bulgarian Stabilisation Loan.
7. Relations between the League of Nations and Institutes or Bodies set up under its Authority.
8. Question of Alcoholism.

### *Third Committee (Reduction of Armaments).*

1. Articles 10, 11 and 16 of the Covenant.
2. Pacific Settlement of International Disputes, Non-Aggression and Mutual Assistance.
3. Work of the Preparatory Commission for the Disarmament Conference.
4. Model Treaty to strengthen the Means for preventing War.
5. Financial Assistance to States Victims of Aggression.
6. Supervision of the Private Manufacture and Publicity of the Manufacture of Arms, Ammunition and of Implements of War.
7. Radio-telegraphic Station to be created with a view to providing the League of Nations with Independent Communications in Time of Emergency.

### *Fourth Committee (Administrative and Financial Questions).*

1. Administrative and Financial Questions.
2. Contributions in Arrears.
3. Construction of an Assembly Hall, of a New Building for the Secretariat and of a New Library.

*Fifth Committee (Social and General Questions).*

1. Traffic in Opium and other Dangerous Drugs.
2. Control of Opium-Smoking in the Far East.
3. Work of the Advisory Committee for the Protection and Welfare of Children and Young People :  
Traffic in Women and Children.  
Child Welfare.
4. Russian, Armenian, Assyrian, Assyro-Chaldean and Turkish Refugees.

*Sixth Committee (Political Questions, Mandates, Slavery, etc.).*

1. Mandates.
  2. Slavery Convention.
  3. Work of the International Committee on Intellectual Co-operation and of the International Institute of Intellectual Co-operation.
  4. Plan for the Establishment of Armenian Refugees in the Republic of Erivan.
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### III. RESOLUTIONS AND RECOMMENDATION ADOPTED ON THE PROPOSALS OF THE FIRST COMMITTEE.

#### I. PROGRESSIVE CODIFICATION OF INTERNATIONAL LAW.

##### I. *The First Codification Conference.*

1. The Assembly expresses its high appreciation of the work already accomplished by the Preparatory Committee of the Conference.

2. It congratulates itself also upon the valuable assistance, for the study of the questions to be dealt with by the Conference, which is already being afforded by the various international scientific societies and by the study groups which have been formed, more particularly in the United States of America and in Japan.

3. It once more calls attention to the fundamental importance, for the satisfactory operation of arbitral and judicial procedure, of codification of international law, and emphasises the urgency which attaches to the work to be done in this field in the presence of the remarkable extension which has been assured, by a very large number of international conventions, to pacific methods for settling international disputes.

4. The Assembly accordingly expresses to the Council its desire that the Conference should as far as possible be convened in the course of 1929, so that the first practical results may be secured from an undertaking which has for four years been the subject of methodical preparation.

5. The Assembly requests the delegations to communicate these views to the Governments, if necessary by telegraph, and to recall to their attention the importance which the Preparatory Committee attaches to receiving, before October 31st, 1928, their replies to the questionnaires sent to them.

6. It asks that, on this occasion, it may be pointed out to the Governments that the detailed questionnaires drawn up by the Preparatory Committee, in obedience to the instructions given to it, have been prepared with the sole object of rendering it more easy for the various Governments to send the information for which they are asked, and do not prevent them, if they so wish, from reserving their opinion upon points which have not arisen in their own experience or upon which they would at present prefer not to pronounce.

7. The Assembly, considering that the question of nationality which is on the agenda of the Conference is of special interest to women, and that Article 7 of the Covenant embodies the principle that all positions under or in connection with the League shall be open equally to men and women, expresses the hope that the Members of the League, when invited to the forthcoming Conference, will consider the desirability of taking these considerations into account in composing their delegations.

##### II. *Preparatory Work for Further Conferences.*

###### I. The Assembly,

Having considered the report (document A. 56.1928.V) addressed to the Council of the League of Nations in June 1928 by the Committee of Experts for the Progressive Codification of International Law, thanks the jurists who, under the enlightened guidance of their President, have made this new contribution to the work of codification.



Notes the conclusions of the Committee, according to which two new questions appear to be sufficiently ripe for international regulation, namely :

- (1) Legal position and functions of Consuls ;
- (2) Competence of the courts in regard to foreign States.

It decides to reserve these questions with a view to subsequent conferences.

2. The Assembly notes that a new questionnaire dealing with the question of Domicil has been drawn up by the Committee of Experts and transmitted to the Governments by the Secretary-General.

It adjourns to its session of 1929 the question whether it is necessary to convene the Committee of Experts again for the purpose of examining the replies from the Governments received in the interval by the Secretary-General of the League of Nations, and, eventually, of studying other questions which may arise in connection with codification of international law.

The Assembly recommends that the Committee of Experts should, when it next meets, examine whether it would be possible and desirable to endeavour, by the procedure of codification, to formulate a declaration of the fundamental rights and duties of States.

### III. *Establishment of a General Plan of Codification.*

The Assembly,

Having considered the opinion expressed by the Committee of Experts regarding the proposal of the delegation of Paraguay :

Confirms its decision to make no change at present in the method of codification adopted by it in 1924 ;

Recognises, however, that there would be advantages in indicating the full extent of the subjects which, without prejudging the order to be followed, the Assembly proposes to cover by the work of codification ;

And, in view of the character of the contemplated task, addresses to the Council the request that the establishment of a systematic survey may be entrusted to a Committee of three jurists, to be chosen preferably from the members of the Committee of Experts, and that the survey may be communicated to the Members of the League as soon as possible.

It suggests that it would be desirable at the same time to distinguish, if possible, the subjects which should be reserved for the technical organisations of the League, or the international conferences which have already been initiated by particular Governments, and the subjects which appear capable of being dealt with by conferences of jurists.

The Assembly emphasises the great immediate practical value in this connection of assembling together in the form of a code, according to a methodical classification, the various general international conventions, *i.e.*, those which are open to acceptance by States in general.

It accordingly asks the Council to submit to examination by the above-mentioned Committee of three jurists the question of publishing, as an accompaniment to the *Treaty Series* and in the form of a code, of which new editions would from time to time be produced, those general conventions which have the above-mentioned character, and to report to the Assembly on the matter at its next session.

[*Resolutions adopted on September 24th, 1928 (afternoon).*]

2. QUESTION OF THE REVISION OF THE STATUTE OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

The Assembly,

Considering the ever-increasing number of matters referred to the Permanent Court of International Justice ;

Deeming it advisable that, before the renewal of the term of office of the members of the Court in 1930, the present provisions of the Statute of the Court should be examined with a view to the introduction of any amendments which experience may show to be necessary :

Draws the Council's attention to the advisability of proceeding, before the renewal of the term of office of the members of the Permanent Court of International Justice, to the examination of the Statute of the Court with a view to the introduction of such amendments as may be judged desirable, and to submitting the necessary proposals to the next ordinary session of the Assembly.

*[Resolution adopted on September 20th, 1928 (morning).]*

3. ADVISORY OPINIONS OF THE PERMANENT COURT OF INTERNATIONAL JUSTICE.

The Assembly,

Noting the divergencies of opinion which exist as regards the requirements for voting in the Council or Assembly a resolution requesting an advisory opinion from the Permanent Court of International Justice :

Expresses the desire that, when circumstances permit, the Council may have a study made of the question whether the Council or the Assembly may, by a simple majority, ask for an advisory opinion within the meaning of Article 14 of the Covenant of the League of Nations.

*[Recommendation adopted on September 24th, 1928 (afternoon).]*

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#### IV. RESOLUTIONS AND RECOMMENDATIONS ADOPTED ON THE REPORTS OF THE SECOND COMMITTEE.

##### I. WORK OF THE HEALTH ORGANISATION.

The Assembly,

Having taken note of the reports (documents A.6.1928 and A.6(a).1928) dealing with the work of the Health Organisation of the League during the past year :

Is gratified at these evidences of its increasing utility as an agency for the promotion of international collaboration in matters affecting the public health ;

Expresses its appreciation to all the health administrations of the various Governments which have generously collaborated with the Health Organisation in the different branches of its work ;

Records its gratitude for the services rendered by the members and experts of all the commissions and conferences of the Health Organisation, as well as the specialists and experts who have carried out individual missions ;

Approves the work accomplished by the Health Organisation since the eighth ordinary session of the Assembly, and congratulates it on the increasing success of its far-sighted policy of practical collaboration with extra-European countries.

*[Resolution adopted on September 18th, 1928 (morning).]*

##### 2. WORK OF THE ORGANISATION FOR COMMUNICATIONS AND TRANSIT.

The Assembly, noting the report (document A.73.1928.VIII) of the Advisory and Technical Committee for Communications and Transit on the work of the Organisation between the eighth and ninth ordinary sessions of the Assembly, expresses its satisfaction with the normal progress of the Organisation's work.

*[Resolution adopted on September 24th, 1928 (afternoon).]*

##### 3. WORK OF THE ECONOMIC ORGANISATION.

The Assembly,

(1) Having noted the work of the Economic Organisation of the League of Nations during the past year :

Observes with satisfaction the progress achieved, particularly in regard to the undertakings resulting from the resolutions of the World Economic Conference which were recommended to the favourable attention of all Governments by the Assembly at its eighth ordinary session ;

Is confident that the Economic Organisation will successfully carry through the important tasks still assigned to it, and that it will, if necessary, deal with them in an order corresponding to their respective importance and urgency and the possibility of reaching practical results, regard being had to the manifold and occasionally divergent interests involved ;

(2) Notes with satisfaction that the Convention for the Execution of Foreign Arbitral Awards, which was opened for the signature of States by the Assembly on September 26th, 1927, has been signed by eleven States, and that there have been five new ratifications of the 1923 Protocol on Arbitration Clauses ;

Trusts that at least those States which signed the Protocol will accede to the Convention, and thus enable traders in these States to resort to arbitration with full security ;

(3) Welcomes the conclusion of the Convention of November 8th, 1927, and the Supplementary Agreement of July 11th, 1928, for the Abolition of Import and Export Prohibitions and Restrictions, and also the two International Agreements dated July 11th, 1928 ;

Earnestly hopes that the Governments of the signatory States, and especially the Governments of the States enumerated in Article C of the Supplementary Agreement of July 11th, 1928, whose abstention might jeopardise the future of the Agreements concluded, will speedily ratify these Agreements and thus contribute towards achieving real progress in the economic situation of the world ;

(4) Trusts that the Diplomatic Conference on Statistics convened for November 26th next and the Conferences contemplated for 1929 in regard to the treatment of foreign nationals and the partial assimilation of legislation on bills of exchange, promissory notes and cheques will lead to valuable results ;

(5) Hopes that the preparatory work for the establishment of a simplified uniform Customs nomenclature, of which it recognises the high importance as facilitating tariff agreements and increasing the efficacy of the most-favoured-nation clause, will soon be successfully concluded ;

(6) Considering that the Economic Committee has already arrived at interesting conclusions as to the possibility of reconciling the two tariff systems (hard-and-fast tariff and negotiable tariff) :

Requests the Economic Committee to pursue its work with a view to framing a doctrine in regard to commercial policy and preparing collective agreements to facilitate, by bringing about a milder Customs regime, the movement of certain products which are of special importance or which lend themselves more particularly to treatment of this kind ;

(7) Follows with interest the investigations undertaken in regard to veterinary measures, and approves their objective character and the desire to take into account the legitimate and occasionally conflicting preoccupations of countries which export and import cattle ;

Considers that their completion is essential to enable regulations to be cleared from all suspicion of veiled protectionism, and promote the greater freedom of trade advocated by the Economic Conference ;

And is confident that they will be pursued as rapidly as is consistent with the complexity of their character ;

(8) Expresses its confidence that the Economic Committee, to which the investigation of the problems relating to coal and sugar were submitted at the instance of the Consultative Committee, will carry through its work with all desirable energy, while not neglecting any of the interests involved, whether of producers or consumers — countries or persons — or the workers ;

(9) Hopes that the Economic Organisation will be able to expedite, along the lines of the recommendations of the World Economic Conference and the Consultative Committee, the study of various aspects of the problem of international industrial understandings — in particular, the status of such understandings, their juridical forms, the legislation controlling them and the publicity concerning them ;

(10) Believes that the successful attainment of the objects contemplated by the World Economic Conference will largely depend upon the measure in which it will prove possible to harmonise the interests of agriculture and industry, account being taken, *inter alia*, of the particular position of countries which are mainly agricultural or in the early stages of industrial development ;

Approves the view expressed by the Economic Consultative Committee that the systematic study of the problems of agriculture will be an important factor in the encouragement of economic co-operation between peoples.

[*Resolutions and Recommendations adopted on September 21st, 1928 (morning).*]

4. WORK OF THE FINANCIAL COMMITTEE.

The Assembly takes note of and expresses its satisfaction with the work of the Financial Committee.

[*Resolution adopted on September 20th, 1928 (morning).*]

5. SETTLEMENT OF GREEK REFUGEES AND GREEK STABILISATION LOAN.

The Assembly,

Congratulates the Refugee Settlement Commission on the excellent results so far obtained, and trusts that the work which remains to be done may be carried out in the same satisfactory manner;

Expresses its satisfaction at the success of financial stabilisation in Greece and the work of the Financial Committee in this connection.

[*Resolution adopted on September 18th, 1928 (morning).*]

6. SETTLEMENT OF BULGARIAN REFUGEES AND BULGARIAN STABILISATION LOAN.

The Assembly,

(a) Notes with satisfaction the progress of the refugee work under the able direction of the Commissioner of the League and the Bulgarian authorities, to whom it expresses its appreciation of their work. The progress thus made confirms the Assembly's appreciation of the social and political importance of this work;

(b) Takes note of the stabilisation scheme involving the issue of a loan of £5 millions sterling to be devoted to the repayment of the State debt to the National Bank in connection with the stabilisation of the currency, to strengthening the position of the Agricultural Bank and the Central Co-operative Bank, the liquidation of budget arrears, the construction of certain roads and railways, and work in connection with the damage caused by the earthquakes which ravaged parts of Bulgaria during the spring of 1928;

(c) Congratulates the Financial Committee and the Bulgarian Government for having, in the preparation of this scheme, made one more valuable contribution to the progressive financial and economic stabilisation of Europe, and expresses the hope that the issue of the loan necessary for the execution of the scheme may meet with complete success.

[*Resolution adopted on September 20th, 1928 (morning).*]

7. RELATIONS BETWEEN THE LEAGUE OF NATIONS AND INSTITUTES OR BODIES SET UP UNDER ITS AUTHORITY.

The Assembly,

Having taken note of the report (document A.71.1928.XII) adopted by the Council on the question of the relations between the League of Nations and institutes or bodies set up under its authority:

Approves the rules embodied in that report for the application of Article 24 of the Covenant and for the acceptance of international institutes offered to the League by Governments. The modifications made in that report by the Second Committee of the Assembly are also approved.

*[Resolution adopted on September 20th, 1928 (morning).]*

8. QUESTION OF ALCOHOLISM.

The Assembly,

Having had a draft resolution on the subject of alcoholism submitted to it by the Finnish, Swedish and Polish delegations :

Decides to ask the Council to request the Health Organisation of the League of Nations to collect full statistical information regarding alcoholism, considered as a consequence of the abuse of alcohol, giving prominence, *inter alia*, according to the data available, to the deleterious effects of the bad quality of the alcohols consumed ;

And, considering that, while it is for the Governments to put a stop to the contraband trade carried on in violation of the conventions in force between them, it may nevertheless be useful to examine the terms in which such conventions or agreements might be drawn up, for the prevention of smuggling in general and that of alcohol in particular ;

Decides to ask the Council to request the Economic Committee to carry out this investigation and to submit any proposals to the Council arising out of its conclusions.

It is understood that this resolution does not refer to wine, beer or cider.

*[Resolution adopted on September 24th, 1928 (afternoon).]*

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V. RESOLUTIONS AND RECOMMENDATIONS ADOPTED ON THE REPORTS  
OF THE THIRD COMMITTEE.

I. ARTICLES 10, 11 AND 16 OF THE COVENANT.

The Assembly,

Having noted the work of the Committee on Arbitration and Security in regard to Articles 10, 11 and 16 of the Covenant :

Appreciates the great importance of the work done to apply the provisions in question ;

Considers that the information concerning the question of the criteria of aggression contained in the Committee's documents usefully summarises the studies made by the Assembly and the Council and the provisions of certain treaties ;

Recalls in particular that the action to be taken by the Council under Article 11 and other articles of the Covenant in the case of a conflict will provide it with important elements of appreciation likely to facilitate the determination of the aggressor in the event of war breaking out in spite of every effort ;

Considers that the study of Article 11 of the Covenant, which stipulates that the League " shall take any action that may be deemed wise and effectual to safeguard the peace of nations ", forms the natural counterpart of the study undertaken by the Committee of the Council and approved by the Council on December 6th, 1927, on the Assembly's recommendation, and, without detracting from the value of the other articles of the Covenant, brings into prominence the fact that the League's first task is to forestall war, and that in all cases of armed conflict or of threats of armed conflict, of whatever nature, it must take action to prevent hostilities or to stop hostilities which have already begun ;

Takes note of the suggestions concerning Article 16 contained in the Committee's documents relative to the study of the articles of the Covenant ;

Recommends to the Council the studies in question as a useful piece of work which, without proposing a hard-and-fast procedure in time of emergency, and without adding to or detracting from the rights and duties of the Members of the League, provides valuable indications as to the possibilities offered by the different articles of the Covenant, and as to the way in which they may be applied, without prejudice to the different modes of procedure which the infinite variety of possible eventualities may render necessary in practice ;

In conclusion, recommends that a study should be undertaken of the other articles of the Covenant the conscientious and full application of which offers special guarantees of security.

[*Recommendations adopted on September 20th, 1928 (morning).*]

2. PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES, NON-AGGRESSION  
AND MUTUAL ASSISTANCE.

- (i) *Resolution on the Submission and Recommendation of a General Act and of Three Model Bilateral Conventions in regard to Conciliation, Arbitration and Judicial Settlement.*

The Assembly,

Having considered the work of the Committee on Arbitration and Security ;

(1) Firmly convinced that effective machinery for ensuring the peaceful settlement of international disputes is an essential element in the cause of security and disarmament ;

- (2) Considering that the faithful observance, under the auspices of the League of Nations, of methods of pacific settlement renders possible the settlement of all disputes;
- (3) Noting that respect for rights established by treaty or resulting from international law is obligatory upon international tribunals;
- (4) Recognising that the rights of the several States cannot be modified except with their consent;
- (5) Taking note of the fact that a great number of particular international conventions provide for obligatory conciliation, arbitration or judicial settlement;
- (6) Being desirous of facilitating to the greatest possible degree the development of undertakings in regard to the said methods of procedure;
- (7) Declaring that such undertakings are not to be interpreted as restricting the duty of the League of Nations to take at any time whatever action may be deemed wise and effectual to safeguard the peace of the world; or as impeding its intervention in virtue of Articles 15 and 17 of the Covenant, where a dispute cannot be submitted to arbitral or judicial procedure or cannot be settled by such procedure, or where the conciliation proceedings have failed;
- (8) Invites all States whether Members of the League or not, and in so far as their existing agreements do not already achieve this end, to accept obligations in pursuance of the above purpose either by becoming parties to the annexed General Act (Annex 1) or by concluding particular conventions with individual States in accordance with the model bilateral conventions annexed hereto (Annex 2) or in such terms as may be deemed appropriate;
- (9) Resolves to communicate the annexed General Act and the annexed model bilateral conventions to all Members of the League of Nations and to such States not Members of the League as may be indicated by the Council;
- (10) Requests the Council to give the Secretariat of the League of Nations instructions to keep a list of the engagements contracted in accordance with the terms of the present resolution either by acceptance of the provisions of the General Act or by the conclusion of particular conventions with the same object, so as to enable Members of the League and States non-Members of the League to obtain information as soon as possible.

(ii) *Resolution concerning the Good Offices of the Council.*

The Assembly,

In view of the resolution adopted by the Assembly on September 25th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security;

Recognising that the development of procedures for the pacific settlement of any disputes which may arise between States is an essential factor in the prevention of wars:

Expresses its appreciation of the progress achieved in concluding treaties of this kind, and its desire to see the application of the principle of the pacific settlement of all disputes extended as far as possible; and

Invites the Council to inform all States Members of the League that, should States feel the need of reinforcing the general security conferred by the Covenant and of contracting for this purpose undertakings concerning the pacific settlement of any disputes which may arise between them, and should negotiations in connection therewith meet with difficulties, the Council would, if requested to do so by one of the parties — after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices, which, being voluntarily accepted by them, would be calculated to bring the negotiations to a happy issue.



(iii) *Resolution on the Submission and Recommendation of Model Treaties of Non-Aggression and Mutual Assistance.*

The Assembly,

Having noted the model treaties of non-aggression and mutual assistance (Annex 3) prepared by the Committee on Arbitration and Security, and amended as a result of the work of the First and Third Committees of the Assembly, together with the explanations supplied in the introductory note drawn up by the first-named Committee<sup>1</sup>;

Highly appreciating the value of these model treaties;

And convinced that their adoption by the States concerned would contribute towards strengthening the guarantees of security:

Recommends them for consideration by States Members or non-Members of the League of Nations; and

Hopes that they may serve as a basis for States desiring to conclude treaties of this sort.

(iv) *Resolution concerning the Good Offices of the Council.*

In view of the resolution adopted by the Assembly on September 25th, 1926, requesting the Council to offer its good offices to States Members of the League for the conclusion of suitable agreements likely to establish confidence and security,

The Assembly,

Convinced that the conclusion between States in the same geographical area of treaties of non-aggression and mutual assistance providing for conciliation, arbitration and mutual guarantees against aggression by any one of them, constitutes one of the most practical means that can now be recommended to States anxious to secure more effective guarantees of security;

Being of opinion that the good offices of the Council, if freely accepted by all the parties concerned, might facilitate the conclusion of such treaties:

Invites the Council to inform all the States Members of the League of Nations that, should States feel the need of reinforcing the general security conferred by the Covenant and of concluding a treaty of non-aggression and mutual assistance or a treaty of non-aggression for this purpose, and should the negotiations relating thereto meet with difficulties, the Council would, if requested by one of the parties — after it has examined the political situation and taken account of the general interests of peace — be prepared to place at the disposal of the States concerned its good offices which, being voluntarily accepted, would be calculated to bring the negotiations to a happy issue.

(v) *Resolution regarding the Optional Clause of Article 36 of the Statute of the Permanent Court of International Justice.*

The Assembly,

Referring to the resolution of October 2nd, 1924, in which the Assembly, considering that the terms of Article 36, paragraph 2, of the Statute of the Permanent Court of International Justice are sufficiently wide to permit States to adhere to the special Protocol opened for signature in virtue of that article, with the reservations which they regard as indispensable, and convinced that it is in the interest of the progress of

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<sup>1</sup> See document A.86(1).1928. IX, page 25.

international justice that the greatest possible number of States should, to the widest possible extent, accept as compulsory the jurisdiction of the Court, recommends States to accede to the said Protocol at the earliest possible date ;

Noting that this recommendation has not so far produced all the effect that is to be desired ;

Being of opinion that, in order to facilitate effectively the acceptance of the clause in question, it is expedient to diminish the obstacles which prevent States from committing themselves ;

Being convinced that the efforts now being made through progressive codification to diminish the uncertainties and supply the deficiencies of international law will greatly facilitate the acceptance of the optional clause of Article 36 of the Statute of the Court, and that, meanwhile, attention should once more be drawn to the possibility offered by the terms of that clause to States which do not see their way to accede to it without qualification, to do so subject to appropriate reservations limiting the extent of their commitments, both as regards duration and as regards scope ;

Noting, in this latter connection, that the reservations conceivable may relate, either generally to certain aspects of any kind of dispute, or specifically to certain classes or lists of disputes, and that these different kinds of reservation can be legitimately combined ;

Recommends that States which have not yet acceded to the optional clause of Article 36 of the Statute of the Permanent Court of International Justice should, failing accession pure and simple, consider, with due regard to their interests, whether they can accede on the conditions above indicated ;

Requests the Council to communicate the text of this resolution to those States as soon as possible, desiring them to notify it of their intentions in the matter, indicating at the same time the questions of international law the elucidation of which would in their opinion facilitate their accession to the optional clause of Article 36 of the Statute of the Court ; and

Asks the Council to inform the Assembly at its next session of the replies it has by then received.

- (vi) *Resolution with regard to the Revision of the Systematic Survey of Arbitration Conventions and Treaties of Mutual Security deposited with the League of Nations, prepared by the Legal Section of the Secretariat.*

The Assembly,

Recognising the importance of the documentation which the Secretariat of the League of Nations has begun to collect concerning treaties of judicial settlement, arbitration and conciliation, and of the maps and graphs which it contemplates establishing :

Requests the Secretary-General to be so good as to invite the Governments of States Members or non-Members of the League of Nations to communicate to the Secretariat the text :

(1) Of those treaties for the pacific settlement of disputes which are now in force and which were concluded prior to the establishment of the League of Nations and which have not been registered ;

(2) Of such arbitral awards affecting them as may be rendered in the future, with the exception of judgments of the Permanent Court of International Justice and of the Permanent Court of Arbitration and of special tribunals such as the Mixed Arbitral Tribunals.

*[Resolutions and Recommendations adopted on September 26th, 1928 (morning).]*

Annex 1.

GENERAL ACT.

CHAPTER I. — CONCILIATION.

*Article 1.*

Disputes of every kind between two or more Parties to the present General Act which it has not been possible to settle by diplomacy shall, subject to such reservations as may be made under Article 39, be submitted, under the conditions laid down in the present Chapter, to the procedure of conciliation.

*Article 2.*

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties to the dispute.

*Article 3.*

On a request to that effect being made by one of the Contracting Parties to another Party, a permanent Conciliation Commission shall be constituted within a period of six months.

*Article 4.*

Unless the parties concerned agree otherwise, the Conciliation Commission shall be constituted as follows :

1. The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

2. The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

3. Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 5.*

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

*Article 6.*

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 3 and 5, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties, or on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

*Article 7.*

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or in default thereof by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.
3. If the application emanates from only one of the parties, the other party shall, without delay, be notified by it.

*Article 8.*

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.
2. The party making use of this right shall immediately notify the other party; the latter shall, in such case, be entitled to take similar action within fifteen days from the date on which it received the notification.

*Article 9.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.
2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

*Article 10.*

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

*Article 11.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.
2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.
3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

*Article 12.*

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote, and the Commission may only take decisions on the substance of the dispute if all its members are present.

*Article 13.*

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

*Article 14.*

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.
2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

*Article 15.*

1. The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the

parties to an agreement. It may, after the case has been examined, inform the parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.

2. At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken unanimously or by a majority vote.

3. The proceedings of the Commission must, unless the parties otherwise agree, be terminated within six months from the date on which the Commission shall have been given cognisance of the dispute.

*Article 16.*

The Commission's procès-verbal shall be communicated without delay to the parties. The parties shall decide whether it shall be published.

CHAPTER II. — JUDICIAL SETTLEMENT.

*Article 17.*

All disputes with regard to which the parties are in conflict as to their respective rights shall, subject to any reservations which may be made under Article 39, be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

*Article 18.*

If the parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected, and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

*Article 19.*

If the parties fail to agree concerning the special agreement referred to in the preceding article, or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

*Article 20.*

1. Notwithstanding the provisions of Article 1, disputes of the kind referred to in Article 17 arising between parties who have acceded to the obligations contained in the present chapter shall only be subject to the procedure of conciliation if the parties so agree.

2. The obligation to resort to the procedure of conciliation remains applicable to disputes which are excluded from judicial settlement only by the operation of reservations under the provisions of Article 39.

3. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the arbitral tribunal referred to in Article 18 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

CHAPTER III. — ARBITRATION.

*Article 21.*

Any dispute not of the kind referred to in Article 17 which does not, within the month following the termination of the work of the Conciliation Commission provided for in Chapter I, form the object of an agreement between the parties, may, subject to such reservations as may be made under Article 39, be brought before an arbitral tribunal which, unless the parties otherwise agree, shall be constituted in the manner set out below.

*Article 22.*

The Arbitral Tribunal shall consist of five members. The parties shall each nominate one member, who may be chosen from among their respective nationals. The two other arbitrators and the Chairman shall be chosen by common agreement from among the nationals of third Powers. They must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties.

*Article 23.*

1. If the appointment of the members of the Arbitral Tribunal is not made within a period of three months from the date on which one of the parties requested the other party to constitute an arbitral tribunal, a third Power, chosen by agreement between the parties, shall be requested to make the necessary appointments.
2. If no agreement is reached on this point, each party shall designate a different Power, and the appointments shall be made in concert by the Powers thus chosen.
3. If, within a period of three months, the two Powers so chosen have been unable to reach an agreement, the necessary appointments shall be made by the President of the Permanent Court of International Justice. If the latter is prevented from acting or is a subject of one of the parties, the nominations shall be made by the Vice-President. If the latter is prevented from acting or is a subject of one of the parties, the appointments shall be made by the oldest member of the Court who is not a subject of either party.

*Article 24.*

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 25.*

The parties shall draw up a special agreement determining the subject of the disputes and the details of procedure.

*Article 26.*

In the absence of sufficient particulars in the special agreement regarding the matters referred to in the preceding article, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary.

*Article 27.*

Failing the conclusion of a special agreement within a period of three months from the date on which the Tribunal was constituted, the dispute may be brought before the Tribunal by an application by one or other party.

*Article 28.*

If nothing is laid down in the special agreement or no special agreement has been made, the Tribunal shall apply the rules in regard to the substance of the dispute enumerated in Article 38 of the Statute of the Permanent Court of International Justice. In so far as there exists no such rule applicable to the dispute, the Tribunal shall decide *ex aequo et bono*.

CHAPTER IV. — GENERAL PROVISIONS.

*Article 29.*

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.
2. The present General Act shall not affect any agreements in force by which conciliation procedure is established between the Parties or they are bound by obligations to resort to arbitration or judicial settlement which ensure the settlement of the dispute. If, however, these agreements provide only for a procedure of conciliation, after such procedure has been followed without result, the provisions of the present General Act concerning judicial settlement or arbitration shall be applied in so far as the parties have acceded thereto.

*Article 30.*

If a party brings before a Conciliation Commission a dispute which the other party, relying on conventions in force between the parties, has submitted to the Permanent Court of International Justice or an Arbitral Tribunal, the Commission shall defer consideration of the dispute until the Court or the Arbitral Tribunal has pronounced upon the conflict of competence. The same rule shall apply if the Court or the Tribunal is seized of the case by one of the parties during the conciliation proceedings.

*Article 31.*

1. In the case of a dispute the occasion of which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present General Act until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

2. In such a case, the party which desires to resort to the procedures laid down in the present General Act must notify the other party of its intention within a period of one year from the date of the aforementioned decision.

*Article 32.*

If in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

*Article 33.*

1. In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed to the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down within the shortest possible time the provisional measures to be adopted. The parties to the dispute shall be bound to accept such measures.

2. If the dispute is brought before a Conciliation Commission, the latter may recommend to the parties the adoption of such provisional measures as it considers suitable.

3. The parties undertake to abstain from all measures likely to react prejudicially upon the execution of the judicial or arbitral decision or upon the arrangements proposed by the Conciliation Commission and, in general, to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 34.*

Should a dispute arise between more than two Parties to the present General Act, the following rules shall be observed for the application of the forms of procedure described in the foregoing provisions :

(a) In the case of conciliation procedure, a special commission shall invariably be constituted. The composition of such commission shall differ according as the parties all have separate interests or as two or more of their number act together.

In the former case, the parties shall each appoint one commissioner and shall jointly appoint commissioners nationals of third Powers not parties to the dispute, whose number shall always exceed by one the number of commissioners appointed separately by the parties.

In the second case, the parties who act together shall appoint their commissioner jointly by agreement between themselves and shall combine with the other party or parties in appointing third commissioners.

In either event, the parties, unless they agree otherwise, shall apply Article 5 and the following articles of the present Act, so far as they are compatible with the provisions of the present article.

(b) In the case of judicial procedure, the Statute of the Permanent Court of International Justice shall apply.

(c) In the case of arbitral procedure, if agreement is not secured as to the composition of the tribunal, in the case of the disputes mentioned in Article 17 each party shall have the right, by means of an application, to submit the dispute to the Permanent Court of International Justice; in the case of the disputes mentioned in Article 21, the above Article 22 and following articles shall apply, but each party having separate interests shall appoint one arbitrator and the number of arbitrators separately appointed by the parties to the dispute shall always be one less than that of the other arbitrators.

*Article 35.*

1. The present General Act shall be applicable as between the parties thereto, even though a third Power, whether a party to the Act or not, has an interest in the dispute.
2. In conciliation procedure, the parties may agree to invite such third Power to intervene.

*Article 36.*

1. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the arbitral tribunal a request to intervene as a third Party.
2. It will be for the Court or the tribunal to decide upon this request.

*Article 37.*

1. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the arbitral tribunal shall notify all such States forthwith.
2. Every State so notified has the right to intervene in the proceedings; but, if it uses this right, the construction given by the decision will be binding upon it.

*Article 38.*

Accessions to the present General Act may extend :

- A. Either to all the provisions of the Act (Chapters I, II, III and IV) ;
- B. Or to those provisions only which relate to conciliation and judicial settlement (Chapters I and II), together with the general provisions dealing with these procedures (Chapter IV) ;
- C. Or to those provisions only which relate to conciliation (Chapter I), together with the general provisions concerning that procedure (Chapter IV).

The Contracting Parties may benefit by the accessions of other Parties only in so far as they have themselves assumed the same obligations.

*Article 39.*

1. In addition to the power given in the preceding article, a Party, in acceding to the present General Act, may make his acceptance conditional upon the reservations exhaustively enumerated in the following paragraph. These reservations must be indicated at the time of accession.
2. These reservations may be such as to exclude from the procedure described in the present Act :
  - (a) Disputes arising out of facts prior to the accession either of the Party making the reservation or of any other Party with whom the said Party may have a dispute ;
  - (b) Disputes concerning questions which by international law are solely within the domestic jurisdiction of States ;
  - (c) Disputes concerning particular cases or clearly specified subject-matters, such as territorial status, or disputes falling within clearly defined categories.
3. If one of the parties to a dispute has made a reservation, the other parties may enforce the same reservation in regard to that party.
4. In the case of Parties who have acceded to the provisions of the present General Act relating to judicial settlement or to arbitration, such reservations as they may have made shall, unless otherwise expressly stated, be deemed not to apply to the procedure of conciliation.

*Article 40.*

A Party whose accession has been only partial, or was made subject to reservations, may at any moment, by means of a simple declaration, either extend the scope of his accession or abandon all or part of his reservations.

*Article 41.*

Disputes relating to the interpretation or application of the present General Act, including those concerning the classification of disputes and the scope of reservations, shall be submitted to the Permanent Court of International Justice.



*Article 42.*

The present General Act, of which the French and English texts shall both be authentic, shall bear the date of the 26th of September. 1928.

*Article 43.*

1. The present General Act shall be open to accession by all the Heads of States or other competent authorities of the Members of the League of Nations and the non-Member States to which the Council of the League of Nations has communicated a copy for this purpose.

2. The instruments of accession and the additional declarations provided for by Article 40 shall be transmitted to the Secretary-General of the League of Nations, who shall notify their receipt to all the Members of the League and to the non-Member States referred to in the preceding paragraph.

3. The Secretary-General of the League of Nations shall draw up three lists, denominated respectively by the letters A, B and C, corresponding to the three forms of accession to the present Act provided for in Article 38, in which shall be shown the accessions and additional declarations of the Contracting Parties. These lists, which shall be continually kept up to date, shall be published in the annual report presented to the Assembly of the League of Nations by the Secretary-General.

*Article 44.*

1. The present General Act shall come into force on the ninetieth day following the receipt by the Secretary-General of the League of Nations of the accession of not less than two Contracting Parties.

2. Accessions received after the entry into force of the Act, in accordance with the previous paragraph, shall become effective as from the ninetieth day following the date of receipt by the Secretary-General of the League of Nations. The same rule shall apply to the additional declarations provided for by Article 40.

*Article 45.*

1. The present General Act shall be concluded for a period of five years, dating from its entry into force.

2. It shall remain in force for further successive periods of five years in the case of Contracting Parties which do not denounce it at least six months before the expiration of the current period.

3. Denunciation shall be effected by a written notification addressed to the Secretary-General of the League of Nations, who shall inform all the Members of the League and the non-Member States referred to in Article 43.

4. A denunciation may be partial only, or may consist in notification of reservations not previously made.

5. Notwithstanding denunciation by one of the Contracting Parties concerned in a dispute, all proceedings pending at the expiration of the current period of the General Act shall be duly completed.

*Article 46.*

A copy of the present General Act, signed by the President of the Assembly and by the Secretary-General of the League of Nations, shall be deposited in the archives of the Secretariat; a certified true copy shall be delivered by the Secretary-General to all the Members of the League of Nations and to the non-Member States indicated by the Council of the League of Nations.

*Article 47.*

The present General Act shall be registered by the Secretary-General of the League of Nations on the date of its entry into force.

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**Annex 2.**

**BILATERAL CONVENTION FOR THE PACIFIC SETTLEMENT OF ALL  
INTERNATIONAL DISPUTES.**

**(Convention a.)**

The Heads of States. (Governments are left free to draw up the preamble as they may think fit.)

.....

Have decided to realise their common aim by means of a Convention, and have appointed as their plenipotentiaries :

.....  
who, having deposited their full powers found in good and due form, have agreed on the following provisions :

CHAPTER I. — PACIFIC SETTLEMENT IN GENERAL.

*Article 1.*

Disputes of every kind which may arise between the High Contracting Parties and which it has not been possible to settle by diplomacy shall be submitted, under the conditions laid down in the present Convention, to settlement by judicial means or arbitration, preceded, according to circumstances, as a compulsory or optional measure, by recourse to the procedure of conciliation.

*Article 2.*

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties shall be settled in conformity with the provisions of those conventions.
2. The present Convention shall not affect any agreements in force by which conciliation procedure is established between the High Contracting Parties or they are bound by obligations to resort to arbitration or judicial settlement which ensure the settlement of the dispute. If, however, these agreements provide only for a procedure of conciliation, after such procedure has been followed without result, the provisions of the present Convention concerning judicial settlement or arbitration shall be applied.

*Article 3.*

1. In the case of a dispute the occasion of which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present Convention until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.
2. In such a case, the party which desires to resort to the procedures laid down in the present Convention must notify the other party of its intention within a period of one year from the date of the aforementioned decision.

CHAPTER II. — JUDICIAL SETTLEMENT.

*Article 4.*

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Permanent Court of International Justice.

*Article 5.*

If the parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

*Article 6.*

If the parties fail to agree concerning the special agreement referred to in the preceding article, or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

*Article 7.*

1. In the case of the disputes mentioned in Article 4, before any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Convention.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the Arbitral Tribunal referred to in Article 5 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

CHAPTER III. — CONCILIATION.

*Article 8.*

All disputes between the parties other than the disputes mentioned in Article 4 shall be submitted obligatorily to a procedure of conciliation before they can form the subject of a settlement by arbitration.

*Article 9.*

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties to the dispute.

*Article 10.*

On a request to that effect being made by one of the Contracting Parties to the other Party, a permanent Conciliation Commission shall be constituted within a period of six months.

*Article 11.*

Unless the parties agree otherwise, the Conciliation Commission shall be constituted as follows :

1. The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

2. The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace the commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

3. Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 12.*

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commissioner shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

*Article 13.*

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 10 and 12, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

*Article 14.*

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or, in default thereof, by one or other of the parties.
2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.
3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

*Article 15.*

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.
2. The party making use of this right shall immediately notify the other party; the latter shall in such case be entitled to take similar action within fifteen days from the date on which it received the notification.

*Article 16.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.
2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

*Article 17.*

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

*Article 18.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.
2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.
3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

*Article 19.*

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote and the Commission may only take decisions on the substance of the dispute if all its members are present.

*Article 20.*

The parties undertake to facilitate the work of the Conciliation Commission and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

*Article 21.*

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.
2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

*Article 22.*

1. The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the parties to an agreement. It may, after the case has been examined, inform the parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.

2. At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the parties have come to an agreement, and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken unanimously or by a majority vote.

3. The proceedings of the Commission must, unless the parties otherwise agree, be terminated within six months from the date on which the Commission shall have been given cognisance of the dispute.

*Article 23.*

The Commission's procès-verbal shall be communicated without delay to the parties. The parties shall decide whether it shall be published.

CHAPTER IV. — SETTLEMENT BY ARBITRATION.

*Article 24.*

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission mentioned in the previous articles, the question shall be brought before an arbitral tribunal which, unless the parties agree otherwise, shall be constituted in the manner indicated below.

*Article 25.*

The Arbitral Tribunal shall consist of five members. The parties shall each nominate one member, who may be chosen from among their respective nationals. The two other arbitrators and the Chairman shall be chosen by common agreement from among the nationals of third Powers. They must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties.

*Article 26.*

1. If the appointment of the members of the Arbitral Tribunal is not made within a period of three months from the date on which one of the parties requested the other party to constitute an arbitral tribunal, a third Power, chosen by agreement between the parties, shall be requested to make the necessary appointments.

2. If no agreement is reached on this point, each party shall designate a different Power, and the appointments shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers so chosen have been unable to reach an agreement, the necessary appointments shall be made by the President of the Permanent Court of International Justice. If the latter is prevented from acting or is a subject of one of the parties, the nomination shall be made by the Vice-President. If the latter is prevented from acting or is a subject of one of the parties, the appointments shall be made by the oldest member of the Court who is not a subject of either party.

*Article 27.*

Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 28.*

The parties shall draw up a special agreement determining the subject of the dispute and the details of procedure.

*Article 29.*

Failing stipulations to the contrary in the special agreement, the procedure followed by the Arbitral Tribunal shall be that laid down in Part IV, Chapter III, of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

*Article 30.*

Failing the conclusion of a special agreement within a period of three months from the date on which the Tribunal was constituted, the dispute may be brought before the Tribunal by an application by one or other party.

*Article 31.*

If nothing is laid down in the special agreement or no special agreement has been made, the Tribunal shall apply the rules in regard to the substance of the dispute indicated in Article 38 of the Statute of the Permanent Court of International Justice. In so far as there exists no such rule applicable to the dispute, the Tribunal shall decide *ex aequo et bono*.

CHAPTER V. — GENERAL PROVISIONS.

*Article 32.*

1. In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal shall lay down within the shortest possible time the provisional measures to be adopted. The parties to the dispute shall be bound to accept such measures.

2. If the dispute is brought before a Conciliation Commission, the latter may recommend to the parties the adoption of such provisional measures as it considers suitable.

3. The parties undertake to abstain from all measures likely to react prejudicially upon the execution of the judicial or arbitral decision or upon the arrangements proposed by the Conciliation Commission, and, in general, to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 33.*

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

*Article 34.*

1. The present Convention shall be applicable as between the High Contracting Parties, even though a third Power has an interest in the dispute.

2. In conciliation procedure, the parties may agree to invite such third Power to intervene.

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal a request to intervene as a third party.

It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Arbitral Tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings : but if it uses this right, the construction given by the decision will be binding upon it.

*Article.<sup>1</sup>*

*Article 35.*

Disputes relating to the interpretation or application of the present Convention, including those concerning the classification of disputes ( . . . ) shall be submitted to the Permanent Court of International Justice.

<sup>1</sup> States desiring to introduce reservations might insert here an article based on Article 39 of the General Act. In this case they would require to adapt various articles of the Convention to the existence of reservations, as is done in the General Act.

<sup>2</sup> If the Convention contains reservations, it would be convenient to add : " and the scope of reservations ".

*Article 36.*

The present Convention, which is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take, at any time, whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 37.*

1. The present Convention shall be ratified and the exchange of ratifications shall take place at ..... It shall be registered at the Secretariat of the League of Nations.
2. The Convention shall be concluded for a period of five years dating from the exchange of ratifications
3. If it has not been denounced at least six months before the expiration of this period, it shall remain in force for further successive periods of five years.
4. Notwithstanding denunciation by one of the High Contracting Parties, all proceedings pending at the expiration of the current period of the Convention shall be duly completed.

IN FAITH WHEREOF, the above-mentioned plenipotentiaries have signed the present Convention.

DONE at ..... on .....

in ..... copies .....

BILATERAL CONVENTION FOR JUDICIAL SETTLEMENT,  
ARBITRATION AND CONCILIATION.

(Convention b.)

The Heads of States (Governments are left free to draw up the Preamble as they may think fit)

.....

Have decided to achieve their common aim by means of a Convention, and have appointed as their plenipotentiaries :

.....

who, having deposited their full powers found in good and due form, have agreed on the following provisions :

CHAPTER I. — PACIFIC SETTLEMENT IN GENERAL.

*Article 1.*

Disputes of every kind which may arise between the High Contracting Parties and which it has not been possible to settle by diplomacy shall be submitted to a procedure of judicial settlement, arbitration or conciliation under the conditions laid down in the present Convention.

*Article 2.*

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.
2. The present Convention shall not affect any agreements in force by which conciliation procedure is established between the High Contracting Parties or they are bound by obligations to resort to arbitration or judicial settlement which ensure the settlement of the dispute. If, however, these agreements provide only for a procedure of conciliation, after such procedure has been followed without result, the provisions of the present Convention concerning judicial settlement or arbitration shall be applied.

*Article 3.*

1. In the case of a dispute the occasion of which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present Convention until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

2. In such a case, the party which desires to resort to the procedures laid down in the present Convention must notify the other party of its intention within a period of one year from the date of the aforementioned decision.

CHAPTER II. — JUDICIAL SETTLEMENT.

*Article 4.*

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

*Article 5.*

If the Parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the Tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

*Article 6.*

If the parties fail to agree concerning the special agreement referred to in the preceding article, or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

*Article 7.*

1. In the case of the disputes mentioned in Article 4, before any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Convention.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the arbitral tribunal referred to in Article 5 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

CHAPTER III. — CONCILIATION.

*Article 8.*

All disputes between the parties other than the disputes mentioned in Article 4 shall be submitted obligatorily to a procedure of conciliation.

*Article 9.*

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

*Article 10.*

On a request to that effect being made by one of the Contracting Parties to the other party, a permanent Conciliation Commission shall be constituted within a period of six months.



*Article 11.*

Unless the parties agree otherwise, the Conciliation Commission shall be constituted as follows :

1. The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

2. The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace the commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

3. Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 12.*

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

*Article 13.*

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 10 and 12, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

*Article 14.*

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

*Article 15.*

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall in such case be entitled to take similar action within fifteen days from the date on which the notification reaches it.

*Article 16.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

*Article 17.*

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

*Article 18.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

*Article 19.*

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote and the Commission may only take decisions on the substance of the dispute if all its members are present.

*Article 20.*

The parties undertake to facilitate the work of the Conciliation Commission and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

*Article 21.*

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

*Article 22.*

1. The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the parties to an agreement. It may, after the case has been examined, inform the parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.

2. At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the parties have come to an agreement, and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken unanimously or by a majority vote.

3. The proceedings of the Commission must, unless the parties otherwise agree, be terminated within six months from the date on which the Commission shall have been given cognisance of the dispute.

*Article 23.*

The Commission's procès-verbal shall be communicated without delay to the parties. The parties shall decide whether it shall be published.

*Article 24.*

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission, the dispute remains subject to be dealt with in accordance with Article 15<sup>1</sup> of the Covenant of the League of Nations. This provision shall not apply in the case provided for in Article 7.

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<sup>1</sup> Should the Convention be concluded between a Member of the League of Nations and a non-Member State, the reference to Article 15 should be replaced by a reference to Article 17.

CHAPTER IV. — GENERAL PROVISIONS.

*Article 25.*

1. In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down within the shortest possible time the provisional measures to be adopted. The parties to the dispute shall be bound to accept such measures.

2. If the dispute is brought before a Conciliation Commission, the latter may recommend to the parties the adoption of such provisional measures as it considers suitable.

3. The parties undertake to abstain from all measures likely to react prejudicially upon the execution of the judicial or arbitral decision or upon the arrangements proposed by the Conciliation Commission and, in general, to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 26.*

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

*Article 27.*

1. The present Convention shall be applicable as between the High Contracting Parties, even though a third Power has an interest in the dispute.

2. In conciliation procedure, the parties may agree to invite such third Power to intervene.

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal a request to intervene as a third Party.

It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings; but, if it uses this right, the construction given by the decision will be binding upon it.

*Article.<sup>1</sup>*

*Article 28.*

Disputes relating to the interpretation or application of the present Convention, including those concerning the classification of disputes ( . . . . ) shall be submitted to the Permanent Court of International Justice.

*Article 29.*

The present Convention, which is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take, at any time, whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 30.*

1. The present Convention shall be ratified and the exchange of ratifications shall take place at ..... It shall be registered at the Secretariat of the League of Nations.

2. The Convention shall be concluded for a period of five years dating from the exchange of ratifications.

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<sup>1</sup> States desiring to introduce reservations might be guided by Article 39 of the General Act. In this case they would require to adapt various articles of the Convention to the existence of reservations, as is done in the General Act.

<sup>2</sup> If the Convention contains reservations, it would be convenient to add : " and the scope of reservations ".

- 3. If it has not been denounced at least six months before the expiration of this period, it shall remain in force for further successive periods of five years.
- 4. Notwithstanding denunciation by one of the High Contracting Parties, all proceedings pending at the expiration of the current period of the Convention shall be duly completed.

IN FAITH WHEREOF, the above-mentioned plenipotentiaries have signed the present Convention.

DONE at ..... on .....  
in ..... copies .....

BILATERAL CONCILIATION CONVENTION.  
(Convention c.)

The Heads of States (Governments are left free to draw up the Preamble as they may think fit).

.....  
Have decided to achieve their common aim by means of a Convention, and have appointed as their plenipotentiaries:

.....  
who, having deposited their full powers found in good and due form, have agreed on the following provisions:

Article 1.

Disputes of every kind which may arise between the High Contracting Parties and which it has not been possible to settle by diplomacy shall be submitted, under the conditions laid down in the present Convention, to settlement by recourse to the procedure of conciliation.

Article 2.

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

Article 3.

Disputes for the settlement of which a procedure by judicial settlement, arbitration or conciliation is laid down in other conventions in force between the parties shall be settled in conformity with the provisions of such conventions.

Article 4.

If a party brings before a Conciliation Commission a dispute which the other party relying on conventions in force between the parties has submitted to the Permanent Court of International Justice or an arbitral tribunal, the Commission shall defer consideration of the dispute until the Court or the Arbitral Tribunal has pronounced upon the conflict of competence. The same rule shall apply if the Court or the Tribunal is seized of the case by one of the parties during the conciliation proceedings.

Article 5.

1. In the case of a dispute the occasion of which, according to the municipal law of one of the parties, falls within the competence of its judicial or administrative authorities, the party in question may object to the matter in dispute being submitted for settlement by the different methods laid down in the present Convention until a decision with final effect has been pronounced, within a reasonable time, by the competent authority.

2. In such a case, the party which desires to resort to the procedures laid down in the present Convention must notify the other party of its intention within a period of one year from the date of the aforementioned decision.

*Article 6.*

On a request to that effect being made by one of the Contracting Parties to the other Party, a permanent Conciliation Commission shall be constituted within a period of six months.

*Article 7.*

Unless the parties agree otherwise, the Conciliation Commission shall be constituted as follows :

1. The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties. The parties shall appoint the President of the Commission from among them.

2. The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

3. Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 8.*

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

*Article 9.*

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 6 and 8, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

*Article 10.*

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or in default thereof by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

*Article 11.*

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall, in such case, be entitled to take similar action within fifteen days from the date on which it received the notification.

*Article 12.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations, or at some other place selected by its President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

*Article 13.*

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

*Article 14.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents, whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

*Article 15.*

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote and the Commission may only take decisions on the substance of the dispute if all its members are present.

*Article 16.*

The parties undertake to facilitate the work of the Conciliation Commission and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

*Article 17.*

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

*Article 18.*

1. The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the parties to an agreement. It may, after the case has been examined, inform the parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.

2. At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the parties have come to an agreement, and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken unanimously or by a majority vote.

3. The proceedings of the Commission must, unless the parties otherwise agree, be terminated within six months from the date on which the Commission shall have been given cognisance of the dispute.

*Article 19.*

The Commission's procès-verbal shall be communicated without delay to the parties. The parties shall decide whether it shall be published.

*Article 20.*

1. In all cases, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Conciliation Commission, when given cognisance of the dispute, may recommend to the parties the adoption of such provisional measures as it may consider desirable.

2. The parties to the dispute undertake to abstain from all measures likely to react prejudicially upon the arrangements proposed by the Conciliation Commission, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 21.*

1. The present Convention shall be applicable as between the High Contracting Parties, even though a third Power has an interest in the dispute.
2. The parties may agree to invite such third Power to intervene.

*Article 1.*

*Article 22.*

Disputes relating to the interpretation or application of the present Convention, including those concerning the classification of disputes ( . . . . . ) shall be submitted to the Permanent Court of International Justice.

*Article 23.*

The present Convention, which is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take, at any time, whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 24.*

1. The present Convention shall be ratified and the exchange of ratifications shall take place at ..... It shall be registered at the Secretariat of the League of Nations.
2. The Convention shall be concluded for a period of five years dating from the exchange of ratifications.
3. If it has not been denounced at least six months before the expiration of this period, it shall remain in force for further successive periods of five years.
4. Notwithstanding denunciation by one of the High Contracting Parties, all proceedings pending at the expiration of the current period of the Convention shall be duly completed.

IN FAITH WHEREOF, the above-mentioned plenipotentiaries have signed the present Convention.

DONE at..... on .....  
in ..... copies .....

Annex 3.

COLLECTIVE TREATY OF MUTUAL ASSISTANCE.

(Treaty D.)

(List of Heads of States.)

.....  
Noting that respect for rights established by treaty or resulting from international law is obligatory upon international tribunals;

Recognising that the rights of the several States cannot be modified except with their consent ;

Considering that the faithful observance, under the auspices of the League of Nations, of methods of pacific settlement renders possible the settlement of all disputes ;

Desirous of establishing on a firm basis relations of frank co-operation between their respective countries and of securing additional guarantees for peace within the framework of the Covenant of the League of Nations :

<sup>1</sup> States desiring to introduce reservations might insert here two articles based on Article 39 of the General Act. In this case they would require to adapt various articles of the Convention to the existence of reservations, as is done in the General Act.

<sup>2</sup> If the Convention contains reservations, it would be convenient to add : " and the scope of reservations ".

Have resolved to conclude a Treaty for these purposes and have appointed as their plenipotentiaries :  
.....  
who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

CHAPTER I. — NON-AGGRESSION AND MUTUAL ASSISTANCE.

*Article 1.*

Each of the High Contracting Parties undertakes, in regard to each of the other Parties not to attack or invade the territory of another Contracting Party, and in no case to resort to war against another Contracting Party.

This stipulation shall not, however, apply in the case of :

- (1) The exercise of the right of legitimate defence — that is to say, resistance to a violation of the undertaking contained in the first paragraph ;
- (2) Action in pursuance of Article 16 of the Covenant of the League of Nations ;
- (3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was the first to attack.

*Article 2.*

Each of the High Contracting Parties undertakes, in regard to each of the others, to submit to a procedure of pacific settlement, in the manner provided for in the present Treaty, all questions whatsoever on which they may differ and which it has not been possible to settle by the normal methods of diplomacy.

*Article 3.*

Should any one of the High Contracting Parties consider that a violation of Article 1 of the present Treaty has taken place or is taking place, it shall immediately bring the question before the Council of the League of Nations.

As soon as the Council of the League of Nations has ascertained that such a violation has taken place, it shall at once advise the Powers which have signed the present Treaty, and each of these Powers undertakes in such a case to give assistance forthwith to the Power against which the act complained of has been directed.

*Article 4.*

1. Should one of the High Contracting Parties refuse to accept the methods of pacific settlement provided for in the present Treaty or to execute an arbitral award or judicial decision and be guilty of a violation of Article 1 of the present Treaty, the provisions of Article 3 shall apply.
2. Should one of the High Contracting Parties, without being guilty of a violation of Article 1 of the present Treaty, refuse to accept the methods of pacific settlement or to execute an arbitral award or judicial decision, the other party shall inform the Council of the League of Nations, which shall propose the methods to be adopted ; the High Contracting Parties shall accept these proposals.

CHAPTER II. — PACIFIC SETTLEMENT OF DISPUTES.

*Article 5.*

1. The following provisions shall apply to the settlement of disputes between the parties, subject to any wider undertakings which may result from other agreements between them.
2. The said provisions do not apply to disputes arising out of facts prior to the present Treaty and belonging to the past.

*Article 6.*

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.
2. Nevertheless, if these conventions only provide for a procedure of conciliation, after this procedure has been employed without result, the provisions of the present Treaty concerning judicial or arbitral settlement shall be applied in so far as the disputes are of a legal nature.



*Section I. — Judicial or Arbitral Settlement.*

*Article 7.*

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

*Article 8.*

If the parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

*Article 9.*

If the parties fail to agree concerning the special agreement referred to in the preceding article or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

*Article 10.*

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

*Article 11.*

1. In the case of the disputes mentioned in Article 7, prior to any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Treaty.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the Arbitral Tribunal referred to in Article 8 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

*Section II. — Conciliation.*

*Article 12.*

All disputes the settlement of which cannot, under the terms of the present Treaty, be attained by means of a judicial or arbitral award, shall be submitted to a procedure of conciliation.

*Article 13.*

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

*Article 14.*

On a request being sent by one of the contracting parties to another party, a permanent Conciliation Commission shall be constituted within a period of six months.

*Article 15.*

Unless the parties concerned agree otherwise, the Conciliation Commission shall be constituted as follows :

(1) The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties concerned. The parties shall appoint the President of the Commission from among them.

(2) The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

(3) Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 16.*

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties to the dispute is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

*Article 17.*

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 14 and 16, the making of the necessary appointments shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If within a period of three months the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

*Article 18.*

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

*Article 19.*

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately notify the other party; the latter shall in such case be entitled to take similar action within fifteen days from the date on which it received the notification.

*Article 20.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations or at some other place selected by the President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

*Article 21.*

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

*Article 22.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

*Article 23.*

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote, and the Commission may only take decisions on the substance of the dispute if all its members are present.

*Article 24.*

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information as well as to use the means at their disposal to allow it to proceed in their territory and, in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.

*Article 25.*

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments, the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.

2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

*Article 26.*

1. The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the parties to an agreement. It may, after the case has been examined, inform the parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.

2. At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken unanimously or by a majority vote.

3. The proceedings of the Commission must, unless the parties otherwise agree, be terminated within six months from the day on which the Commission shall have been given cognisance of the dispute.

*Article 27.*

The Commission's procès-verbal shall be communicated without delay to the parties. The parties shall decide whether it shall be published.

*Article 28.*

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission, the dispute remains subject to be dealt with in accordance with Article 15 of the Covenant of the League of Nations. This present provision shall not apply in the case provided for in Article 11.

CHAPTER III. — GENERAL PROVISIONS.

*Article 29.*

1. In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being

committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down, within the shortest possible time, the provisional measures to be adopted. It shall in like manner be for the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The parties to the dispute shall be bound to accept such measures.

2. If the dispute is brought before a Conciliation Commission, the latter may recommend to the parties the adoption of such provisional measures as it considers suitable.

3. The parties undertake to abstain from all measures likely to react prejudicially upon the execution of the judicial or arbitral decision or upon the arrangements proposed by the Conciliation Commission or the Council of the League of Nations, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 30.*

Should a dispute arise between more than two High Contracting Parties, the following rules shall be observed for the application of the forms of procedure laid down in the foregoing provisions:

(a) In the case of conciliation procedure, a special commission shall invariably be constituted. The composition of such commission shall differ according as the parties all have separate interests or as two or more of their number act together.

In the former case, the parties shall each appoint one commissioner and shall jointly appoint commissioners, nationals of third Powers not parties to the dispute, whose number shall always exceed by one the number of commissioners appointed separately by the parties.

In the second case, the parties who act together shall appoint their commissioner jointly by agreement between themselves and shall combine with the other party or parties in appointing third commissioners.

In either event the parties, unless they agree otherwise, shall apply Article 16 and the following articles of the present Treaty so far as they are compatible with the provisions of the present article.

(b) In the case of judicial procedure, the Statute of the Permanent Court of International Justice shall apply.

(c) In the case of arbitral procedure, if agreement is not secured as to the composition of the Tribunal, each party shall have the right to submit the dispute to the Permanent Court of International Justice directly by means of an application.

*Article 31.*

1. The present Treaty shall be applicable as between the High Contracting Parties, even though a third Power, whether a party to the Treaty or not, has an interest in the dispute.

2. In conciliation procedure, the parties may agree to invite such third Power to intervene.

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal, a request to intervene as a third party.

It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Arbitral Tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings: but if it uses this right, the construction given by the decision will be binding upon it.

*Article 32.*

Disputes relating to the interpretation or application of the present Treaty, including those concerning the classification of disputes, shall be submitted to the Permanent Court of International Justice.

*Article 33.*

The present Treaty, which is intended to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take at any time whatever action may be deemed wise and effectual to safeguard the peace of the world.

Article 34.

1. The present Treaty, done in a single copy, shall be deposited in the archives of the League of Nations. The Secretary-General shall be requested to transmit certified true copies to each of the High Contracting Parties.
2. The present Treaty shall be ratified and the ratifications shall be deposited at Geneva in the archives of the League of Nations as soon as possible.
3. It shall come into force as soon as all the ratifications have been deposited.
4. It shall be registered at the League of Nations by the Secretary-General, who shall be requested to notify the fact to all States Members and non-members of the League.

Article 35 (Duration of Treaty).

The present Treaty shall be concluded for a period of . . . . years as from its entry into force. Notwithstanding that the Treaty ceases to be in force, all proceedings which at that moment have been commenced shall be pursued until they reach their normal conclusion. (As regards the duration of the Treaty, the Assembly did not consider it its duty to decide between the various possible systems. It recommends three principal systems :

- (The first, on the model of the Locarno-Rhine Pact, not specifying any period, but providing for expiry in virtue of a decision taken by the Council ;
- (The second, providing for a limited period of ten or twenty years, with the possibility of denunciation on the expiry of that period, subject to one year's notice, or, failing denunciation, the renewal of the Treaty by tacit agreement for the same period ;
- (The third system would be a mixed system providing for a short trial period, on the expiry of which the parties might withdraw, subject to one year's notice ; failing denunciation, the Treaty would be for an indefinite period, with the possibility of termination in virtue of a decision taken by the Council.)

IN FAITH WHEREOF, the above-mentioned plenipotentiaries have signed the present Treaty.

DONE at . . . . . on . . . . .

COLLECTIVE TREATY OF NON-AGGRESSION.

(Treaty E.)

(List of Heads of States.)

. . . . .

Noting that respect for rights established by treaty or resulting from international law is obligatory upon international tribunals ;  
 Recognising that the rights of the several States cannot be modified except with their consent ;  
 Considering that the faithful observance, under the auspices of the League of Nations, of methods of pacific settlement renders possible the settlement of all disputes ;  
 Desirous of establishing on a firm basis relations of frank co-operation between their respective countries and of securing additional guarantees for peace within the framework of the Covenant of the League of Nations :

Have resolved to conclude a Treaty for these purposes and have appointed as their plenipotentiaries :

. . . . .

who, having exchanged their full powers, found in good and due form, have agreed on the following provisions :

CHAPTER I. — NON-AGGRESSION.

Article 1.

Each of the High Contracting Parties undertakes, in regard to each of the other parties, not to attack or invade the territory of another Contracting Party, and in no case to resort to war against another Contracting Party.

This stipulation shall not, however, apply in the case of :

- (1) The exercise of the right of legitimate defence — that is to say, resistance to a violation of the undertaking contained in the first paragraph;
- (2) Action in pursuance of Article 16 of the Covenant of the League of Nations;
- (3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was the first to attack.

*Article 2.*

Each of the High Contracting Parties undertakes, in regard to each of the others, to submit to a procedure of pacific settlement, in the manner provided for in the present Treaty, all questions whatsoever on which they may differ and which it has not been possible to settle by the normal methods of diplomacy.

*Article 3.*

Should any one of the High Contracting Parties consider that a violation of Article 1 of the present Treaty has taken place or is taking place, it shall immediately bring the question before the Council of the League of Nations.

CHAPTER II. — PACIFIC SETTLEMENT OF DISPUTES.

*Article 4.*

1. The following provisions shall apply to the settlement of disputes between the parties, subject to any wider undertakings which may result from other agreements between them.
2. The said provisions do not apply to disputes arising out of facts prior to the present Treaty and belonging to the past.

*Article 5.*

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.
2. Nevertheless, if these conventions only provide for a procedure of conciliation, after this procedure has been employed without result, the provisions of the present Treaty concerning judicial or arbitral settlement shall be applied in so far as the disputes are of a legal nature.

*Section I. — Judicial or Arbitral Settlement.*

*Article 6.*

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal.

It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

*Article 7.*

If the Parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected, and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

*Article 8.*

If the parties fail to agree concerning the special agreement referred to in the preceding article or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

*Article 9.*

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

*Article 10.*

1. In the case of the disputes mentioned in Article 6, before any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Treaty.

2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the arbitral tribunal referred to in Article 7 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

*Section II. — Conciliation.*

*Article 11.*

All disputes the settlement of which cannot, under the terms of the present Treaty, be attained by means of a judicial or arbitral award shall be submitted to a procedure of conciliation.

*Article 12.*

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

*Article 13.*

On a request being sent by one of the Contracting Parties to another party, a permanent Conciliation Commission shall be constituted within a period of six months.

*Article 14.*

Unless the parties concerned agree otherwise, the Conciliation Commission shall be constituted as follows :

(1) The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties concerned. The parties shall appoint the President of the Commission from among them.

(2) The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace a commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

(3) Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 15.*

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties to the dispute is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

*Article 16.*

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 13 and 15, the making of the necessary appointments shall be entrusted to a third

Power, chosen by agreement between the parties or, on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, these two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

*Article 17.*

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement, or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

*Article 18.*

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.

2. The party making use of this right shall immediately inform the other party; the latter shall in that case be entitled to take similar action within fifteen days from the date on which the notification reaches it.

*Article 19.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations or at some other place selected by the President.

2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

*Article 20.*

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

*Article 21.*

1. In the absence of any agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.

2. The parties shall be represented before the Conciliation Commission by agents whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.

3. The Commission, for its part, shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

*Article 22.*

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote, and the Commission may only take decisions on the substance of the dispute if all its members are present.

*Article 23.*

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information as well as to use the means at their disposal to allow it to proceed in their territory and, in accordance with their law, to the summoning and hearing of witnesses or experts and to visit the localities in question.



*Article 24.*

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments, the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.
2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

*Article 25.*

1. The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the parties to an agreement. It may, after the case has been examined, inform the parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.
2. At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken unanimously or by a majority vote.
3. The proceedings of the Commission must, unless the parties otherwise agree, be terminated within six months from the date on which the Commission shall have been given cognisance of the dispute.

*Article 26.*

The Commission's procès-verbal shall be communicated without delay to the parties. The parties shall decide whether it shall be published.

*Article 27.*

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission, the dispute remains subject to be dealt with in accordance with Article 15 of the Covenant of the League of Nations. This present provision shall not apply in the case provided for in Article 10.

CHAPTER III. — GENERAL PROVISIONS.

*Article 28.*

1. In all cases where a dispute forms the object of arbitration or judicial proceedings, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down, within the shortest possible time, the provisional measures to be adopted. It shall in like manner be for the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The parties to the dispute shall be bound to accept such measures.
2. If the dispute is brought before a Conciliation Commission, the latter may recommend to the parties the adoption of such provisional measures as it considers suitable.
3. The parties undertake to abstain from all measures likely to react prejudicially upon the execution of the judicial or arbitral decision or upon the arrangements proposed by the Conciliation Commission or the Council of the League of Nations, and, in general, to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 29.*

Should a dispute arise between more than two High Contracting Parties, the following rules shall be observed for the application of the forms of procedure laid down in the foregoing provisions :

(a) In the case of conciliation procedure, a special Commission shall invariably be constituted. The composition of such Commission shall differ according as the parties all have separate interests or as two or more of their number act together.

In the former case, the parties shall each appoint one commissioner and shall jointly appoint commissioners, nationals of third Powers, whose number shall always exceed by one the number of commissioners appointed separately by the parties.

In the second case, the parties who act together shall appoint their commissioner jointly by agreement between themselves and shall combine with the other party or parties in appointing third commissioners.

In either event, the parties, unless they agree otherwise, shall apply Article 15 and the following articles of the present Treaty so far as they are compatible with the provisions of the present article.

(b) In the case of judicial procedure, the Statute of the Permanent Court of International Justice shall apply.

(c) In the case of arbitral procedure, if agreement is not secured as to the composition of the tribunal, each party shall have the right to submit the dispute to the Permanent Court of International Justice directly by means of an application.

*Article 30.*

1. The present Treaty shall be applicable as between the High Contracting Parties, even though a third Power, whether a party to the Treaty or not, has an interest in the dispute.

2. In conciliation procedure, the parties may agree to invite such third Power to intervene.

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal a request to intervene as a third party. It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Arbitral Tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings: but if it uses this right, the construction given by the decision will be binding upon it.

*Article 31.*

Disputes relating to the interpretation or application of the present Treaty, including those concerning the classification of disputes, shall be submitted to the Permanent Court of International Justice.

*Article 32.*

The present Treaty, which is intended to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take at any time whatever action may be deemed wise and effectual to safeguard the peace of the world.

*Article 33.*

1. The present Treaty, done in a single copy, shall be deposited in the archives of the League of Nations. The Secretary-General shall be requested to transmit certified true copies to each of the High Contracting Parties.

2. The present Treaty shall be ratified and the ratifications shall be deposited at Geneva in the archives of the League of Nations as soon as possible.

3. It shall come into force as soon as all the ratifications have been deposited.

4. It shall be registered at the League of Nations by the Secretary-General, who shall be requested to notify the fact to all States Members and non-members of the League.

*Article 34 (Duration of Treaty).*

The present Treaty shall be concluded for a period of ..... years as from its entry into force.

Notwithstanding that the Treaty ceases to be in force, all proceedings which at that moment have been commenced shall be pursued until they reach their normal conclusion.

(As regards the duration of the Treaty, the Assembly did not consider it its duty to decide between the various possible systems. It recommends three principal systems:

(The first, on the model of the Locarno-Rhine Pact, not specifying any period, but providing for expiry in virtue of a decision taken by the Council;

(The second, providing for a limited period of ten or twenty years, with the possibility of denunciation on the expiry of that period, subject to one year's notice, or, failing denunciation, the renewal of the Treaty by tacit agreement for the same period;

(The third system would be a mixed system providing for a short trial period, on the expiry of which the parties might withdraw, subject to one year's notice; failing denunciation, the Treaty would be for an indefinite period, with the possibility of termination in virtue of a decision taken by the Council.)

*Article 35.*

As from . . . . . : the present Treaty may be acceded to in the name of any Member of the League of Nations or of any non-member State adjacent to or in the neighbourhood of the signatory or acceding States. The instruments of accession shall be forwarded to the Secretary-General of the League of Nations, who shall notify receipt thereof to all the Members of the League of Nations, and to the High Contracting Parties non-members of the League.

IN FAITH WHEREOF, the above-mentioned plenipotentiaries have signed the present Treaty.

DONE at ..... on .....

BILATERAL TREATY OF NON-AGGRESSION.

(Treaty F.)

(List of Heads of States.)

.....  
Noting that respect for rights established by treaty or resulting from international law is obligatory upon International Tribunals;  
Recognising that the rights of the several States cannot be modified except with their own consent;  
Considering that the faithful observance, under the auspices of the League of Nations, of methods of pacific settlement renders possible the settlement of all international disputes;  
Desirous of establishing on a firm basis relations of frank co-operation between their respective countries, and of securing additional guarantees of peace within the framework of the Covenant of the League of Nations;  
Have resolved to conclude a Treaty for these purposes and have appointed as their plenipotentiaries;

.....  
who, having exchanged their full powers, found in good and due form, have agreed on the following provision :

CHAPTER I. — NON-AGGRESSION.

*Article 1.*

The High Contracting Parties mutually undertake that they will in no case attack or invade each other or resort to war against each other.

This stipulation shall not, however, apply in the case of :

- (1) The exercise of the right of legitimate defence, that is to say, resistance to a violation of the undertaking contained in the previous paragraph;
- (2) Action in pursuance of Article 16 of the Covenant of the League of Nations;
- (3) Action as the result of a decision taken by the Assembly or by the Council of the League of Nations, or in pursuance of Article 15, paragraph 7, of the Covenant of the League of Nations, provided that in this last event the action is directed against a State which was the first to attack.

*Article 2.*

The High Contracting Parties undertake to settle by peaceful means and in the manner laid down in the present Treaty all questions whatsoever on which they may differ and which it has not been possible to settle by the normal methods of diplomacy.

*Article 3.*

Should any one of the High Contracting Parties consider that a violation of Article 1 of the present Treaty has taken place or is taking place, it shall immediately bring the question before the Council of the League of Nations.

CHAPTER II. — PACIFIC SETTLEMENT OF DISPUTES.

*Article 4.*

1. The following provisions shall apply to the settlement of disputes between the parties subject to any wider undertakings which may result from other agreements between them.
2. The said provisions do not apply to disputes arising out of facts prior to the present Treaty and belonging to the past.

*Article 5.*

1. Disputes for the settlement of which a special procedure is laid down in other conventions in force between the parties to the dispute shall be settled in conformity with the provisions of those conventions.
2. Nevertheless, if these conventions only provide for a procedure of conciliation, after this procedure has been employed without result, the provisions of the present Treaty concerning judicial or arbitral settlement shall be applied in so far as the disputes are of a legal nature.

*Section I. — Judicial or Arbitral Settlement.*

*Article 6.*

All disputes with regard to which the parties are in conflict as to their respective rights shall be submitted for decision to the Permanent Court of International Justice, unless the parties agree, in the manner hereinafter provided, to have resort to an arbitral tribunal. It is understood that the disputes referred to above include in particular those mentioned in Article 36 of the Statute of the Permanent Court of International Justice.

*Article 7.*

If the Parties agree to submit the disputes mentioned in the preceding article to an arbitral tribunal, they shall draw up a special agreement in which they shall specify the subject of the dispute, the arbitrators selected and the procedure to be followed. In the absence of sufficient particulars in the special agreement, the provisions of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes shall apply so far as is necessary. If nothing is laid down in the special agreement as to the rules regarding the substance of the dispute to be followed by the arbitrators, the Tribunal shall apply the substantive rules enumerated in Article 38 of the Statute of the Permanent Court of International Justice.

*Article 8.*

If the parties fail to agree concerning the special agreement referred to in the preceding article or fail to appoint arbitrators, either party shall be at liberty, after giving three months' notice, to bring the dispute by an application direct before the Permanent Court of International Justice.

*Article 9.*

If, in a judicial sentence or arbitral award, it is declared that a judgment, or a measure enjoined by a court of law or any other authority of one of the parties to the dispute, is wholly or in part contrary to international law, and if the constitutional law of that party does not permit or only partially permits the consequences of the judgment or measure in question to be annulled, the parties agree that the judicial sentence or arbitral award shall grant the injured party equitable satisfaction.

*Article 10.*

1. In the case of the disputes mentioned in Article 6, prior to any procedure before the Permanent Court of International Justice or any arbitral procedure, the parties may agree to have recourse to the conciliation procedure provided for in the present Treaty.
2. In the event of recourse to and failure of conciliation, neither party may bring the dispute before the Permanent Court of International Justice or call for the constitution of the Arbitral Tribunal referred to in Article 7 before the expiration of one month from the termination of the proceedings of the Conciliation Commission.

*Section II. — Conciliation.*

*Article 11.*

All disputes the settlement of which cannot, under the terms of the present Treaty, be attained by means of a judicial or arbitral award shall be submitted to a procedure of conciliation.

*Article 12.*

The disputes referred to in the preceding article shall be submitted to a permanent or special Conciliation Commission constituted by the parties.

*Article 13.*

On a request being sent by one of the contracting parties to another party, a permanent Conciliation Commission shall be constituted within a period of six months.

*Article 14.*

Unless the parties agree otherwise, the Conciliation Commission shall be constituted as follows :

(1). The Commission shall be composed of five members. The parties shall each nominate one commissioner, who may be chosen from among their respective nationals. The three other commissioners shall be appointed by agreement from among the nationals of third Powers. These three commissioners must be of different nationalities and must not be habitually resident in the territory nor be in the service of the parties concerned. The parties shall appoint the President of the Commission from among them.

(2). The commissioners shall be appointed for three years. They shall be re-eligible. The commissioners appointed jointly may be replaced during the course of their mandate by agreement between the parties. Either party may, however, at any time replace the commissioner whom it has appointed. Even if replaced, the commissioners shall continue to exercise their functions until the termination of the work in hand.

(3). Vacancies which may occur as a result of death, resignation or any other cause shall be filled within the shortest possible time in the manner fixed for the nominations.

*Article 15.*

If, when a dispute arises, no permanent Conciliation Commission appointed by the parties is in existence, a special commission shall be constituted for the examination of the dispute within a period of three months from the date at which a request to that effect is made by one of the parties to the other party. The necessary appointments shall be made in the manner laid down in the preceding article, unless the parties decide otherwise.

*Article 16.*

1. If the appointment of the commissioners to be designated jointly is not made within the periods provided for in Articles 13 and 15, the making of the necessary appointment shall be entrusted to a third Power, chosen by agreement between the parties or, on request of the parties, to the Acting President of the Council of the League of Nations.

2. If no agreement is reached on either of these procedures, each party shall designate a different Power, and the appointment shall be made in concert by the Powers thus chosen.

3. If, within a period of three months, the two Powers have been unable to reach an agreement, each of them shall submit a number of candidates equal to the number of members to be appointed. It shall then be decided by lot which of the candidates thus designated shall be appointed.

*Article 17.*

1. Disputes shall be brought before the Conciliation Commission by means of an application addressed to the President by the two parties acting in agreement or, in default thereof, by one or other of the parties.

2. The application, after giving a summary account of the subject of the dispute, shall contain the invitation to the Commission to take all necessary measures with a view to arriving at an amicable solution.

3. If the application emanates from only one of the parties, the other party shall without delay be notified by it.

*Article 18.*

1. Within fifteen days from the date on which a dispute has been brought by one of the parties before a permanent Conciliation Commission, either party may replace its own commissioner, for the examination of the particular dispute, by a person possessing special competence in the matter.
2. The party making use of this right shall immediately notify the other party; the latter shall in such case be entitled to take similar action within fifteen days from the date on which it received the notification.

*Article 19.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall meet at the seat of the League of Nations or at some other place selected by the President.
2. The Commission may in all circumstances request the Secretary-General of the League of Nations to afford it his assistance.

*Article 20.*

The work of the Conciliation Commission shall not be conducted in public unless a decision to that effect is taken by the Commission with the consent of the parties.

*Article 21.*

1. In the absence of agreement to the contrary between the parties, the Conciliation Commission shall lay down its own procedure, which in any case must provide for both parties being heard. In regard to enquiries, the Commission, unless it decides unanimously to the contrary, shall act in accordance with the provisions of Part III of the Hague Convention of October 18th, 1907, for the Pacific Settlement of International Disputes.
2. The parties shall be represented before the Conciliation Commission by agents whose duty shall be to act as intermediaries between them and the Commission; they may, moreover, be assisted by counsel and experts appointed by them for that purpose and may request that all persons whose evidence appears to them desirable shall be heard.
3. The Commission for its part shall be entitled to request oral explanations from the agents, counsel and experts of both parties, as well as from all persons it may think desirable to summon with the consent of their Governments.

*Article 22.*

In the absence of agreement to the contrary between the parties, the decisions of the Conciliation Commission shall be taken by a majority vote and the Commission may only take decisions on the substance of the dispute if all its members are present.

*Article 23.*

The parties undertake to facilitate the work of the Conciliation Commission, and particularly to supply it to the greatest possible extent with all relevant documents and information, as well as to use the means at their disposal to allow it to proceed in their territory, and in accordance with their law, to the summoning and hearing of witnesses or experts, and to visit the localities in question.

*Article 24.*

1. During the proceedings of the Commission, each of the commissioners shall receive emoluments, the amount of which shall be fixed by agreement between the parties, each of which shall contribute an equal share.
2. The general expenses arising out of the working of the Commission shall be divided in the same manner.

*Article 25.*

1. The task of the Conciliation Commission shall be to elucidate the questions in dispute, to collect with that object all necessary information by means of enquiry or otherwise, and to endeavour to bring the parties to an agreement. It may, after the case has been examined, inform the parties of the terms of settlement which seem suitable to it, and lay down the period within which they are to make their decision.
2. At the close of its proceedings, the Commission shall draw up a procès-verbal stating, as the case may be, either that the parties have come to an agreement and, if need arises, the terms of the agreement, or that it has been impossible to effect a settlement. No mention shall be made in the procès-verbal of whether the Commission's decisions were taken unanimously or by a majority vote.

3. The proceedings of the Commission must, unless the parties otherwise agree, be terminated within six months from the date on which the Commission shall have been given cognisance of the dispute.

*Article 26.*

The Commission's procès-verbal shall be communicated without delay to the parties. The parties shall decide whether it shall be published.

*Article 27.*

If the parties have not reached an agreement within a month from the termination of the proceedings of the Conciliation Commission, the dispute remains subject to be dealt with in accordance with Article 15<sup>1</sup> of the Covenant of the League of Nations. This present provision shall not apply in the case provided for in Article 10.

CHAPTER III. — GENERAL PROVISIONS.

*Article 28.*

1. In all cases where the dispute forms the object of arbitration or judicial procedure, and particularly if the question on which the parties differ arises out of acts already committed or on the point of being committed, the Permanent Court of International Justice, acting in accordance with Article 41 of its Statute, or the Arbitral Tribunal, shall lay down, within the shortest possible time, the provisional measures to be adopted. It shall in like manner be for the Council of the League of Nations, if the question is brought before it, to ensure that suitable provisional measures are taken. The parties to the dispute shall be bound to accept such measures.

2. If the dispute is brought before a Conciliation Commission, the latter may recommend to the parties the adoption of such provisional measures as it considers suitable.

3. The parties undertake to abstain from all measures likely to react prejudicially upon the execution of the judicial or arbitral decision or upon the arrangements proposed by the Conciliation Commission or the Council of the League of Nations, and in general to abstain from any sort of action whatsoever which may aggravate or extend the dispute.

*Article 29.*

1. The present Treaty shall be applicable as between the High Contracting Parties, even though a third Power has an interest in the dispute.

2. In conciliation procedure, the parties may agree to invite such third Power to intervene.

3. In judicial or arbitral procedure, if a third Power should consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit to the Permanent Court of International Justice or to the Arbitral Tribunal a request to intervene as a third party.

It will be for the Court or the Tribunal to decide upon this request.

4. Whenever the construction of a convention to which States other than those concerned in the case are parties is in question, the Registrar of the Permanent Court of International Justice or the Arbitral Tribunal shall notify all such States forthwith.

Every State so notified has the right to intervene in the proceedings: but if it uses this right, the construction given by the decision will be binding upon it.

*Article 30.*

Disputes relating to the interpretation or application of the present Treaty, including those concerning the classification of disputes, shall be submitted to the Permanent Court of International Justice.

*Article 31.*

The present Treaty, which is intended to ensure the maintenance of peace and is in conformity with the Covenant of the League of Nations, shall not be interpreted as restricting the duty of the League to take at any time whatever action may be deemed wise and effectual to safeguard the peace of the world.

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<sup>1</sup> Should the Convention be concluded between a Member of the League of Nations and a non-member State, the reference to Article 15 should be replaced by a reference to Article 17.

*Article 32.*

The present Treaty shall be ratified and the exchange of ratifications shall take place at . . . . .  
It shall be registered at the Secretariat of the League of Nations.

*Article 33 (Duration of Treaty).*

The present Treaty shall be concluded for a period of ..... years dating from the exchange of ratifications. Notwithstanding that the Treaty ceases to be in force, all proceedings which at that moment have been commenced shall be pursued until they reach their normal conclusion.

(As regards the duration of the Treaty, the Assembly did not consider it its duty to decide between the various possible systems. It recommends three principal systems :

(The first, on the model of the Locarno-Rhine Pact, not specifying any period, but providing for expiry in virtue of a decision taken by the Council ;

(The second, providing for a limited period of ten or twenty years, with the possibility of denunciation on the expiry of that period, subject to one year's notice or, failing denunciation, the renewal of the Treaty by tacit agreement for the same period ;

(The third system would be a mixed system, providing for a short trial period, on the expiry of which the Parties might withdraw, subject to one year's notice ; failing denunciation, the Treaty would be for an indefinite period, with the possibility of termination in virtue of a decision taken by the Council).

IN FAITH WHEREOF the above-mentioned Plenipotentiaries have signed the present Treaty.

DONE at ..... on .....

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3. WORK OF THE PREPARATORY COMMISSION FOR THE DISARMAMENT CONFERENCE.

Whereas a close connection exists between international security and the reduction and limitation of armaments ;

And whereas the present conditions of security set up by the Covenant of the League of Nations, by the Treaties of Peace, and in particular by the reductions in the armaments of certain countries under these Treaties, and also by the Locarno Agreements, would allow of the conclusion at the present time of a first General Convention for the Reduction and Limitation of Armaments ;

And whereas those Governments which consider that their security is not sufficiently assured are now, thanks to the work of the Committee on Arbitration and Security, in possession of fresh means for strengthening their security, of which it is to be hoped that they will make use at need, by having recourse to the good offices of the Council ;

And whereas the Convention for the Reduction and Limitation of Armaments will increase international security ;

And whereas it is desirable that the work of the Preparatory Commission for the Disarmament Conference and of the Committee on Arbitration and Security shall be pursued so that, by further steps, armaments may be progressively reduced as the increase of security allows ;

The Assembly :

Urges the necessity of accomplishing the first step towards the reduction and limitation of armaments with as little delay as possible ;

Notes with satisfaction the efforts of certain Governments to prepare the ground for the future work of the Preparatory Commission ;

Earnestly hopes that Governments among which differences of opinion still subsist as to the conditions for the reduction and limitation of armaments will seek, without



delay, in the most liberal spirit of conciliation and international solidarity, agreed solutions which will enable the work of the Preparatory Commission to be brought to a successful issue;

Proposes to the Council that the President of the Preparatory Commission be instructed to keep in contact with the Governments concerned so that he may be apprised of the progress of their negotiations and may be able to convene the Commission at the end of the present year, or, in any case, at the beginning of 1929.

[*Resolution adopted on September 25th, 1928 (afternoon).*]

#### 4. MODEL TREATY TO STRENGTHEN THE MEANS FOR PREVENTING WAR.

The Assembly,

Having noted the model treaty (Annex) to strengthen the means for preventing war framed by the Committee on Arbitration and Security, together with the explanations contained in the introductory note drawn up by the Committee<sup>1</sup>;

Highly appreciating the value of this model treaty;

Being convinced that its adoption by a large number of States would serve to increase the guarantees of security:

Recommends it for consideration by States Members or non-Members of the League of Nations;

And hopes that it may serve as a basis for States desiring to conclude a treaty of this kind.

[*Resolution adopted on September 20th, 1928 (morning).*]

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#### Annex

#### MODEL TREATY TO STRENGTHEN THE MEANS OF PREVENTING WAR.

##### *Preamble.*

(List of Heads of States.)

Being sincerely desirous of developing mutual confidence by strengthening the means of preventing war;

Noting that to this end the task of the Council of the League of Nations in ensuring peace and conciliation might be facilitated by undertakings assumed voluntarily in advance by the States;

Have decided to achieve their common aim by means of a treaty and have appointed as their plenipotentiaries:

(List of plenipotentiaries.)

who, having deposited their full powers found in good and due form, have agreed on the following provisions:

##### *Article 1.*

The High Contracting Parties undertake, in the event of a dispute arising between them and being brought before the Council of the League of Nations, to accept and apply provisional recommendations by the Council relating to the substance of the dispute and designed to prevent any measures being taken by the parties which might have a prejudicial effect on the execution of an arrangement to be proposed by the Council.

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<sup>1</sup> See document A.20.1928.IX, page 74.

*Article 2.*

In the case provided for in Article 1, the High Contracting Parties further undertake to refrain from any measures which might aggravate or extend the dispute.

*Article 3.*

In the event of hostilities of any kind having broken out, without the possibilities of a peaceful settlement having in the Council's opinion been exhausted, the High Contracting Parties undertake to comply with the recommendations which the Council may make to them for the cessation of hostilities, prescribing, in particular, the withdrawal of forces having penetrated into the territory of another State, or into a zone demilitarised in virtue of international treaties, and in general inviting them to respect each other's sovereignty and any obligations assumed in regard to demilitarised zones.

*Article 4.*

High Contracting Parties between whom hostilities may have broken out undertake to lend themselves to any action which may be decided upon by the Council with a view to ensuring the observance and execution of the measures it may have recommended in conformity with Article 3.

*Article 5.*

In the cases referred to in Articles 3 and 4, the High Contracting Parties undertake to act in accordance with the recommendations of the Council, provided that they are concurred in by all the members other than the representatives of the parties which have engaged in hostilities.

*Article 6.*

The provisions of the present Treaty shall only apply on the basis of reciprocity, *i.e.*, in respect of disputes between the High Contracting Parties.

*Article 7.*

The present Treaty may not be interpreted as entailing any change in the task of the Council of the League of Nations as laid down in the Covenant.

*Article 8.*

The present Treaty shall bear to-day's date<sup>1</sup>; it shall be ratified. The instruments of ratification shall be forwarded to the Secretary-General of the League of Nations, who shall notify their receipt to all Members of the League.

*Article 9.*

The present Treaty shall enter into force as soon as all the ratifications have been deposited. The present Treaty, done in one copy, shall be deposited in the archives of the League of Nations. The Secretary-General of the League of Nations shall be requested to deliver certified true copies to all the High Contracting Parties.

*Article 10.*

The present Treaty shall be concluded for a period of .....

*Article 11.*

The present Treaty shall be registered by the Secretary-General of the League of Nations on the date of its entry into force.

IN FAITH WHEREOF the above-mentioned plenipotentiaries have signed the present Treaty.

DONE at ..... on .....

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<sup>1</sup> Date of signature.

5. FINANCIAL ASSISTANCE TO STATES VICTIMS OF AGGRESSION.

The Assembly :

(1) Expresses its satisfaction with the work of the Committee on Arbitration and Security and the Financial Committee in connection with the scheme for financial assistance ;

(2) Requests the Council to invite the Financial Committee to continue the preparation of this scheme in the form of a draft Convention, bearing in mind the directions given in the report (document A.60.1928.IX) submitted to the Assembly at its ninth ordinary session on behalf of its Third Committee ;

(3) Expresses the hope that a full draft Convention complete in all its details, may be submitted to the Assembly at its tenth ordinary session ;

(4) Invites the Secretary-General to submit the draft Convention as soon as it is prepared to the Governments in order that they may give instructions to their delegates at the tenth ordinary session of the Assembly.

*[Resolution adopted on September 18th, 1928 (morning).]*

6. SUPERVISION OF THE MANUFACTURE AND PUBLICITY OF THE MANUFACTURE OF ARMS AND AMMUNITION AND OF IMPLEMENTS OF WAR.

The Assembly :

Having taken note of the report and preliminary draft convention (document A.43.1928.IX.) drawn up by the Special Commission appointed to prepare a draft convention on the supervision of the private manufacture and publicity of the manufacture of arms and ammunition and of implements of war ;

Observing that the Commission has not yet found it possible to submit a single final text as desired by the Assembly, although the Commission agreed that the principle of publicity should extend to Government manufactures ;

Affirming the urgent necessity for drawing up a convention which, while placing non-producing and producing countries on an equal footing, would facilitate the ratification of the Convention on the International Trade in Arms and Ammunition and in Implements of War signed at Geneva on June 17th, 1925 ;

Referring to its successive resolutions passed at each of its previous ordinary sessions, beginning with the first session in 1920, in which resolutions it has constantly urged the importance of the problem of the manufacture of arms and the necessity for convening a conference as speedily as possible ;

Confirming the fact that a connection exists between the general question of the reduction and limitation of armaments and the question of the international trade in arms and also of that of the manufacture of arms and ammunition and of implements of war ;

Requests the Council to make an appeal, at its present session, to the Governments represented on the Special Commission to examine carefully the differences of view revealed during the last session of the Commission, and to consider calling another meeting of the Commission before the next Council session, in order that the work of the Commission may be completed as soon as possible and submitted to a special conference, which would meet either at the same time as the General Conference for the Reduction and Limitation of Armaments or at an earlier date.

*[Resolution adopted on September 20th, 1928 (morning).]*

7. RADIOTELEGRAPHIC STATION TO BE CREATED WITH A VIEW TO PROVIDING THE  
LEAGUE OF NATIONS WITH INDEPENDENT COMMUNICATIONS IN  
TIME OF EMERGENCY.

The Assembly :

With a view to enabling Members of the League of Nations to proceed to a full examination of the proposals submitted with regard to the creation of the radiotelegraphic station for the purpose of providing the League with independent communications in time of emergency, and also with a view to allowing time for the additional technical, financial and legal studies considered desirable ;

Decides to place this question on the agenda of its tenth ordinary session ;

And requests the Council to take all necessary measures for a further study of these questions.

*[Resolution adopted on September 24th, 1928 (afternoon)]*

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## VI. RESOLUTIONS ADOPTED ON THE REPORTS OF THE FOURTH COMMITTEE.

### I. ADMINISTRATIVE AND FINANCIAL QUESTIONS.

#### I.

(1) The Assembly, in virtue of Article 38 of the Regulations for the Financial Administration of the League of Nations, finally passes the audited accounts of the League of Nations for the ninth financial period, ending on December 31st, 1927.

(2) The Assembly :

In virtue of Article 17 of the Regulations for the Financial Administration of the League of Nations, passes, for the financial period 1929, the general budget of the League of Nations, of the Secretariat and special organisations of the League, of the International Labour Organisation, and of the Permanent Court of International Justice, amounting, including supplementary credits, to the total sum of 27,026,280 Swiss francs.

And decides that the aforesaid budgets shall be published in the *Official Journal*.

(3) The Assembly adopts the conclusions of the various reports submitted for its consideration by the Supervisory Commission, except in regard to the Commission of Enquiry to the Far East.

(4) The Assembly adopts the conclusions of the report of the Fourth Committee. (document A.85.1928.X).

(5) The Assembly :

i. Requests the Council to ask the Allocation Committee to submit a revised scale to the 1932 Assembly ;

ii. Approves for the years 1929, 1930, 1931 and 1932, the scale for the allocation of the expenses of the League in force during the year 1928.

#### II.

The Assembly endorses and would recall the principles concerning the staff of the Secretariat contained in the report which Lord Balfour submitted to the Council, in agreement with a memorandum drawn up by the Secretary-General, and which was adopted by the Council on May 19th, 1920. In the words of this report, the Secretary-General, in making appointments to posts on the Secretariat, " had primarily to secure the best available men and women for the particular duties which had to be performed. But in doing so, it was necessary to have regard to the great importance of selecting officials from various nations. Evidently no one nation or group of nations ought to have a monopoly in providing the material for this international institution ". Lord Balfour emphasised the word " international " because the members of the Secretariat, once appointed, are no longer the servants of the country of which they are citizens, but become for the time being servants only of the League of Nations. Their duties are not national, but international.

The Assembly believes that the observance of these principles constitutes an essential factor in the confidence which the Members of the League of Nations repose in the Secretariat.

The Assembly relies on the Secretary-General and on the Council, which, in virtue of Article 6 of the Covenant, is responsible for approving the nominations made by the Secretary-General, to uphold in their entirety the principles stated above.

The Assembly requests the Council to submit to the Members of the League of Nations in good time before the tenth ordinary session of the Assembly a list of the appointments, promotions and resignations of officials of the rank of Members of Section and above that have taken place since the present session of the Assembly and of the salaries allotted in each case.

III.

The Assembly :

Whereas the Staff Regulations were drawn up shortly after the organisation of the Secretariat and whereas it would be advisable for the League to avail itself of the experience acquired since 1922 ;

Considering that, although the regulations have, on the whole, proved satisfactory, certain modifications would appear desirable to remedy certain disadvantages to which attention had been drawn ;

Instructs the competent officials of the autonomous organisations, after examining the present situation and the improvements which might be made, to consider what steps — in particular, amendments to the Staff Regulations — could be taken to ensure, in the future as in the past, the best possible administrative results, and to submit the results of this enquiry to the Supervisory Commission, in order that a report on the question may be communicated to the Assembly at its next ordinary session.

IV.

The Assembly decides that, excepting in the case of the Mandates Commission and Committees of the Assembly where special considerations apply, the Minutes of Committees and Sub-Committees will in no case be published unless a formal request, containing a statement of the reasons for such a course, is submitted to the Council through the Secretary-General.

[Resolutions adopted on September 26th, 1928 (morning).]

2. CONTRIBUTIONS IN ARREARS.

The Assembly requests the Secretary-General :

(1) To continue to give his support when necessary to any steps which he may consider useful with a view to the recovery of arrears ;

(2) To submit to the Council before the next session of the Assembly a detailed report of the position with regard to contributions in arrears.

[Resolution adopted on September 26th, 1928 (morning).]

3. CONSTRUCTION OF AN ASSEMBLY HALL, OF A NEW BUILDING FOR THE SECRETARIAT, AND OF A NEW LIBRARY<sup>1</sup>.

The Assembly,

Approves the report (document A.79.1928) of the Special Committee of Five Members in regard to the new buildings ;

<sup>1</sup> This resolution formed the conclusion of the report presented to the Assembly by the Special Committee of five members empowered by the Assembly resolution of September 26th, 1927, to choose a plan for the new buildings. This report was, by decision of the Assembly on September 20th, 1928, referred to the Fourth Committee for preliminary examination. The Fourth Committee approved the report and the resolution, with a slight amendment to the latter proposed by the Special Committee itself during the discussion, and which was incorporated in the printed edition of the report distributed to the Assembly (document A.79.1928).

Approves the choice of the Ariana Park as a site for the new buildings of the League of Nations;

Authorises the Secretary-General to sign all the necessary legal documents concerning the exchange of rights on the properties in question between the League of Nations and the Genevese authorities, as well as to draw up and sign the necessary contract between the architects and the League of Nations on the basis of the Special Committee's report to the Council (document C.93 (1). 1928), approved by the Council on March 6th, 1928;

Authorises the Special Committee of Five Members<sup>1</sup> (M. ADATCI, M. OSUSKY, M. POLITIS, M. URRUTIA and Sir Edward Hilton YOUNG) as soon as the legal formalities for the transfer of the land have been completed, and after having obtained all the expert advice necessary from the technical point of view, to give final approval to revised plans adapted to the new site, such approval to be submitted to the Council of the League of Nations for ratification. The final plans thus approved will then be carried into execution without delay by the Secretary-General and the Building Committee already appointed in accordance with the Assembly resolution of September 25th, 1924.

*[Resolution adopted on September 25th, 1928 (afternoon).]*

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<sup>1</sup> On the proposal of its General Committee and in accordance with a suggestion made on the report (document A.79.1928), the Assembly appointed, at the same meeting, M. Loudon (Netherlands) and M. Parra-Pérez (Venezuela) as substitute members of the Special Committee of Five.

VII. RESOLUTIONS AND RECOMMENDATIONS ADOPTED ON THE REPORTS  
OF THE FIFTH COMMITTEE.

I. TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS.

The Assembly notes with approval the reports (documents C. 521. M. 179. 1927. XI. and A. 7. 1928. XI.) of the Advisory Committee on Traffic in Opium and other Dangerous Drugs on the work of its tenth and eleventh sessions, together with the resolutions contained therein.

[*Resolution adopted on September 20th, 1928 (morning).*]

2. CONTROL OF OPIUM-SMOKING IN THE FAR EAST.

The Assembly recommends the Council to appoint a Commission of three persons to enquire into and report upon the situation in the Far-Eastern territories of the Governments which agree to such an enquiry as regards the use of opium prepared for smoking; the measures taken by the Governments concerned to give effect to the obligations undertaken in Chapter II of the Hague Opium Convention of 1912 and in the Geneva Opium Agreement of February 1925; the nature and extent of the illicit traffic in opium in the Far East and the difficulties which it causes to the fulfilment of those obligations; and to suggest what action should in the circumstances be taken by the Governments concerned and by the League of Nations.

The Assembly also expresses the hope that the Government of the United States will permit the Commission to visit the Philippines and inform itself of the experience of the system of prohibition in operation there.

[*Recommendations adopted on September 24th, 1928 (afternoon).*]

3. WORK OF THE ADVISORY COMMITTEE FOR THE PROTECTION AND WELFARE OF  
CHILDREN AND YOUNG PEOPLE.

*Traffic in Women and Children.*

I. The Assembly takes note of the report (document A. 9. 1928. IV.) of the Traffic in Women and Children Committee, thanks the Committee for the good work it has accomplished, and expresses the hope that this work will be continued along the same lines.

II. The Assembly takes note of the second part of the report of the Special Body of Experts published in November 1927, and expresses its appreciation of the splendid work done by the Experts and their co-workers. It expresses the hope that it will be possible to extend the investigations to countries where no investigation has taken place before.

III. The Assembly notes with satisfaction that the Committee has examined the resolution passed by the Assembly at its eighth ordinary session as to "the desirability of recommending to all Governments the abolition of licensed houses", and it supports the Committee's request that "the Governments of all those countries which still retain the licensed-house system will investigate the question as soon as possible in the light of the report made by the Special Body of Experts".

IV. The Assembly desires to call attention to the great importance of the employment of women police as a preventive measure.

[*Resolutions adopted on September 18th, 1928 (morning).*]



*Child Welfare.*

The Assembly notes the report (document A.8.1928.IV.) submitted by the Child Welfare Committee, thanks it for the work it is doing and requests it to go forward along the lines described in the report on its fourth session.

The Assembly, remembering that, at its first session in 1925, and at all its later sessions, the Child Welfare Committee has made a study of the various factors involved in the question of the cinematograph in relation to children, is glad to see that the Committee will be represented by at least one member on the Governing Body of the International Educational Cinematographic Institute. It requests the Child Welfare Committee to keep in close touch with the Institute.

The Assembly attaches particular importance to the work undertaken by the Child Welfare Committee's Legal Sub-Committee in connection with the preparation of :

(1) A preliminary draft convention for the repatriation of minors who have escaped from the authority of their parents or guardians ;

(2) A preliminary draft convention for the relief of minors of foreign nationality. This draft would be in the nature of a model scheme, with a view to facilitating subsequent work on the question and for application between interested countries.

(3) A preliminary draft convention on the execution of judgments relating to maintenance payable on behalf of children by persons responsible for their support who have deserted them and gone abroad.

The Assembly invites the Child Welfare Committee diligently to pursue its efforts in this direction.

*[Resolutions adopted on September 18th, 1928 (morning).]*

4. RUSSIAN, ARMENIAN, ASSYRIAN, ASSYRO-CHALDEAN AND TURKISH REFUGEES.

The Assembly :

(1) After examining the reports (document A.33.1928.VIII) submitted by the High Commissioner for Refugees and by the Director of the International Labour Office on questions connected with Russian, Armenian, Turkish, Assyrian and Assyro-Chaldean refugees ;

(2) Recognises the progress achieved in the course of the year ;

(3) Notes that a complete solution of the problem can only be provided by the return of the refugees to their country of origin or their assimilation by the countries at present giving them shelter ;

(4) Earnestly invites the Governments concerned to provide the refugees with all possible facilities for acquiring the nationality of the countries in which they at present reside ;

(5) Whereas, however, in present circumstances, international action is still necessary for some time to come ;

(6) In conformity with the resolution of the Governing Body of the International Labour Office, invites the Council of the League to take urgently all necessary steps to appoint an Advisory Commission to be attached to the High Commissioner ;

(7) Recommends the Council to invite this Advisory Commission to submit to it, before the next ordinary session of the Assembly, a general report on the possibility of reaching a final solution as soon as possible and on the means by which this object might be attained ;

(8) Earnestly invites States Members to adopt and apply, on as wide a scale as possible, the Inter-Governmental Arrangements concluded on July 5th, 1922, May 31st, 1924, May 12th, 1926, and June 30th, 1928, which offer the refugee work the means by which it may gradually become self-supporting ;

(9) Points out, however, that the respective Governments must be left free to decide whether and how far they are prepared to give force of law to the recommendations adopted by the Inter-Governmental Conference of June 30th, 1928 ;

(10) Notes that the taxes to be levied will be fixed in consultation with the respective Governments, that only the representatives of the High Commissioner will be entitled to levy them, and that the employment of the proceeds will be subject to the control of the High Commissioner ;

(11) Declares that the Council's resolution of June 27th, 1921, shall be applied in regard to all categories of refugees ;

(12) Recalls with gratitude the endeavours of the High Commission and of the International Labour Office by which about 800 Russian refugees in Constantinople have been successfully evacuated during recent months ;

Cognisant of the very difficult situation of some 2,000 of these refugees who still remain in Turkey and who, in accordance with a Decree of the Turkish Government, must be evacuated from Turkey before February 6th, 1929 ;

Expresses the hope that the High Commission will seize every opportunity to press forward their evacuation and that the various Governments will, as an exceptional measure, and subject to the safeguarding of their own interests, authorise the issue of emergency visas to enable the refugees to leave Turkey ;

(13) Adopts the budget for the Refugees Services for 1929, as already approved by the Governing Body of the International Labour Office and by the Supervisory Commission, and

Requests the Supervisory Commission to take into consideration the uncertainty of the position of the officials employed in that Service, to which attention has been drawn by the Governing Body of the International Labour Office, and to grant them the improvements asked for on their behalf.

*[Resolutions adopted on September 25th, 1928 (morning).]*

VIII. RESOLUTIONS ADOPTED ON THE REPORTS OF THE  
SIXTH COMMITTEE.

I. MANDATES.

The Assembly :

Having taken note of the work accomplished by the mandatory Powers, the Permanent Mandates Commission and the Council in execution of Article 22 of the Covenant :

Desires to convey to them its admiration for their continued efforts and for the spirit of co-operation which has characterised their work ; and  
Trusts that this will always continue to be the case.

The Assembly :

(a) Expresses the hope that the Permanent Mandates Commission's work on the question of the application of the principle of economic equality will be actively pursued, and that the mandatory Powers will supply all the information requested ;

(b) Hopes that the study of the question of the liquor traffic will, with the help of the mandatory Powers, lead to effective results ;

(c) Expresses the opinion that it is desirable that the mandatory Powers should furnish and keep up to date all the particulars necessary to complete the statistical tables already compiled by the Secretariat.

*[Resolutions adopted on September 18th, 1928 (morning).]*

2. SLAVERY CONVENTION.

The Assembly notes the report of the Council regarding slavery (documents A.24.1928.VI and A.24(a).1928.VI) containing communications from the Governments of Great Britain, India, Italy and the Sudan and also notes a list submitted by the Abyssinian delegation.

The Assembly hopes that no effort will be spared to furnish similar information in the future, as it is of considerable interest and utility to the States Members of the League.

The Assembly notes with satisfaction that the number of ratifications and accessions to the Convention of September 25th, 1926, has appreciably increased since its last session, and expresses the hope that all countries affected by this question will ratify or accede to the Convention in the immediate future.

*[Resolution adopted on September 18th, 1928 (morning).]*

3. WORK OF THE INTERNATIONAL COMMITTEE ON INTELLECTUAL CO-OPERATION AND  
THE INTERNATIONAL INSTITUTE OF INTELLECTUAL CO-OPERATION.

The Assembly has taken cognisance of the reports (documents A.28.1928.XII and A.29.1928.XII) submitted by the International Committee on Intellectual Co-operation and the Governing Body of the Institute. It is pleased with the results obtained by

the Committee on Intellectual Co-operation as well as with the work of the International Institute of Intellectual Co-operation during the past year.

The Assembly notes that its recommendations in preceding years in regard to eventual contributions from other States to the budget of the International Institute of Intellectual Co-operation have been acted on, that additional countries have granted subsidies, while France itself has increased its contribution by 500,000 French francs, so that the budget of the Institute for the year 1929 now amounts to 2,896,000 French francs.

It takes note of the progress made in regard to certain important questions :

Scientific property, co-ordination of bibliography for several sciences, co-ordination of institutes of higher political and social studies ;

The work of the International Museums Office and the contemplated extension of its work in favour of scientific museums and similar establishments ;

The part played by the representatives of the Committee and of the Institute at the recent Rome Conference for the revision of the Berne Copyright Conventions, and especially in the discussions which culminated in the recognition of the moral rights of authors, recommended by the Committee on Intellectual Co-operation ;

The action taken by several States in pursuance of the recommendations of the Sub-Committee of Experts for the Instruction of Young People in the Aims of the League, the beginning of the work of the Educational Information Centre in Geneva and Paris, and the contemplated publication of a Survey devoted to these questions.

The Assembly recognises the importance of the problem of the international circulation of books and hopes that the obstacles in the way of the circulation of scientific and technical publications may, as far as possible, be removed.

The Assembly, in view of the general identity of principles between the Convention of Berne, as revised first in Berlin and then in Rome, and the Copyright Convention signed in 1910 at Buenos Ayres by the American States, and revised in Havana in 1928, requests the Council to have its competent organs make all the necessary investigations and consultations regarding the desirability of a general agreement having for its object the unification, on an international basis, and in full conformity with the wish expressed at the Rome Conference for the revision of the Berne Copyright Conventions, of all laws and measures for the protection of intellectual property.

The Assembly notes with satisfaction the readiness with which teachers in secondary and elementary schools have answered the appeal for co-operation addressed to them, and welcomes the organisation of courses of study with a view to their special requirements, not only on a national basis by various committees, but also on an international basis at Geneva and elsewhere. It is glad of the support received from Governments by which, following the recommendations by the Sub-Committee of Experts of the Committee on Intellectual Co-operation, facilities have been offered to teachers for following these courses of instruction, and, convinced of the paramount importance of the training of teachers for such teaching, it expresses the hope that similar facilities will be offered by the other States Members of the League.

The Assembly requests the States Members to take into consideration the need for the systematic organisation of the exchange of children in secondary schools during the summer holidays with a view to developing the spirit of peace and international co-operation, for which purpose the existing University offices should be utilised or special organisations created.

• Convinced that this international exchange of school-children would greatly promote mutual understanding among peoples, the Assembly recommends that arrangements be made between different countries on this subject, and it begs the Committee on Intellectual Co-operation to instruct the International Institute of

Intellectual Co-operation and the Secretariat of the League to facilitate the execution of such arrangements.

It draws the special notice of Governments and requests them to give the greatest possible effect to the resolutions of the Committee on Intellectual Co-operation in regard to :

- (1) The creation in the national or central library of every State of an information bureau ;
- (2) The preservation of prints and manuscripts ;
- (3) The suppression of Customs duties on prints sent to libraries and recognised institutes ;
- (4) The adoption of the necessary measures for the preservation and the study of primitive languages which are dying out.

Finally, it calls the attention of Governments to the danger of cinematographic performances and of broadcasting characterised by a spirit antagonistic to that of the League.

*[Resolutions adopted on September 24th, 1928 (afternoon).]*

#### 4. PLAN FOR THE ESTABLISHMENT OF ARMENIAN REFUGEES IN THE REPUBLIC OF ERIVAN.

The Assembly :

Decides that the work of establishment of Armenian refugees in the Republic of Erivan shall be carried on under the auspices of the League of Nations ;

Requests the Council to continue negotiations with those Governments which have offered assistance in this work, in order that the conditions under which other offers have been made may be fulfilled ;

Approves the inclusion in the budget of the sum of 50,000 Swiss francs to meet the administrative expenses of this work.

*[Resolution adopted on September 25th, 1928 (morning).]*

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IX. ELECTION OF THE NON-PERMANENT MEMBERS OF THE COUNCIL.

I. THE ASSEMBLY ELECTED PERSIA, SPAIN AND VENEZUELA TO BE NON-PERMANENT MEMBERS OF THE COUNCIL.

[*Meeting of September 10th, 1928 (afternoon).*]

II. THE ASSEMBLY DECLARED SPAIN RE-ELIGIBLE FOR ELECTION TO THE COUNCIL ON THE EXPIRY OF HER PRESENT TERM OF THREE YEARS<sup>1</sup>.

[*Meeting of September 10th, 1928 (afternoon).*]

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<sup>1</sup> This decision was taken in virtue of the following resolution adopted by the Assembly on September 7th, 1928 :

“ The Assembly, having in mind the discussions which took place at the session of 1926 resulting in the unanimous adoption of Rules of Procedure for the election of non-permanent Members of the Council, decides, in virtue of its powers under Article 4, paragraph 2 *bis*, of the Covenant, that the temporary provisions for the election of 1926 contained in Article 4, paragraph 2, of the resolution of the Assembly of September 15th, 1926, shall also apply to the election of 1928.

“ In application of Rule 14, paragraph 2, of the Rules of Procedure of the Assembly, this resolution is adopted without reference to a Committee. ”